HOUSE OF REPRESENTATIVES—*Monday, May 2, 1983*

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore (Mr. WRIGHT).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, D.C., *April 29, 1983.*

I hereby designate the Honorable JIM WRIGHT to act as Speaker pro tempore on Monday, May 2, 1983.

THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives.

PRAYER

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

May the glory of a new day ever brighten our hearts, O God, our Creator and Sustainer. Help us to sense beauty in the seemingly ordinary things of life, to see opportunity at times of difficulty, and in spite of the necessary details of living, may we not lose sight of Your purposes for us. May the testimony of our lives and the good works we seek to do, ever speak of Your presence in our world and in our hearts. Bless all who labor in this place, we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. 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.

Mr. WALKER. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

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

So the Journal was approved.

SUNDRY MESSAGES FROM THE PRESIDENT

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

MESSAGE FROM THE SENATE

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

H.R. 2600. An act to dedicate the Golden Gate National Recreation Area to Congressman Phillip Burton.

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

S. 1037. An act to authorize appropriations for fiscal year 1984 for certain maritime programs of the Department of Transportation, and for other purposes.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 28, 1983.

Hon. THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I herewith tender my resignation as a Member of the Ninety-Eighth Congress, to take effect on Saturday, April 30, 1983 at Two O'Clock P.M. Central Daylight Savings time.

I have this day, by separate letter, officially notified the Governor of Illinois of my resignation.

Yours most respectfully,

HAROLD WASHINGTON,
Member of Congress, 1st Congressional District, State of Illinois.

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 28, 1983.

Hon. JAMES R. THOMPSON,
Governor, State of Illinois, Springfield, Ill.

DEAR GOVERNOR THOMPSON: For the past twenty-nine months, I have had the privilege of serving the people of the First Congressional District of Illinois in the United States House of Representatives. However, upon assuming the Office of Mayor of the great City of Chicago, I cannot continue to serve in this capacity.

Therefore, I am hereby tendering to you my resignation as the United States Representative for the First Congressional District of the State of Illinois, effective Saturday, April 30, 1983 at Two O'Clock P.M., Central Daylight Savings time.

With best regards,

HAROLD WASHINGTON,
Member of Congress, 1st Congressional District, State of Illinois.

KILL THE COPPERHEAD

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

Mr. McCURDY. Mr. Speaker, after weeks of debate, it appears that the real growth in this year's defense budget will be somewhere near 5 percent. But an equally important debate is just beginning. Our very difficult task now is to decide how the money should be spent.

Can we afford the expensive redundancy of three different types of close air support systems and seven different types of tactical aircraft? In the past the answer was yes. When we hit a budget snag, we simply worked at the margins by reducing quantities or stretching out programs. Rarely have we made the tough decision to cancel programs. But, a $200 billion deficit demands that we be more responsive as legislators.

Just one example where the Congress has the opportunity to take decisive action is the controversial Copperhead artillery shell. The Copperhead's unit cost has risen 117 percent during the past year. The Army has tried to kill it. Yet, the Secretary of Defense has kept the misguided program alive over the Army's objections.

The time has come to make decisions that prudently protect the taxpayers' dollars and judiciously use the resources we now have to build a strong national defense. The question before this Congress is, Will we have the courage to kill programs that are wasteful and clearly out of control?

SEEKING CLARIFICATIONS OF THE SCOWCROFT COMMISSION REPORT

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

Mr. GORE. Mr. Speaker, the report by the President's Commission on Strategic Forces, also known as the Scowcroft Commission, offers the Congress a chance to reconstruct a bipartisan approach to strategic policy.

However, in the wake of the Commission's report, many questions have been raised about the nature of the President's commitment to the arms control portion of the report and the nature of the Pentagon's commitment to the recommendation that we move forward with a single-warhead missile. I am, therefore, urging my colleagues to be very cautious in their reactions to this report and seek additional assurances as to what the position of the

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

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

administration is likely to be with respect to arms control.

Specifically, I have been concerned by statements on the part of the President, the Secretary of Defense, and the Secretary of State that our current position in Geneva is perfectly consistent with the recommendations of the Scowcroft Commission when in fact they are not consistent at all.

Additionally, I am concerned by statements out of the Pentagon that they view the principal virtue of the report as its recommendation to go forward with the MX missile, and that they regard the single-warhead missile as a tentative concept.

Mr. Speaker, I would hope that the Congress will receive additional clarifications on all these matters before it decides on the resolution triggered by the Scowcroft Commission.

TWO GEORGIANS AWARDED PULITZER PRIZES

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

Mr. FOWLER. Mr. Speaker, the Stevie Wonder epigraph in Alice Walker's novel "The Color Purple," "Show me how to do like you, Show me how to do it," was certainly an appropriate choice, for Ms. Walker has shown all of us how to do it with this special story about two sisters recently awarded the Pulitzer Prize for fiction.

I am particularly proud that Ms. Walker, a fellow Georgian from Eatonton, is the first black woman to win the award for fiction. An active participant in the civil rights movement, Alice Walker has written several works about this turbulent period in our Nation's history, including the novel "Meridian."

Another important figure from the civil rights movement—and also a native Atlantan—received a Pulitzer for news commentary. Claude Sitton, who covered the South for the New York Times during the difficult years of the sixties, was recognized for the excellence of weekly column on national and international issues and politics. Mr. Sitton is currently the editor of the News & Observer in Raleigh, N.C., which covers most of the eastern part of the State.

I am delighted by the accomplishments of these two native Georgians, and I extend my congratulations to them on receipt of this outstanding honor. They bring honor to our region by bringing honor to themselves.

TRIBUTE TO THE LATE LOWELL DAVIES, PROMINENT SAN DIEGAN

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

Mr. BATES. Mr. Speaker, I call on my colleagues in the House of Representatives to take a few moments to note the death of a prominent San Diego attorney and a long-time leader of the Shakespearean Old Globe Theatre. He died Friday, April 29, at the age of 86.

Mr. Lowell Davies, who was honored as "Mr. San Diego" in 1979 by the San Diego Rotary Club, served on the Old Globe's board of directors for 43 years, 31 of them as president. He became chairman of the Globe's board of directors in 1976 and honorary life chairman in January of this year.

Though confined to a wheel chair, he greeted Queen Elizabeth II when she visited the Old Globe in February. It was one of the highlights of his life.

Our former colleague, Mr. Clair Burgener, said that Davies "was a giant of a man who made the Old Globe Theatre what it is today."

Mr. Speaker, to his wife, Darlene, his sons, Thomas and John, and his daughter, Estelle, and other family members, let me extend our heartfelt sympathy for your loss and the loss to San Diego and America.

□ 1210

SUPPORT TO SCOWCROFT REPORT

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

Mr. DICKS. Mr. Speaker, I want to compliment my colleague, the gentleman from Tennessee, who just a few minutes ago suggested that all of us should take time to carefully review the Scowcroft Commission report on the MX, arms control, and the future of a small single warhead missile.

I, too, hope that our country can come to a bipartisan consensus on what we should do about our future strategic posture; but I think it is absolutely critical in achieving that bipartisan concensus that we have from this administration a commitment to go forward with a new START proposal and a new proposal to start the R&D on the Midgetman missile. Only if the entire Scowcroft Commission report goes together as a package can we achieve a bipartisan consensus that I think the country desperately needs the arms control and strategic forces issue.

THE NUCLEAR FREEZE RESOLUTION

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

Mr. WALKER. Mr. Speaker, as the majority party goes to the Rules Committee today to get a gag rule to shut off debate on the nuclear freeze resolution, I wonder what it is that they do not want to debate.

It seems to me that one of the things they may not want to debate is the real intent of the resolution. This has been a problem since the beginning of the discussion of this bill. What is the real intent of the bill?

I had planned to offer an amendment to say that the resolution is an expression of concern over the threat of nuclear war and as such shall not be regarded as having the force of law. That would be language perfectly consistent with what the proponents have said on the floor that their resolution is all about.

For example, Representative PANETTA of California has said, "The resolution is not a treaty, it is not an agreement . . . it does not bind our negotiators . . . it does not bind friend or foe . . . it is an expression of concern."

Representative DICKS of Washington said, "It is an expression of concern about the arms race."

Chairman ZABLOCKI has said, "House Joint Resolution 13 sets out objectives and does not bind the President."

The Speaker of this House has said, "It only expresses the will of the Congress and does not bind the President."

Why should we not have a discussion as to whether or not that kind of language should get into the resolution?

But if we have a gag rule, as the majority party is proposing today, we will not get that kind of discussion. That is what they are trying to shut down. That is what is wrong with the action that they are taking.

REPRESENTATIVE CLAUDE PEPPER DID US ALL PROUD AT INTERPARLIAMENTARY UNION SPRING CONFERENCE

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

Mr. BOEHLERT. Mr. Speaker, I have just returned from Helsinki where it was my privilege to serve as a member of the U.S. delegation to the Interparliamentary Union Spring Conference.

Since our delegation, which consisted of bipartisan representation from the House and Senate, will shortly provide Congress with a full and detailed report on the Conference, I will not preempt my colleagues.

What I do wish to do, however, is to report to you all on the truly magnificent manner in which our distinguished delegation chairman, CLAUDE PEPPER of Florida, led us and represented the United States at this international meeting.

Senator PEPPER did us all proud. He was an effective leader, but most of all, he was an Ambassador at Large who spread good will for the United States of America every minute of every day.

When he talked, people listened. Parliamentarians from around the world sought him out for discussion on important issues involving the future of the world.

Never once did he miss an opportunity to put our Nation's best foot forward. Never once did he let go by a chance to talk about our value system and our high standards and our interest in peace, in equality, in justice, and in opportunity, not just for ourselves, but for all mankind.

CLAUDE PEPPER did us all proud. We could not have been better led or better represented.

TAX FREEDOM DAY

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

Mr. ROBERTS. Mr. Speaker, today, May 2, is Tax Freedom Day, the day we can stop working for the Government and start keeping what we earn. Today, every American must work more than 4 months of every year just to pay for Government. The good news is that Tax Freedom Day is 1 day earlier this year. The bad news is that if the spending trend embodied in the 1984 budget becomes a reality, Tax Freedom Day will continue its march through the calendar.

The writers, pundits, and economists who get paid well to look in their crystal balls warn of a new populism that is aimed primarily at high taxes. There are some ominous signals. When Congress proposed withholding of 10 percent of interest and dividends, the volume of grassroots protest actually halted postal service in parts of Washington. In my view, the 10-percent withholding issue was not as important as the genuine concern and frustration and outright anger behind it. Washington was again sent a strong signal that people are fed up with big government and Federal interference in their daily lives and pocketbooks.

Let us consider of a moment the size and scope of the tax iceburg. In 1959, some 24 years ago, the median family income was $5,661. That family paid $475 in Federal income taxes—8.4 percent of their earnings. In 1970, approximately 10 years later, that median family income was $9,750 and the average tax bill for Uncle Sam was $939—or 9.6 percent of earnings. In 1980, only a decade later, the U.S. median income was $21,000, but the tax bite had increased to $2,197—or 10.5 percent.

Now, if you add the cost of social security, which is climbing faster and higher than any other tax, and that median American family today pays nearly 17 percent of its gross income in Federal taxes. That is a 50 percent jump since 1959.

Some may say 17 percent is not too much to ask if you consider all of the benefits Government provides, the need to assist those who are disadvantaged, to provide for the national defense and to pay for all of those entitlement programs Americans have become accustomed to and upon which many depend. But, if you throw in all taxes—State, county, and so forth—the average working American is now at the point where taxes take nearly 40 cents of every dollar he earns.

The real sobering thought is what will happen down the road if something is not done. That same average family will be in the 50-percent bracket by the year 2000. Now that is not the rich, not those other folks who hire the lawyers to find the loopholes, that is our children and grandchildren paying Government 50 cents of every dollar they earn.

We are apparently entitled to a great many Federal programs, but we are also entitled to pay for the cost—and the cost that the next generation will pay will be over half of their income going to some form of tax. When we reach that point, I submit to you we will have lost the most previous entitlement of all—our individual freedoms.

To stem that vicious tide, President Reagan in 1981 proposed and Congress passed a major tax reform bill. First, we cut taxes over 3 years—a total of 23 percent. Then, beginning next year, we adopted indexing which will prevent taxpayers from being pushed into higher brackets by inflation. And, as I have indicated, we adopted several other long-needed reforms, including estate tax changes that make it possible to pass along our small businesses and family farms to our children and grandchildren.

Those of us who worked hard for these reforms did so in the belief that allowing people to keep more of each dollar they earn benefits everyone, including the tax collector. There is strong evidence that we were right. We hear a lot about so-called tax cuts for the rich. Collections from high income taxpayers have increased, not decreased because they have been encouraged to save and invest—the incentive was there.

The budget just passed in the House and now being considered in the Senate presumes repealing most of the reforms in effect including the third year of the tax cut, indexing and estate tax reform. Mr. Speaker, it is time to dispel the myths that have given rise to this budget.

MYTH NO. 1

Myth No. 1 is that we have to repeal the 1981 tax reforms because they are responsible for our estimated $200 billion deficit. The tax reforms did not cause our deficit. Even without the reforms, we would have a $144 billion deficit at the end of this year. And that assumes that all of the money left in the pockets of taxpayers throughout the Nation would have gone to reduce the deficit. If you believe Congress would have applied this revenue to reduce the deficit—and not on pet programs—you are like the missionary who invited himself to a cannibal's barbecue.

MYTH NO. 2

Myth No. 2 is that President Reagan and Republicans in the Congress slashed the taxes of the rich at the expense of the poor. Let us look at the facts.

Before 1981, people with annual incomes of $50,000 or more earned 16 percent of all taxable income and paid 30 percent of all income taxes paid in this country. After the tax reforms are fully in place, they still will be paying at least 30 percent of all taxes. Probably more.

Seventy-two percent of the benefits of the third year of the tax cut will go to people earning under $50,000.

Repealing the third year of the tax cut and indexing would result in a 36-percent increase in the taxes for families earning $10,000, a 17.6-percent increase in taxes by families earning $25,000, but only a 16.9-percent increase in taxes for families earning $100,000.

MYTH NO. 3

Myth No. 3 is that repeal of indexing would not really matter to people. Tax indexing is the opposite of wage indexing which automatically increases worker's pay with the rate of inflation. The simple act of indexing represented the most fundamental tax reform, in my opinion, in decades. To understand why, just look at the history of Federal spending increases. Taxes were not raised to pay for all of the new programs that have come on board since the inception of the so-called Great Society of the 1960's. The money came from more taxes paid by middle income taxpayers pushed into higher and higher brackets. It became a politician's dream and a working person's nightmare; an automatic increase in revenue to spend on pet programs. The upshot was that taxes and Federal spending both rose faster than inflation during the 1970's.

Indexing is nothing more than truth in spending. It will force Congress to go "cold turkey" on its spending habits. No more automatic increases in the amount of money available to spend. New or expanded programs will require passage of higher taxes to pay for them. Indexing promotes honesty. It does not lower taxes. It simply forces Congress and the President to

choose openly between spending cuts, higher taxes or continued deficits.

MYTH NO. 4

Myth No. 4 is that America is a great and good and healthy country and we can afford to pay more taxes to support programs that are truly needed. Do we, as Americans, want to follow the example of Sweden where citizens pay over 50 percent of their gross income to Government, or perhaps, France where they pay more than 40 percent?

Down through the years, economists have warned that 25 percent was the maximum tax any people could bear without open rebellion. May I remind you rebellion comes in different ways. Consider this: The best estimates are that the Federal Government now collects only 85 percent of the tax due because more people are cheating. That revenue is coming out of your pocket and mine.

If the Government is going to take 20 percent of your income, cheating is not worth the risk. But, if the Government proposes to take 50 percent, an increasing number of citizens may find ways to join what is called the underground economy.

Let me stress that cheating and nonpayment of taxes cannot be tolerated. But, I wonder at what point does Government effort to force tax compliance become ineffective in the fact of soaring taxes? We are obviously reaching the point of drastically diminished return.

Once we have exposed these myths for what they are and once we have alerted our citizens to the fact we are very close to business as usual in the Congress, more taxing and more spending, what can be done?

The answer is that for some the deficit crisis applies only when it is time to derail the President's so-called tax cuts and the defense buildup. If the deficit crisis is really as dark as has been painted—and I believe it is—the solution is obvious. Based on a below average economic recovery estimated by the Congressional Budget Office, a 2-year spending freeze would balance the budget in 1986. Spending could then resume its rise and the budget, according to CBO, would remain in balance.

If a spending freeze across the board is simply not palatable, a modified freeze that would allow a 6-percent annual increase in real defense spending would balance the budget in 4 years. If the economy experiences a more robust recovery, spending could increase more or the deficit could be balanced sooner. But, the sad truth of it is some lack the political courage to make those hard choices. The truth is there is no budget crisis that Congress cannot solve by at least temporarily controlling spending.

I know it is fashionable today to say that such a thing is impossible—that we have a structural deficit, if you will, and that to even suggest we should balance the budget is simplistic and counterproductive. May I ask what is so impossible about the Federal Government getting along on the same amount of money for 2 years in a row? Where is it written in stone that we must increase spending by more than $200 billion in the red for the next 5 years?

However, budget proposals that would have called for various forms of a spending freeze were simply passed over. This at the time the skyrocketing Federal deficit has reached a record $130 billion only halfway through the current fiscal year! This at the time when total spending is up 12.3 percent, some $406 billion.

In recommending a budget freeze, I want to stress that I am not talking about cutting any Federal program. I am not talking about reductions in the needed programs for those who are disadvantaged and those experiencing hardship during these difficult times. I am simply talking about freezing spending at current levels.

I am also talking about incentive. The "American Dream" is not that everyone be leveled with everyone else, but that each of us has the freedom and incentive to climb as high on that ladder of opportunity as possible. We will not achieve fruition of the "American Dream" by going back down the road to everincreasing taxes and Government. We will not achieve it by taxing our productive citizens to the point that we all become equal—in the 50-percent tax bracket.

ANNUAL REPORT FOR 1982 OF FEDERAL COUNCIL ON AGING—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. KILDEE) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and Labor:

(For message, see proceedings of the Senate of today, Monday, May 2, 1983.)

CURRENT REPORT ON DEVELOPMENTS CONCERNING NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore. laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs:

(For message, see proceeding of the Senate of today, Monday, May 2, 1983.)

□ 1220

EMERGENCY HOUSING ASSISTANCE ACT

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

Mr. GONZALEZ. Mr. Speaker, I again rise because of the impelling reason to do so with respect to what I consider to be a critical bit of legislation, overdue for at least not less than 1½ years entitled the Emergency Housing Assistance Act, known as H.R. 1983, that provides in the first section for mortgage foreclosure prevention assistance and the only lifeline that a struggling American family, which through no fault of its own, is confronted with the loss of its homeownership.

The second section has to do with a program that would provide the help to those entities throughout our country that are endeavoring to set up adequate shelter programs for homeless Americans.

Both of these sections are the result of very extensive hearings where we had testimony from every single section of the country, urban, rural, the dense areas, the not-so-dense areas. But for the first time, even when we had an emergency hearing during the "lameduck" session in the last week of that session this past December, it was one of the most trying and sad and tragic experiences that I have confronted, even as I recall—and I am old enough to do so—the sad and dreary Depression era. In fact, it is so evocative of it that it is with a great deal of sadness that I notice the resistance, almost identical in words on the part mostly and on a partisan basis, though some few of the Members of the majority party that I belong to have been up to now succumbing to very, very misguided, incorrect, and in some instances I cannot help but think malicious attacks on this program, even impugning the professional ability and the efficiency with which our subcommittee and its professional staff have worked.

There cannot be, I do not think, I know in my case I cannot think of any more tragic and quite unnecessary event than to see two things: one, a young, able-bodied American, male or female, with all of the hope in their breast that the average American entertains in our country and has in these later generations where the fear and the hag-riding prospect of a depression is only something read about in the history books, if at all, and therefore a generation that has not suffered.

To see them in my office, whether here or in the district in San Antonio, seeking, having sought for months, employment opportunity and finding none, this is a terrible commentary of any society, but much more ours and us having to fight for the last 2 years with our main opponent, bringing the President in power and his administration and advisers trying to go back and reestablish a debate on a fundamental principle that I thought had been resolved for decades, in fact, from the beginning of our Government, and that is the need for governmental intervention in some areas.

These gentlemen talk as if that has never happened. The issue is not whether or not the Government has the right or it is proper for it to intervene. That was settled from its inception in the establishment of the wilderness areas, in the first setting up of the public owned lands into sections and providing for its distribution by the Government, in the wholesale delegation of not only property but eminent domain rights to those vast enterprises that built and constructed the railroads and could not have done it if they had not had Government aid.

Then to come here now and resurrect that when the real issue is not—the real issue always is and continues to be the nature of the intervention and in whose behalf. These same forces are asking us to massively intervene right now; the pressure is on us to the tune of almost $10 billion, to what? To bail out, to intervene in behalf of the biggest oligarchic powerful banking interests not only in our country but in the whole world. The same voices are turning around and out of the other side of their mouths saying, "But you have a horrible bill here where you are trying to go out and help an American family that without any fault on its part is about to lose its home. That is wrong. That is socialistic. That is improper. You are creating an administrative nightmare."

When the truth is that this is the most carefully thought out and devised bit of legislation. There are no hidden clauses. It is straightforward, thought out on the basis of the experience during the Depression of the Home Owners Loan Corporation, the HOLC, which was really direct Government intervention because the Government came in and actually acquired the mortgage.

We are not asking that now. All we are asking is a little helping hand in the nature of a loan, not a grant, not a gift, a loan to be paid back with interest—in my opinion extortionate interest—but every one of us has to compromise in this lawmaking process.

If I had my druthers, the rate of interest would not exceed in this bill 6 percent, but I cannot have my druthers.

But at least a little bit of recognition of the anguish, the suffering that is going throughout our land in the face of a President that, like King Canute, wants to order the waves to stop and says, "Oh, you press, why are you reporting sad and dreary things? Report only the the happy things."

□ 1230

Just last week, after we had had just the first debate, general debate on the bill, with the threat of what? Just blanket opposition, unreasoning opposition by Members who had every opportunity to have participation in the structuring of this bill for their members of the committee and subcommittee. And what did they do? First, they never showed up for the meetings or even the hearings.

Second, they never offered any constructive amendments of any kind. Rather, deferring vaguely to some future time, in case, as they said, we could get it out of the subcommittee and full committee for some event during the House debate. During that debate Americans listening throughout the land responded.

I have letters from 17 States, citizens of 17 States, but the most tragic, sad thing was a petition signed by 3,000 Americans in Pueblo, Colo., with a message directed to me, asking me to turn this petition over to the House of Representatives. And it is the most pathetic message any Congressman has ever or could ever receive, because they are saying, and these are the words, "Thank you, Congressmen, who are for this bill." Three thousand out of five thousand workers in the steel mill that makes up Pueblo, Colo.'s main economic activity are unemployed and we are under the threat that the other 2,000 might go out and this mill will shut.

In the meanwhile we get up in the morning with a knot in our stomach, not knowing what is going to happen and facing now over 100 distress sales or foreclosures of our homes a month. In America, while we are shipping out bales over bales of dollars to foreign potentates who are exploiting their own people.

What has caused that? What has happened to us in America, in the face of the miserable charges here, up to now? So, I am impelled to rise and at least keep the record straight so that no colleague, when the time of the truth comes to take a vote on this, and I hope we will be given the privilege of asking for a vote up and down—up and down where it will go on record and we will be able to see there who is responsive to what is happening now and not be deluded by the cry that all is well and that recovery is upon us, or if it is not it is well on its way.

We have got to report truthfully, not because we want to appease a floundering administration, floundering in the effects of its own unwise economic policies, diplomatic policies, domestic policies, as well as international policies. And I say that we have a greater responsibility to our own, first and foremost. And that if we are going to bail out the banks, who are the ones that are not going to hold back from foreclosing, if they have no alternative—all we are saying is, since when is it the policy of a Congress and the representatives of its people to turn its back on the crying needs that cannot be met alone and individually by a citizen or a family?

Last year, there were more home foreclosures than at any time, and at one point higher than the highest rate during the Depression.

That trend is continuing this year. And right now, as I am talking to you, hundreds of thousands of Americans are not able to make their mortgage payments. Some are able to work out some kind of an arrangement, but for too many lenders there are no longer any means whatsoever to do so. And they cannot persuade the mortgagee to forbear, and so those foreclosures and distress sales are taking place everywhere but particularly in areas of great distress. In Beaver County, Pa., with 23.5 percent unemployment; Loring County, where we had the sheriff come in December and tell us that by this point he would be confronted with the need of facing distress sales in over 1,200 cases, just in that county.

Now, when a home is foreclosed, it means that a family has lost its biggest investment. And as I have said repeatedly, the one big, indissoluable tie that an American has with his soil and his country, we destroy that. What are we talking about in family preservation if we allow this destruction to take place? It means in all likelihood that they have lost all their savings; it means financial and personal devastation. The Emergency Housing Assistance Act, H.R. 1983, is intended to mitigate this tragedy by the simple means of extending emergency loans to homeowners whose incomes have been cut by the consequences of economic recession and depression.

There has been an enormous amount of misinformation about this bill. It is important that Members of the House know the true facts before it is considered, hopefully later this week. Again, if we had had our druthers—we passed this out of the subcommittee and committee and Rules Committee under an emergency situation—I would have loved to have had it brought up before the Easter recess. We could not; it is not in our power to decide that. So, here we are trying, trying desperately to do something

against a great lobbying of the Bankers Association, the American Bankers Association, the board of realtors, of all people, and the savings league, of all people.

And there are reasons for that, but I just want to point out the unjust, incongruous situation, where the bankers are coming in and asking us to pass out almost $10 billion to the International Monetary Fund to bail out these big banks that have been in an orgy of speculation throughout the world and are therefore facing, themselves, financial crises, call on you, the taxpayer, to bail them out. They are the ones that are telling us that is OK, but it is wrong if you want to do anything for this American.

There is the argument that emergency loans would go to wealthy people. Well this simply is not true. Even if it were possible for wealthy persons to take advantage of the program, it would be most unlikely that any administrator, even the one now in power, would permit them to do so, since the funding is limited. But to make absolutely certain of this I have prepared and have appended an amendment in the nature of a substitute specifying that no person can receive emergency assistance unless the family income for a family of four is below—mind you, below—$20,000 or whose assets outside of the residence, family, automobile, tools of trade, do not exceed $10,000 plus $5,000 in household goods. And this we did just merely to show that the congressional intent is clear and, lucidly so, as to who it is we intend to be helping.

□ 1240

Opponents of this bill claim that lending institutions, oh, they will forbear and foreclose. They are doing that now.

The fact is that the lenders in the hardest hit areas are the least able to forbear on loan collections and our evidence so showed during our hearings. I repeat: This legislation is not the result of an individual Member's imagination; it is the result of many and comprehensive hearings and testimony from every single geographic section of this great land.

Further, if interest rates fall, it becomes easier to sell repossessed property so that it will become much more attractive for lenders to foreclose as they have already. And this testimony clearly showed us in individual specific cases brought to our attention. As a matter of fact, if interest rates had been lower in recent months the rate of foreclosure would have been even higher than they are now. But many lenders have held off on foreclosures because they did not want unsaleable property on their hands. It has been better from their point of view to keep homes occupied and maintained under those circumstances, but only under those circumstances.

Clearly, however, if market conditions for repossessed homes improves, the rate of foreclosure will shoot even further. There are signs, and we have evidence to this effect, that it is happening in a mounting number of cases. There are claims that H.R. 1983 will actually encourage lenders to foreclose so that they can quickly improve their financial position. That certainly is not true. H.R. 1983 requires lenders to demonstrate that they have given at least equal or great forbearance to applicants for emergency help as they have given to anyone else. There are claims that the Wylie substitute, named after the ranking minority member of the committee—not the subcommittee, but the committee—by calling on lenders to forbear.

This is also the identical phraseology to that part of the bill that the chairman of the full committee, the gentleman from Rhode Island (Mr. ST GERMAIN) was responsible for, but Mr. WYLIE has incorporated and keeps only that and preserves only that and the reason we have it is that we had joint hearings of the subcommittee that I chair, which is the Subcommittee on Housing and Urban Affairs, and the subcommittee that the distinguished chairman of the full committee chairs, which has jurisdiction on the lending institutions. But that plainly is not enough; it is just a sense of Congress saying to the boys, "You lenders, try to be nice. Try to keep on being nice. See how much longer you can forbear. We would like for you to forbear." And that is about all it does.

It is not a question of good will. Ultimately the financial issues have to be addressed and people with real financial problems must have real financial help. There are charges that this bill would reward people who simply quit work or decide to quit paying their mortgage. This is flatly untrue. Only those who are involuntarily unemployed, who left their jobs on good terms; that is, because they had no job or whose income has been cut because of economic reasons, only they can qualify.

There are claims that this bill creates an entitlement program. Well, that is no malicious because the first thing we did was make sure we were in conformity and we ran our bill through the Budget Committee and we got a letter of clearance with the Budget Committee. It is all within the restrictive, constructive limits of our budget outlays and commitments. I have a letter from the Budget Committee to that effect on this bill. The same thing with respect to inflationary impact. We have an inflationary impact statement appended to this bill.

The bill contemplates that assistance will be limited, that the programs cannot be expanded without specific and further action on the part of the Congress.

There are claims that the emergency mortgage assistance program would be an administrative monstrosity that would take months to put into place. Yet, ironically, these charges come from the same critics who demand all manner of safeguards, each one of which creates greater administrative complexity.

The Secretary of Housing and Urban Development, who does not favor this bill, told the Housing Subcommittee and myself that he would faithfully administer it as he is charged so under the Constitution if the Congress approves this legislation. It may be true that administrators can make even the divinely simple matters quite complex beyond belief, but it is also true that we are legislators and not administrators, and there is nothing ever the Congress has been able to do that except through oversight.

At the proper time, as I said and repeat, we will have an amendment in the nature of a substitute in response to every single question herein before raised with respect to this bill. We had marvelous contributions by nonmembers of the committee. The substitute will reflect their concern and their constructive suggestions for improvement of the bill. There never has been and there never will be a perfectly written bill by any human being or collection of beings. Only in the process of time and debate and experience does one know wherein to conscientiously and constructively improve on any bill.

For the information of my colleagues I have prepared information about the Emergency Housing Assistance Act in question and answer form. I am confident that once the facts are known the majority of the House will agree that H.R. 1983 is the best and the most effective way of meeting a most grievious, a truly devastating national problem. And I include in the RECORD at this point questions and answers in that regard and in that form.

The questions and answers follow:

QUESTIONS AND ANSWERS ON H.R. 1983, THE EMERGENCY HOUSING ASSISTANCE ACT

1. Who is eligible for the assistance?

Only homeowners who are involuntarily unemployed, or whose loss of income render them unable to make full mortgage payments, who have received notice of foreclosure or are at least 3 months in default and whose homes are covered by a VA or conventional mortgage. FHA homeowners are already eligible for assistance from the FHA assignment program which has less stringent eligibility requirements. In addition, a homeowner's income may not exceed $20,000 for a family of four or a homeowner's assets (with certain exclusions) may not exceed $10,000. The HUD Secretary must determine the assistance is necessary to avoid foreclosure and that there is a reasonable prospect that the homeowner can

resume full mortgage payments within 36 months.

2. How will the program help unemployed homeowners?

An eligible unemployed homeowner may receive assistance for an 18- to 36-months period to cover any delinquency and the difference between what the homeowner can afford to pay on his mortgage and the actual payments due on the mortgage, taxes and insurance. The assistance will be in the form of a loan secured by the property and repayable with interest to the federal government beginning as soon as the homeowner becomes financially able.

3. Is there an assets test so rich people who own substantial property may not qualify for assistance?

Yes, a bipartisan amendment to be offered on the House floor will limit the assistance to unemployed familes whose income does not exceed $20,000 for a family of four or whose assets (excluding the family residence, car, $5,000 of household goods, and job-related equipment) cannot exceed $10,000. This amendment would exclude families who own vacation homes, investment property, large stock portfolios and other assets of substantial value.

4. Is the program needed, if the economy is improving?

Yes. Dropping interest rates might help some people to buy homes but will not help families who are about to lose the homes they already own. In fact, as interest rates drop and more families can afford to buy homes lenders will be less likely to forbear because it will be easier to sell foreclosed properties. President Reagan's budget forecasts a 9.9 percent national unemployment rate in FY 1984 and the duration of unemployment is continuing to rise which means more people are falling into default. Even if the economy expands, there is a substantial lag between an upturn in economic indicators and actual reemployment. H.R. 1983 provides temporary loan assistance for 18 to 36 months to help unemployed homeowners in the interim as the economy improves.

5. Will this program encourage lenders to foreclose?

No. A homeowner may not apply for assistance unless the lender certifies that it has extended to the homeowner involved the same or greater forbearance opportunities than were extended to similar borrowers for the 4-month period prior to March 31, 1983.

6. Is the program an entitlement program?

No. Assistance will be available only to the extent funds are authorized and appropriated. Like all federal loan programs, assistance will be provided only subject to the availability of funds.

7. How will the program be administered?

HUD will inform lenders when the program is available. Lenders must assist eligible defaulting homeowners to submit an application. The homeowners must establish in the application that they meet eligibility requirements and their present income is insufficient to make full mortgage payments. Application if forwarded to HUD which must make a determination of eligibility within 45 days, after which assistance is provided or a lender may proceed to foreclosure.

8. Are funds for this program included in the First Budget Resolution?

Yes. The budget resolution approved by the House included $760 million for this program which would assist approximately 100,000 unemployed families facing foreclosure.

9. Is the Wylie substitute sufficient to meet the needs of unemployed homeowners?

No. Both H.R. 1983 and the Wylie substitute encourage lenders to voluntarily forbear, relax regulatory requirements pertaining to mortgage delinquencies and give special consideration to forbearing institutions applying for advances. But these provisions cannot provide sufficient long-term assistance to unemployed families. Last year, between 175,000-200,000 homes were in foreclosure, clearly indicating that financial institutions cannot offer enough forbearance to assist needy unemployed families. Few lending institutions can afford to forbear and fail to receive mortgage principal and interest payments for periods longer than 3 to 6 months. Unemployed families, particularly in high unemployed areas, may not be able to find work and resume mortgage payments within that short period of forbearance.

ALZHEIMER'S DISEASE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maine (Ms. SNOWE) is recognized for 5 minutes.

● Ms. SNOWE. Mr. Speaker, today I am introducing a bill that will assist our medical research community in its relatively new struggle against the debilitating and crippling illness, Alzheimer's disease. This measure would create an Interagency Task Force on Alzheimer's Disease Research to review the adequacy of Alzheimer's disease research programs, develop a research strategy, and develop a plan for increased funding for research. In addition, $4 million in HHS funding will be appropriated, specifically earmarked for Alzheimer's disease basic science research.

Alzheimer's disease is an irreversible, degenerative mental disorder that victimizes approximately 1.5 million Americans. It is the fourth leading killer in the United States behind heart disease, cancer, and strokes. One in six of us will get the disease—16 percent of the older population over 65. It begins with forgetfulness and causes a progressive loss of intellectual and physical capabilities.

Often victims undergo severe personality changes resulting in violent and irrational behavior. Eventually, the patient loses total control of physical functions as well as mental. It is not a natural result of aging as it once was thought as thousands are first affected in their forties and fifties.

There is no known cure for the disease. It causes the brain to shrivel and fill with bubbles and granules. Because of current professional ignorance, Alzheimer's disease is difficult to diagnose, is incurable and, to date, is untreatable at any stage. Illnesses last from 3 to 10 years before an inevitable, grimly welcome death. Most of the final years are under custodial care, but medicare and medicaid programs do not cover such care as the victims are untreatable and not necessarily poor.

Alzheimer's disease was first described in 1906 by a Dr. Alois Alzheimer. Since then, however, sufferers have been often misdiagnosed as mental cases, being senile, or as stroke victims. The medical professionals are only now becoming sensitive to the pervasiveness and magnitude of the disease in its many, progressively debilitating stages. In fact, until 5 years ago, there were no statistics on victims under 65; there still is no definitive estimate because of the lack of research funding.

Senator METZENBAUM, who is also keenly aware of the seriousness and ramifications of Alzheimer's disease, introduced a similar measure in the Senate as an amendment to the fiscal year 1984 Department of Health and Human Services authorizing bill. I am hopeful that as the House acts on its fiscal year 1984 authorizing and appropriating measures during the coming weeks, the legislation will be adopted in this Chamber as well.

Mr. Speaker, I sincerely believe this bill can provide a unique opportunity for our medical community, in tandem with Government medical planners, to creatively develop an integral research program which will result in concrete evidence identifying the cause and perhaps an early cure for this most cruel affliction which affects so many Americans. The outrageous effects of Alzheimer's disease on its victims—and their families—cannot adequately be described until personally endured. It is clear, however, to those of us who have witnessed those effects, we have an obligation to attack the illness as soon as possible.●

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 171

Mr. COLEMAN of Texas. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 171.

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

There was no objection.

THE NUCLEAR FREEZE DEBATE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. WALKER) is recognized for 60 minutes.

Mr. WALKER Mr. Speaker, I would like to take a few minutes today to talk a little bit about the issue that will be debated at some length later on today before the Rules Committee of this House. And that is the issue of whether or not this House should be gagged from further consideration of the nuclear freeze resolution.

It is a very important question because as many of the proponents of that legislation said when it came to the floor, it is an extremely crucial type of thing that this House is considering as we consider that resolution.

The distinguished gentleman from New Jersey (Mr. RODINO) told us when that bill came to the floor just a few weeks ago, "The issue before us dwarfs all others in its urgency and magnitude. There is simply no more important question for us."

The gentleman from New York (Mr. WEISS) told us at that time, "This is probably the most significant issue that this body will be considering this year, perhaps this Congress."

They were right. It is an extremely crucial question that we have been debating, yes, for some time. There has been a long debate on the issue. It has been a valuable debate, it has been a useful debate, and I think it is tragic that some would now shut it down.

But you know, it is not unusual that they attempt to shut it down because they have tried to shut down the debate, that is, the proponents of the resolution, since the very beginning of that debate. On the initial day of debate becoming frustrated with the questions that they had to answer and could not answer, they tried to shut down debate and were defeated by a vote of the House.

Consistently throughout they have either tried to limit debate or shut down debate rather than continue with it.

The reasons for that have become plain as the debate has gone on. They cannot reasonably and coherently explain their resolution, so they do not want to talk about it.

□ 1250

And if you want the proof that they cannot reasonably explain it coherently, it is in the fact that they have ended up taking a lot of amendments that have been offered in order to try to make it more coherent. Amendment after amendment has been offered that they decided to accept in order to clean up their resolution. In other words, what they have admitted was that the resolution that they brought to the floor was not a good document, that it was a document in need of amendments, and that some of those amendments are valuable and that is the reason why they have been accepted.

But, meantime, as they have seen those amendments cause them more and more frustration, as they have seen the debate cause them more and more frustration, they have tried to seek new ways to do what the House refused to do early on—shut down the debate, gag the House.

So they have begun a program of what can be best labeled, I think, a program of disinformation. What they are saying is that the opponents of the legislation are attempting to filibuster with extended debate.

No doubt, some of the debate has been repetitive. When you go back through and examine the RECORD, there have been a lot of the same questions asked over and over again, because there have been attempts repeatedly to get rational explanations of what it is that we are doing. And every time, it seems, we get a little different version of what it is we are doing; and so, therefore, the questions continue to occur.

When we have gotten explanations, some of us who have reservations about the initial resolution as it came to the House have attempted to reduce those explanations to amendment form, to say "OK, this is what you have told us your resolution does, now here is an amendment that says that and puts it into the resolution. That way we are assured that the resolution is saying the same thing that the proponents of it are saying."

Then we have run into problems, because then, for instance, when you want to pin them down on whether or not their resolution would allow reductions in nuclear weapons, then all of a sudden they have got a different version and they come out and try to amend the amendment in a way that makes it so that the House is not really forced to vote on whether or not we have something to reduce nuclear weapons rather than just freeze nuclear weapons.

They really do not want a vote on what they say it is they believe, because they are not really sure where the American people stand on some of these issues. You see, what they did was, they brought to the floor a slogan. It was a nice slogan. It had gotten a lot of poll results that were very favorable to it, it had won some referendums around the country, and it expressed something that is absolutely true, and that is that the American people are horrified by the prospects of nuclear war and they want to do something to stop it.

But the question is: What is it that the American people want to do about nuclear war? Do they simply want to freeze the present level of nuclear terror into place? Or are they likely for reductions of those weapons? Would they be likely to vote, also in a poll or a referendum, for something that says, "reduce the number of nuclear weapons?"

I am for a program to reduce the number of nuclear weapons in the world. My guess is that that would win even more overwhelmingly than some of the freeze resolutions won. And that has been an issue at debate on this floor, and we really have not satisfactorily resolved it. And to gag the debate now will be to say that we may never resolve whether or not we are acting in the best interest of the American people.

Well, all of that has taken some time. There is no doubt about it. The question, I guess, is whether or not too much time has been taken. Has too much time been taken on the most significant issue that we will debate this year? Well, the proponents say yes. They say, "Let us not talk about the issue any more, let us vote and get the whole thing out of the way."

It reminds me of the kind of thing that just a few years ago many of the liberals in this body were concerned about. In fact, the Speaker of the House at one point is quoted as saying: "There should be no one among us who is not willing to go on record on the vital issues of the day."

I could not agree more. I could not agree more that that is the exact issue that is involved in this particular debate. And what I find rather disturbing about reading that quote of the Speaker of the House made in 1970 is: he is dangerously close to becoming what he deplored only 12 years ago as he participated in trying to gag the House in this most important debate.

You see, any amendment now is regarded as a delaying tactic. It does not matter about the substance of the amendment. It is a delaying tactic just to bring it up. "Do not think about what it is we are voting on, just vote. Let us not amend it."

And they tried, then, to extend that a little bit further and say that any attempts to amend, no matter how justified, and no matter what the point of the amendment, that they are just a deliberate attempt to stall. And last week we finally got the real explanation. Last week the Speaker finally fingered the culprits in all of this. The Speaker said who it is who have been trying to delay the House, purposely trying to stall this debate. He singled out the gentleman from New York (Mr. KEMP), the gentleman from Georgia (Mr. GINGRICH), and the gentleman from Pennsylvania, yours truly. He said that we were the culprits who were trying to stall a vote on this issue.

Well, the gentleman from Pennsylvania is rather used to the Speaker fingering him whenever he wants a villian. I do find it somewhat disturbing that my distinguished colleagues, the gentleman from New York and the gentleman from Georgia, found themselves a part of his wrath. But the important thing is that in so doing, what he showed was how phony the issue is that the debate is being stalled.

Over the weekend, I had my staff take a look at the record of this debate, and what I find is that it is not the opponents of the debate that have taken extended periods of time in order to draw the debate out, it is

some of the proponents; and I just juxtaposed my participation in the debate alongside another nonmember of the Foreign Affairs Committee who has participated in it from the proponents' side.

I, for example, during the debate have consumed in time, out of 1,955 minutes of debate, a total of 17 minutes.

Now, the Speaker calls that an attempt to delay.

On the other hand, the gentleman from Oregon (Mr. AUCOIN), who is a proponent of this particular measure, has consumed 50 percent more time than I have. In fact, the gentleman from Oregon (Mr. AUCOIN) has consumed more time then I have, than Mr. KEMP has, or than Mr. GINGRICH has—this one gentleman—and yet he was not singled out in the Speaker's remarks.

Maybe what they were talking about is the fact that maybe we are offering too many amendments. Well, this gentleman from Pennsylvania has offered one amendment in the course of the consideration, and that amendment was so rational, was so reasonable, that the committee accepted it. I did not even use my full debate time on it. The chairman of the committee accepted the amendment.

The gentleman from Georgia has also offered one amendment.

The chairman of the committee himself, the gentleman from Wisconsin (Mr. ZABLOCKI), has offered four amendments. He has offered twice as many as Mr. GINGRICH, Mr. KEMP, and Mr. WALKER combined.

How about the number of votes requested? Maybe what we have been doing is delaying the House be requesting a lot of votes. Well, among the three of us—GINGRICH, KEMP, and WALKER—we have requested a total of four votes. That is the same number that the chairman of the committee himself has requested. He has requested exactly the same number as all of us combined.

What I am saying is, we have got some sort of phony star chamber proceedings going on here. What kind of star chamber proceeding are we conducting, where we identify false villains and then try to get the House to stop them?

It seems to me that we are behaving not unlike totalitarians in their behavior around the world. You know, one of the things you find when tyranny is being imposed is that it often begins with a slogan. It begins with a slogan, and then the slogan in operation becomes indefensible, and when they cannot defend it, they resort to disinformation of some sort in order to try to present a better light on that which is indefensible, and then when disinformation does not work, they resort, then, to brute force to put forth their point of view.

What we are seeing happening in the House today is the resorting to brute force. We are seeing the attempt of the majority to use their power to go to the Rules Committee and simply shut down the debate, simply say, "We cannot discuss this any more with you, so we will not discuss it any more. We cannot defend this proposition before the House, so therefore we choose to gag the House."

Mr. Speaker, that is a tawdry performance which the American people should understand is a prime example of the arrogance of power that pervades this House. It is something which disturbs me, because I think very carefully about the fact that the rules that we are using on this House floor, even today, were drafted by Thomas Jefferson many years ago. And if any of you will take time to go down and look at the Jefferson Memorial, the words which ring the top of the Memorial say this.

> I have sworn upon the altar of God eternal hostility against every form of tyranny over the mind of man.

What we see happening in the House all too often these days, and particularly in this instance, is the imposition of tyranny in a parliamentary body. It is a shame. It is a terrible shame.

□ 1259

BANKRUPTCY CODE AMENDMENTS ARE NEEDED TO ASSURE CONTINUED USE OF REPURCHASE AGREEMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. GLICKMAN) is recognized for 15 minutes.

● Mr. GLICKMAN. Mr. Speaker, I am introducing legislation today which I think is critically needed for the financial markets of this country and which also should be noncontroversial. My legislation would amend the Bankruptcy Code to exempt from its automatic stay requirements certain repurchase agreements. The legislation parallels action taken by the last Congress which resulted in Public Law 97-222. That legislation was intended to prevent the insolvency of one commodities or securities firm from spreading to other firms and possibly damaging the stability of the affected market. Particularly in the aftermath of a bench decision in the Lombard-Wall case from the Bankruptcy Court in the Southern District of New York last August, it has become evident that further legislation is necessary to clarify the status of repurchase agreements under the Bankruptcy Code.

Repurchase agreements, as you may know, are agreements which involve two separate acts in one transaction. Under these agreements securities are sold by one party to another with a simultaneous agreement that the first party will repurchase the same or substituted securities on a day certain for a price certain reflecting an interest payment. The agreements also, of course, commit the second party to resell the securities under the same terms.

These agreements are very important to our financial markets and serve a number of functions of particular significance to governments, Federal, State, and local. Let me run through them briefly:

First, the Federal Reserve Board, through its Open Market Committee and its Open Market Desk at the Federal Reserve Bank of New York, uses repurchase agreements to execute domestic monetary policy. By selling securities in the repurchase of repo market, the Fed is able to drain reserves temporarily. Conversely, by buying securities in the repo market, the Fed can inject reserves into the banking system. This is very important to smoothing out interest rate fluctuations and has been used extensively to that end. In fact, last year a total of over $220 billion of such transactions in Treasury and Federal agency issues and bankers' acceptances were carried out to deal with these temporary reserve imbalances. Beyond that, $90 billion in repurchase agreements were carried out on behalf of foreign official accounts with the Fed. In a single day, this activity may total in excess of $5 billion, and routinely it is in the $3 to $4 billion range.

Second, dealers in Government securities use the repo market to acquire funds to finance new issue underwriting. This can be particularly important to the Government in terms of holding down the cost of financing the national debt. We all know that we have an important responsibility in that area to minimize these financing costs. Failure to enact corrective legislation will only add to those costs.

Third, institutional investors invest literally billions of dollars in the repo market. Those investments provide them considerable liquidity and, traditionally, security. As a result, it has been possible for mutual funds, pension funds, State and local governments, commercial banks, thrifts, corporations and other securities dealers to invest surplus cash for short times. This allows funds available for short time periods to accrue interest which is obviously of great benefit to those organizations and institutions. In fact, in my own State of Kansas, in fiscal year 1982, an average of $71 million in repurchase agreements were in effect daily, and they meant over $10 million in interest earnings to the State treasury. Of course, municipal governments around the State also benefited from the use of this mechanism.

Fourth, conversely, institutional investors and Government securities dealers are able to provide securities in the repo markets while continuing to realize a yield on their original investments. Likewise, those investors and dealers are able to use the repo markets to cover short positions in their securities trading.

Clearly, these repurchase agreements serve a multitude of purposes very effectively. Unfortunately, however, the decision in the Lombard case which held that the automatic stay against creditor action prevented the holder of securities acquired under a repurchase agreement from liquidating those securities and closing out its transaction with the debtor has left a cloud over this important short-term investment device. The fact that these repurchase agreements are unique because of both their yields and liquidity has been key to their value across the board. Locking them in under an automatic stay leaves serious problems that would definitely hinder their use. The implications are already being felt. For example, last September, Standard & Poors announced that it would not rate structured municipal issues which permit investment of proceeds in repurchase agreements with Government securities dealers not rated by Standard & Poors. Following that action, HUD issued a ruling precluding public housing authorities and FHA-approved mortgages for multifamily projects from investing in repos. And, last November, an internal SEC memorandum tightened up on evaluation of creditworthiness of brokers and dealers handling repos.

Thus far, the market has sustained very little ill-effect as a result of the Lombard ruling; however, many participants are staying in the repo market on the assumption that corrective action will be taken by the Congress relatively quickly. Still, there has been a drop in the proportion of repurchase agreement transactions involving State and local governments and public authorities, as well as pension funds, which have significant fiduciary responsibilities.

Failure to act would in all likelihood worsen the problems that are beginning to surface. Furthermore, the liquidity of longer term Government securities would be thrown into question, and the cost of financing the national debt would increase significantly.

The Senate has now acted on this question. I hope we will do so quickly. To that end, I am introducing legislation proposed by Federal Reserve Board Chairman Volcker with only minor modifications to which the Fed has agreed.

I ask unanimous consent that a section-by-section analysis of the bill be printed at the conclusion of my remarks. Hopefully, that information will assure my colleagues that this important legislation is indeed noncontroversial as well.

The analysis follows:

SECTION-BY-SECTION ANALYSIS

DEFINITIONS

Section 1(a) makes conforming redesignations of subsequent definitions.

Section 1(b) provides a new definition for "repo participant" in section 101. "Repo participant" includes any entity that, on any day during the period beginning 90 days before the date of the filing of the petition, has one or more outstanding repurchase agreements with the debtor. The 90 day period is based on the preference period set forth in section 547 of the Code. This definition is intended to include an entity acting for its own account or for the account of one or more other entities (whether as custodian, trustee, fiduciary, agent or in any other capacity).

It is not intended by the provisions of this definition to affect the status of repurchase agreements under other provisions of the Code, such as those, for example, protecting securities contracts and forward contracts.

Section 1(c) provides a new definition for "repurchase agreement" in section 101. "Repurchase agreement" means any agreement which provides for the transfer of certificates of deposit, eligible bankers' acceptances, or securities that are direct obligations of, or that are fully guaranteed as to principal and interest by, the United States or any agency of the United States against the transfer of funds by the transferee of such certificates of deposit, eligible bankers' acceptances, or securities with a simultaneous agreement by such transferee to transfer to the transferor thereof certificates of deposit, eligible bankers' acceptances, or securities as described above, at a date certain within one year after such transfers or on demand (regardless of by whom made), against the transfer of funds. This definition also applies to a reverse repurchase agreement. It also covers any related terms in a repurchase agreement (such as mark-to-market provisions). For purposes of this definition an "eligible bankers' acceptance" is either (i) an acceptance by any institution of a draft or bill of exchange drawn on itself which, if drawn on a member bank, would be eligible for acceptance under the criteria established in subparagraph (A) of the seventh paragraph of section 13 of the Federal Reserve Act, 12 U.S.C. § 372, or (ii) an acceptance which, on the date the repurchase agreement is entered into, is eligible for purchase under the rules of the Federal Open Market Committee.

While repurchase agreements may be open to various kinds of characterizations and are characterized in market practice under various legal relationships, it is intended by this section that any agreement that meets the terms of the definition of repurchase agreement shall receive the treatment in bankruptcy that is provided for in this subtitle.

The definition does not require (or prevent) the original and reverse transfers to be provided for in separate agreements or confirmations. A repurchase agreement may be either written or oral.

In accordance with market practice, some repurchase agreements permit certain substitutions of the assets subject to the repurchase agreement. Accordingly, under agreements covered by this definition, the transferor may make certain substitutions of assets, but only assets of at least equal market value to those originally transferred and falling within the same one of the three enumerated categories (i.e, certificates of deposit, eligible bankers' acceptances or U.S. government and Federal agency issued or guaranteed securities). The transferee may return only assets that are the same in all material respects as those last transfered or substituted by the transferor.

Repurchase agreements for only certificates of deposit, eligible bankers' acceptances, and U.S. government and Federal agency issued or guaranteed obligations are afforded the amendment's treatment under the Code. As provided in section 102(5) of title II, United States Code, the enumeration of the underlying types of property in the alternative is not exclusive; a repurchase agreement can involve the transfer or re-transfer of a combination of the enumerated kinds of property. It is not intended by the enumeration in this definition to affect in any way the status of repurchase agreements for any item, whether or not covered by the definition, under other provisions of the Code, such as those, for example, protecting securities contracts and forward contracts.

In particular, a repurchase agreement as defined in this subtitle, insofar as it applies to a security, would continue to be a securities contract as defined in the Code and thus also would be subject to the Code provisions pertaining to securities contracts. Similarly, insofar as a repurchase agreement as defined in this subtitle applies to a commodity, it would continue to be a forward contract for purposes of the Code and would be subject to the forward contract provisions of the Code.

The reference to "direct obligations of, or that are fully guaranteed as to principal and interest by, the United States or any agency of the United States" is based on section 14(b) of the Federal Reserve Act, 12 U.S.C. § 355, and is intended to include all obligations of, or that are fully guaranteed as to principal and interest by, any entity whose obligations are determined by the Board of Governors of the Federal Reserve System to be eligible for purchase by Federal Reserve banks under the similar lanaguage of section 14(b) of the Federal Reserve Act.

AUTOMATIC STAY

Section 2(a) makes conforming redesignations of subsequent paragraphs.

Section 2(b) is intended to clarify that, despite the automatic stay of section 362(a), a repo participant may set off a claim for a margin or settlement payment arising out of repurchase agreements against the repo participant's obligations to the debtor in respect of cash, securities or other property that the repo participant is holding, or that is due to the debtor, to margin, guarantee, secure or settle repurchase agreements, notwithstanding the bankruptcy of the party for whose accounts such cash, securities, or property is held. This provision is essentially parallel to the one in existing Code section 362(b)(6).

This section refers to settlement payments as defined in section 741(8). It is intended for purposes of this section and the other provisions added by this subtitle that any amount paid or payable with respect to any interest, dividend or other distribution in respect of the certificate of deposit, eligible bankers' acceptance, or security that is the subject of the repurchase agreement and any amount paid or payable with respect to any interest, rebate or other fee in respect of the repurchase agreement, re-

gardless of whether the amount is paid or payable on a settlement date or a different date, constitute a settlement payment within the meaning of that term as defined in section 741(8). Such items serve the same function as other, more conventional types of settlement payment and are commonly used in the securities trade. This assures consistency of treatment, since it is understood that similar amounts paid or payable with respect to securities contracts likewise come within the definition of settlement payment as defined in section 741(8) for purposes of the Code provisions relating to securities contracts.

AVOIDING POWERS

Section 3 creates a new subsection to section 546 which, together with provisions of section 548, clarifies that a trustee is prohibited from avoiding a transfer that is a margin payment or settlement payment made by or to a repo participant in connection with a repurchase agreement, except where the transfer was made with actual intent to hinder, delay or defraud other creditors and the property transferred was not taken in good faith. This prohibition is parallel to the one in existing Code section 546(d).

Section 4 creates a new subsection to section 548(d)(2) to clarify that all margin or settlement payments made in connection with a repurchase agreement was taken for value to the full extent of such margin payments. This new provision is parallel to the one in existing Code section 548(d)(2)(B).

SETOFFS

Section 5 makes a conforming change.

PROTECTION FOR LIQUIDATION OF A REPURCHASE AGREEMENT

Section 6(a) adds a new section to the end of Chapter 5 of title 11 to clarify that the exercise of a contractual right of a repo participant to cause the liquidation of a repurchase agreement, because of a condition of the kind specified in section 365(e)(1) of title 11, shall not be stayed, avoided or otherwise limited in any proceeding under title 11 by a court or administrative agency, unless, where the debtor is a stockbroker or securities clearing agency, such order is authorized under the provisions of the Securities Investor Protection Act of 1970 (15 U.S.C. 78aaa et seq.) or any statute administered by the Securities and Exchange Commission. This provision would confirm that the liquidation would terminate any right of the debtor's trustee to affirm an executory contract in respect of a repurchase agreement. The prompt liquidation of an insolvent's position is generally desirable to minimize the potentially massive losses and chain reaction of insolvencies that could occur if the market were to move sharply in the wrong direction. This provision is parallel to the one in existing Code section 555.

The amendment also contains an excess proceeds provision applicable in the event that a repro participant liquidates one or more repurchase agreements with a debtor and under the terms of one or more such agreements has agreed to deliver assets subject to such agreement or agreements to the debtor. In such an event any excess of the market prices received on liquidation of such assets (or if any such assets are not disposed of on the date of liquidation of such repurchase agreements, at the prices available at the time of liquidation of such repurchase agreements from a generally recognized source or the most recent closing bid quotation from such a source) over the sum of the stated repurchase prices and all expenses (including such items as brokerage fees, bank charges or fees for legal services) in connection with the liquidation of such repurchase agreements shall be deemed property of the estate, subject to the available rights of setoff. It is intended that the rights of setoff and other remedies permitted elsewhere in the Bankruptcy Code and under other law are not to be limited by this provision.

The new section includes a definition of the term "contractual right" in respect of repurchase agreements to make explicit that this term includes rights arising under common law, under law merchant or by reason of normal business practice whether or not evidenced in writing, as well as a right set forth in a rule or bylaw, of a national securities exchange, a national securities association, or a securities clearing agency that is applicable to each party to the repurchase agreement. It is understood and intended that such a rule or bylaw would be applicable to each party to the repurchase agreement only if each of them is a member of the exchange, association or agency promulgating the rule or bylaw or has agreed to be bound by such rule or bylaw.

Section 6(b) makes a conforming change.

EFFECTIVE DATE

Section 7 provides that these amendments shall become effective on the date of enactment but shall not apply to cases commenced before the date of enactment.●

VA SALUTES NURSES DURING SPECIAL WEEK

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

● Mr. MONTGOMERY. Mr. Speaker, this week the Veterans' Administration is saluting its 60,000 nurses, licensed practical nurses and nursing assistants during National Nurses Week.

I know my colleagues are aware of the tremendous and profound contribution these individuals make to VA's health care delivery system. In every State of the Nation, these dedicated professionals help America's veterans regain health, live with chronic disease and disability, or die with dignity. They are truly the heart of VA health care.

Nationwide, VA nurses care for 1.2 million hospital patients and over 18 million outpatients. Besides staffing hospitals and clinics, VA nurses also work in 98 nursing homes and 16 domiciliaries.

Mr. Speaker, the Congress has made every effort over the years to give the VA not only the facilities it needs, but also to insure that those facilities are staffed by medical professionals of the highest quality.

Public Law 96-330 has enhanced significantly the recruitment and retention of quality health care professionals in the VA hospital system by providing more adequate and comparable pay rate adjustments in order to stay competitive with the private sector. Additionally, the law established the Veterans' Administration health professional scholarship program, under which VA provides tuition and support for medical and nursing students in exchange for an equal number of years service within the VA medical system. Now well into its second year, we are beginning to see very positive results from the program.

Ceremonies for this week's salute are set for this Friday, May 6, in many of VA's hospitals and clinics. I urge my colleagues to show their gratitude and appreciation for this most dedicated personnel.●

NATIONAL OCEANS POLICY COMMISSION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

● Mr. JONES of North Carolina. Mr. Speaker, together with my colleagues on the Committee on Merchant Marine and Fisheries and the Committee on Foreign Affairs, I am introducing today a bill to establish a National Oceans Policy Commission to examine certain long-term oceans policy issues that now face the United States. This legislation would establish a 15-member, blue-ribbon panel of distinguished decisionmakers from a wide range of ocean interests representing commerical and nonprofit organizations, the gubernatorial leadership of coastal States, the Federal Executive, and academia. It would charge the Commission with developing recommendations on a comprehensive national oceans policy encompassing both international and domestic issues. The recommendations would serve as a critically objective base on which to review and evaluate our ocean programs to maintain U.S. leadership in the seas into the next century.

U.S. oceans policy is now in a period of fundamental transition. Internationally, the decision of the United States to terminate further direct U.S. participation in the Convention on the Law of the Sea has generated a wide range of international marine issues directly affecting important national strategic and resource interests. The importance of unimpaired navigation through, over, and under the world's oceans needs no elaboration. Development of marine resources continues to hold enormous promise for the United States. Fisheries, oil and gas, ocean minerals, and other marine resources will continue to play important roles in sustaining American growth.

While the Presidential proclamation of an exclusive economic zone on March 10, 1983, capsulized the basic jurisdiction of the United States, many specific issues relating to navigation, fishing, marine pollution, marine scientific research, vessel source pollu-

tion, and the Continental Shelf remain. Moreover, these issues are interrelated from an international perspective because of the "package deal" negotiations which led to the Convention on the Law of the Sea. A thorough and studied examination of these issues is thus essential to insure that the overall interests of the United States remain protected.

The central domestic issue facing the United States concerns continued U.S. leadership in the oceans for the 1980's and 1990's. The general assumptions about expanding Federal roles and the pace of marine development that underlay the marine policies of the 1970's require revision. Increasing competition for marine resources, increasing pressure on those resources and the marine environment, and increasing complexities of marine technological development demand major research and regulatory efforts which must be sustained if the United States is to retain its traditional leadership in the oceans, At the same time, however, the broad-brush approach to Federal involvement in the past is clearly giving way to a leaner, more sharply focused Federal role. The resolution of these seemingly incompatible, but unavoidable trends constitutes the central task for long-term U.S. marine policy.

Further, increasing problems between Federal and State decisionmaking, which continue to cost all parties enormous sums, suggest that the present allocation of responsibilities requires serious review. What roles should State and local governments occupy in resource decisionmaking; what types of administrative responsibilities are properly located at the State and local levels; and how should the fiscal burdens for research, management, and development be divided between various levels of the public sector and the private sector?

Because of the complexity of the issues involved and the merits of an independent, comprehensive review of them, I believe that this proposal deserves our serious attention. The Commission would serve to refocus U.S. marine policies during what is unquestionably an important period for our international and domestic interests. It would serve to build a constructive, high profile consensus on marine policy and avoid the divisions and legislative stalemates that may otherwise ensue. Its unified structure would allow for a comprehensive review of the international issues facing the United States, thereby avoiding the piecemeal, compartmentalized perspectives of executive agencies and, indeed, of congressional committees. Its representation of Federal and State governments, industry, and academia would provide a secure basis for formulating recommendations on domestic issues that will directly affect each sector. Additionally, by involving high-level Federal, State, and private sector representatives, it could serve to defuse the protracted conflicts over marine development at enormous financial savings to all sectors, public and private.

Finally, I would emphasize to my colleagues the positive, constructive approach embodied in this initiative and the importance of broad, bipartisan support for it within Congress and the administration. I therefore urge your support for the establishment of a National Oceans Policy Commission.●

NATIONAL EMPLOYMENT PRIORITIES ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. FORD), is recognized for 5 minutes.

● Mr. FORD of Michigan. Mr. Speaker, today, joined by 32 cosponsors, I have introduced legislation which addresses one of the most serious problems facing the American economy—the dislocations caused by plant closings and permanent layoffs. Every State and region of the country is suffering from the effects of massive, sudden plant closings which wipe out hundreds or thousands of jobs in a single blow, leaving communities and workers unprepared for unemployment and unable to adjust. Not just the Northeast and Midwest, but the entire Nation is experiencing the wrenching dislocation which major shifts of capital and jobs can cause. In fact, according to the Bureau of National Affairs, more plant closings occurred in the Southeast than in any other region in 1982, and North Carolina was the State most heavily affected. Even California, for decades a dynamo of economic growth and prosperity, has lost hundreds of thousands of jobs in the past few years, most of them in the manufacturing sector, as businesses have closed or relocated facilities, often shifting their investment to overseas operations in order to exploit cheaper wages.

Nationwide, the number of jobs lost to plant closings in the last few years is staggering. A study conducted by the Brookings Institution and the Small Business Administration indicates that 4.8 million jobs were eliminated during the first 2 years of the current recession when businesses shut down facilities of all kinds—factories, mines, retail stores, and offices. Most of those shutdowns were in very small facilities, but many involved hundreds or thousands of employees and severely disrupted the social and economic fabric of the communities where they occurred.

In the past, certain economists have argued that plant closings and relocations are good for the economy—are, in fact, an essential part of a dynamic and growing economy. These economists argued that any governmental action to restrict such closings would lead to inefficiency and would weaken our economy. They claimed that, ultimately, everyone benefited from unrestricted business mobility, since it meant cheaper goods, higher profits, and efficient production.

That argument was always wrong, but it had a certain plausibility when unemployment was low, our work force was growing, and our manufacturing sector was the world's unchallenged leader. Today, with 11.3 million Americans unemployed and millions more forced to work part time, a stagnant manufacturing sector, and growing import competition, the argument is no longer plausible. Today, when multinational corporations such as General Electric, North American Phillips and Warner Communications, Inc., close facilities and move to Singapore, Mexico, or Taiwan, they leave behind workers and families with no prospect of finding equivalent work or, sometimes, any work. And the number of these dislocated workers is growing.

Governments at every level, business leaders and their organizations, and academics have all become aware—belatedly—of the problems that these shifts in investment have created. They are beginning to realize that the impoverishment of millions of formerly productive workers creates dangers for our economy and our democracy.

A recent meeting in Pittsburgh, entitled the National Conference on the Dislocated Worker, highlighted the need for more active governmental intervention to prevent or minimize the adverse effects of plant closings. Speaker after speaker pointed out the need for advance notice of shutdowns to permit local adjustment programs to go into effect and to allow workers an opportunity to begin searching for new employment before their termination. Nearly every speaker at this conference—which was sponsored by the National Alliance of Business, the National Association of Manufacturers, and the Chamber of Commerce—agreed that current Federal retraining efforts are inadequate and should be expanded. And, as the National Alliance of Business reports, the conference participants agreed that "dislocation can be prevented by early communication between management and labor, enabling them to examine options. It can also be eased through severance pay, extension of health benefits, early retirement, and outplacement services."

I agree with these conclusions, but the fact of the matter is that only Federal regulation will cause the great majority of businesses to provide prenotification of plant shutdowns, to extend health benefits, or to provide

adequate severance pay. Voluntarism has failed, and the result is sudden layoffs, such as the recent termination of 600 Atari employees, with less than 1 day's notice, even though Atari's management began planning their relocation to Taiwan nearly 1 year earlier.

For nearly a decade, the Trade Act of 1974 has encouraged employers to provide advance notice of overseas relocations and to help relocate their employees to other locations where employment opportunities exist. Section 2934 of title 19 of the United States Code provides that:

Before moving productive facilities from the United States to a foreign country, every firm should—

(1) provide notice of the move to its employees who are likely to be totally or partially separated as a result of the move at least 60 days before the date of such move, and

(2) provide notice of the move to the Secretary of Labor and the Secretary of Commerce on the same day it notifies employees under paragraph (1).

(b) It is the sense of the Congress that every such firm should—

(1) apply for and use all adjustment assistance for which it is eligible under this subchapter,

(2) offer employment opportunities in the United States, if any exist, to its employees who are totally or partially separated workers as a result of the move, and

(3) assist in relocating employees to other locations in the United States where employment opportunities exist.

When I checked with the Labor Department and the Commerce Department recently, I was told that no firm had ever provided them with the notice called for by the law.

If businesses will not voluntarily give advance notice of a shutdown, how likely are they to provide adequate severance pay, share financial information with their employees, extend health benefits coverage, or provide early retirement or outplacement services? Experience shows that all of these actions which could ease the adjustment of workers and their communities are rarely undertaken, even by unionized companies.

The need for these forms of assistance is critical because plant closings and large scale layoffs differ from normal unemployment. Plant closings are usually a crisis for the workers and communities they affect, and their consequences can be more devastating than the floods and other natural disasters for which the Federal Government provides emergency aid. Numerous congressional hearings, agency reports, and academic studies have documented these adverse effects, which include:

SEVERE UNEMPLOYMENT

Whereas the median duration of unemployment in the United States is 10 weeks, studies have found that 40 percent of workers laid off in major plant closings are unemployed for 40-60 weeks and a quarter are unemployed for more than 1 year. During a recession or where unemployment in an area is already high, the duration of unemployment can be even greater.

HEALTH EFFECTS

Victims of plant closings typically suffer from hypertension, abnormally high cholesterol and blood sugar levels, a higher incidence of ulcers, respiratory diseases, unduly high propensities to gout and diabetes, and hyperallergic reactions. The mental health effects can be even more critical: Depression, anxiety, substance abuse and aggressive feelings frequently translate into spouse abuse, child abuse, crime, or suicide.

INCOME LOSS

Not only do workers lose their jobs in a plant closing, along with health benefits, pensions, and other fringe benefits, but the new jobs they eventually get do not provide as much income or status. Careful long-term studies show that 6 years after a plant closing, workers in the automobile, steel, meat packing, and aerospace industries still earn an average 12.5 to 18.1 percent less than before the shutdown. Over a lifetime, this income loss can total $40,000 or more per worker.

COMMUNITY EFFECTS

When a major business closes, a wave of income loss and job loss usually sweeps through the community. Supplier firms lose contracts, retail stores lose customers, local governments and school systems lose tax revenues and lay off employees. A seemingly private decision eventually affects nearly everyone in town. The indirect job loss, or employment multiplier, can be as high as two jobs for every direct job loss. The U.S. Department of Transportation has found that for every 100 automobile jobs lost directly, another 140 to 200 jobs would be destroyed in industries ranging from iron ore mining to advertising. And just when social services are most needed, payroll, property, and income tax revenue losses undermine the ability of local governments to respond.

The causes of plant shutdowns vary, from bankruptcy or a desire to abandon an unprofitable operation to a desire to thwart unionization, to relocate a profitable location to a more profitable location, or to milk a cash cow and exploit the tax advantages of paper losses. Nearly all of them, however, have several things in common. They occur with little or no warning to the affected workers and communities—and with no input from them in the decision—they put a burden on the taxpayers for public assistance and social services; and they leave behind families who have no health insurance or pension and no immediate prospect of finding alternative employment.

The National Employment Priorities Act is intended to prevent or minimize each of these problems. In summary, the legislation, has four purposes:

First, to provide Federal financial assistance to businesses, communities or workers to prevent business failure and plant closings that can be avoided. Years of study have proven that many plant closings are economically unnecessary or avoidable and that access to sufficient loan capital will often be enough to prevent major dislocations. Firms ranging in size from the Chrysler Corp. down to a 50-employee sporting goods firm have been saved by Federal loans, loan guarantees, and technical assistance.

Second, to require that businesses provide enough advance notice of plant closings and major layoffs and sufficient financial information to allow local governments, employees, and small businesses to plan for and adjust to the loss of tax revenues, employment, and business which will occur. Firms would be required to give 6-months notice before permanently displacing 100 or fewer employees, and 1 year before displacing more than 100.

Third, to protect employees from dislocation and discourage unnecessary closings by requiring businesses to make severance payments, to continue health and welfare benefits and to provide transfer rights to other facilities to workers laid off in plant closings.

Fourth, to expand Federal assistance to dislocated workers and their communities. The bill makes retraining available to all dislocated workers and authorizes emergency assistance to local governments to fund social services, school systems, and employment projects when a major plant closing severely reduces local tax revenues and the employment base.

I also want to make it perfectly clear what the legislation will not do. It does not give any agency of government the power to prevent a plant closing or relocation. Rather, it only allows the Government to delay a shutdown for 6 months or 1 year, depending on the number of employees affected.

Nor will this bill restrict in any way the operations of small businesses. More than 90 percent of the Nation's businesses, those which do not employ 50 or more workers at a single facility, are excluded from coverage. If anything, these small companies will benefit, as will all citizens, from the advance notice they will receive of major shutdowns in their community that might affect their business.

Legislation similar to the National Employment Priorities Act has worked well for many years in Germany, Sweden, and other European countries. With unemployment in the United States climbing to levels unimaginable just 5 years ago and the

number of dislocated workers growing every day, the time for us to act is here. Our Nation needs a just, rational, and effective mechanism to help our communities adjust to economic dislocation. I believe that the National Employment Priorities Act provides such a mechanism.●

LEAVE OF ABSENCE

(By unanimous consent, leave of absence was granted to:

Mr. NEAL (at the request of Mr. WRIGHT) from March 23 through April 27, on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GONZALEZ, for 30 minutes, today.

Mr. GONZALEZ, for 30 minutes, Tuesday, May 3, 1983.

Mr. GONZALEZ, for 30 minutes, Wednesday, May 4, 1983.

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

Ms. SNOWE, for 5 minutes today.

Mr. WALKER, for 60 minutes, today.

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

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GLICKMAN, for 15 minutes, today.

Mr. MONTGOMERY, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, today.

Mr. FORD of Michigan, 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. BARTLETT) and to include extraneous matter:)

Mr. GILMAN.

Mr. FIELDS.

Mr. BOEHLERT.

Mr. RITTER.

Mr. WHITEHURST.

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

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mrs. LLOYD in five instances.

Mr. HAMILTON in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. JONES of Tennessee in 10 instances.

Mr. BONER of Tennessee in five instances.

Mr. AUCOIN.

Mr. WEAVER.

Mr. BATES.

Mrs. SCHROEDER.

Mr. ZABLOCKI.

Mr. BENNETT in two instances.

Mr. GARCIA in two instances.

Mr. BARNES.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1037. An act to authorize appropriations for fiscal year 1984 for certain maritime programs of the Department of Transportation, and for other purposes; to the Committee on Merchant Marine and Fisheries.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 1 o'clock p.m.), the House adjourned until tomorrow, Tuesday, May 3, 1983, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1031. A letter from the Speaker, transmitting a report to the U.S. House of Representatives (H. Doc. No. 98-56); and ordered to be printed.

1032. A letter from the Executive Associate Director, Office of Management and Budget, Executive Office of the President, transmitting a report listing appropriations that have been apportioned on a basis that indicates a necessity for supplemental appropriations for fiscal year 1983, which deficiency apportionments are required for pay and the Government's share of medicare costs for Federal workers, pursuant to section 3679(e)(2) of the Revised Statutes, as amended; to the Committee on Appropriations.

1033. A letter from the General Counsel of Department of Defense, transmitting a draft of proposed legislation to freeze the rates of variable housing allowance payable in fiscal year 1984 at the rates in effect during fiscal year 1983; to the Committee on Armed Services.

1034. A letter from the Chairman, National Credit Union Administration, transmitting the third annual report on the Depository Institutions Deregulation Committee, pursuant to section 206 of Public Law 96-221; to the Committee on Banking, Finance and Urban Affairs.

1035. A letter from the Secretary of Education, transmitting a final report entitled, "A Nation At Risk: The Imperative for Educational Reform" submitted by the National Commission on Excellence in Education, appointed by the Secretary in 1981; to the Committee on Education and Labor.

1036. A letter from the Secretary of Health and Human Services, transmitting the fourth annual report on the Implementation of the Age Discrimination Act of 1975 by departments and agencies which administer programs of Federal financial assistance, pursuant to section 308(b) of the act, as amended; to the Committee on Education and Labor.

1037. A letter from the Chairman, National Commission on Libraries and Information Science, transmitting the 11th annual report of the Commission, pursuant to section 5(a)(7) of Public Law 91-345, as amended; to the Committee on Education and Labor.

1038. A letter from the Deputy Assistant Secretary of Education for Vocational and Adult Education, transmitting the annual report of the Community Education Advisory Council for calendar year 1982; to the Committee on Education and Labor.

1039. A letter from the Secretary of Health and Human Services, transmitting a report on State compliance with the medicaid utilization control requirements, for the quarter ending December 31, 1982, pursuant to section 1903(g)(6) of the Social Security Act, as amended; to the Committee on Energy and Commerce.

1040. A letter from the Secretary of Health and Human Services, transmitting the 1982 report of the Director, National Cancer Institute, and the annual plan for fiscal years 1984-88 of the national cancer program, pursuant to section 404(a)(9) of the Public Health Service Act, as amended; to the Committee on Energy and Commerce.

1041. A letter from the General Counsel, Department of Energy, transmitting notice of a meeting relating to the international energy program to be held on May 5, 1983 through May 31, 1983, in Paris, France; to the Committee on Energy and Commerce.

1042. A letter from the Chairman, Department of Justice (Foreign Claims Settlement Commission), transmitting the Commission's annual report for the period January 1, 1982 through December 31, 1982, pursuant to Public Law 89-348; to the Committee on Foreign Affairs.

1043. A letter from the General Counsel, Legal Services Corporation, transmitting a report on the Corporation's activities under the Freedom of Information Act for the calendar year 1982, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

1044. A letter from the Chairman, Federal Home Loan Bank Board, transmitting a report on the Board's activities under the Government in the Sunshine Act covering calendar year 1982, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

1045. A letter from the Staff Director, U.S. Commission on Civil Rights, transmitting a report on the Commission's activities under the Government in the Sunshine Act covering calendar year 1982, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

1046. A letter from the Assistant Attorney General, Department of Justice, transmitting the annual report on the activities of the Public Integrity Section, Criminal Division for the calendar year 1982, pursuant to section 529 of title 28, United States Code; to the Committee on the Judiciary.

1047. A letter from the Assistant Attorney General, Antitrust Division, transmitting a report on competition in the coal industry, pursuant to 30 U.S.C. 208(2); to the Committee on Interior and Insular Affairs.

1048. A letter from the Assistant Secretary of the Interior for Territorial and International Affairs, transmitting the Governor's plan to eliminate Guam's general

fund deficit pursuant to section 601(b) of Public Law 96-597; to the Committee on Interior and Insular Affairs.

1049. A letter from the Personnel Appeals Board, U.S. General Accounting Office, transmitting the second annual report on the Board's activities for the period October 1, 1981, through December 31, 1982, pursuant to Public Law 96-191; to the Committee on Post Office and Civil Service.

1050. A letter from the Secretary of Commerce, transmitting the annual report on the activities of the national climate program for fiscal year 1981, pursuant to section 7 of Public Law 95-367; to the Committee on Science and Technology.

1051. A letter from the Director of the Office of Management and Budget, transmitting a draft of proposed legislation to amend the Inspector General Act of 1978 to include the Offices of Inspector General of the Department of Energy and the Department of Health and Human Services, and for other purposes; jointly, to the Committees on Government Operations and Post Office and Civil Service.

1052. A letter from the Secretary of the Interior, transmitting the Outer Continental Shelf oil and gas leasing and production annual report for fiscal year 1982, pursuant to sections 14(l) and 22(g) of Public Law 95-372; jointly, to the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries.

1053. A letter from the Comptroller General of the United States, transmitting a report on the Department of Defense budget; jointly, to the Committees on Government Operations, Armed Services, and Appropriations.

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. PATMAN:

H.R. 2846. A bill to provide that a certain amount of the revenues received by the United States under leases on the Outer Continental Shelf shall be used to acquire strategic and critical materials for the national defense stockpile; jointly, to the Committees on Interior and Insular Affairs and Rules.

By Mr. FORD of Michigan (for himself, Mr. OBERSTAR, Mr. VENTO, Mr. ROE, Mr. GAYDOS, Mr. CLAY, Mr. FORD of Tennessee, Mr. FAUNTROY, Mr. ZABLOCKI, Mr. RODINO, Mr. KILDEE, Mr. CORRADA, Mr. EDWARDS of California, Mr. PERKINS, Mr. SABO, Mr. BROWN of California, Mr. RUSSO, Mr. STOKES, Mr. SIMON, Mr. RAHALL, Mr. WILLIAMS of Montana, Mr. DELLUMS, Mr. SOLARZ, Mr. CARR, Mr. BONIOR of Michigan, Mr. CROCKETT, Mr. GUARINI, Mr. SEIBERLING, Mr. TRAXLER, Mr. LEVIN of Michigan, Mr. HAWKINS, and Mr. HERTEL of Michigan):

H.R. 2847. A bill to facilitate economic adjustment of communities, businesses, and workers; to require business concerns to give advance notice of plant closings and permanent layoffs; to provide assistance, including retraining, to dislocated workers; and for other purposes; jointly, to the Committees on Education and Labor and Banking, Finance and Urban Affairs.

By Mr. FLORIO (for himself, Mr. DINGELL, Mr. LENT, Ms. MIKULSKI, Mr. RICHARDSON, and Mr. TAUZIN):

H.R. 2848. A bill to establish a service industries development program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BENNETT:

H.R. 2849. A bill to amend the Contract Disputes Act of 1965 to require that claims by Government contractors be submitted within 3 years; to the Committee on the Judiciary.

By Mr. FAUNTROY:

H.R. 2850. A bill to amend the Federal Reserve Act to provide flexibility in the issuance of Federal Reserve notes in order to assure that the Nation will have an adequate supply of currency; to the Committee on Banking, Finance and Urban Affairs.

By Mr. FRANK:

H.R. 2851. A bill relating to the duty on certain knives (commonly known as snap blade tools) having movable blades; to the Committee on Ways and Means.

By Mr. GLICKMAN:

H.R. 2852. A bill to amend the Bankruptcy Code to exempt certain repurchase agreements from automatic stay provisions of the act; to the Committee on the Judiciary.

By Mr. JONES of North Carolina (for himself, Mr. ZABLOCKI, Mr. FORSYTHE, Mr. BREAUX, Mr. STUDDS, Mr. D'AMOURS, Mr. YOUNG of Alaska, Mr. PRITCHARD, Mr. GILMAN, Mr. HUBBARD, Mr. LEACH of Iowa, Mr. YATRON, Mr. HUGHES, Mr. BONKER, and Mrs. SCHNEIDER):

H.R. 2853: A bill to establish a National Oceans Policy Commission to make recommendations to Congress and the President on a comprehensive national oceans policy; jointly, to the Committees on Foreign Affairs and Merchant Marine and Fisheries.

By Mr. ROYBAL:

H.R. 2854. A bill to amend the Food Stamp Act of 1977 to permit individuals who are elderly or disabled and who live in certain types of group living arrangements to be treated as individual households; to the Committee on Agriculture.

H.R. 2855. A bill to provide that individuals residing in shared-housing arrangements shall not be subject to the loss of supplemental security income benefits as a result of such residence; to the Committee on Ways and Means.

H.R. 2856. A bill to amend the Internal Revenue Code of 1954 to provide that participating in certain shared-housing arrangements does not make an individual ineligible for the one-time exclusion of gain from the sale of principal residence by individuals who have attained age 55; to the Committee on Ways and Means.

By Ms. SNOWE:

H.R. 2857. A bill to require the Secretary of Health and Human Services to establish an Interagency Task Force on Alzheimer's Disease, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TORRICELLI:

H.R. 2858. A bill to amend title XVIII of the Social Security Act to provide medicare coverage of wigs and hair pieces for individuals with alopecia that resulted from treatment of malignant disease; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. FORD of Tennessee (for himself, Mr. SUNDQUIST, Mr. BONER of Tennessee, Mr. JONES of Tennessee, Mr. COOPER, Mrs. LLOYD, Mr. GORE, Mr. DUNCAN, Mr. QUILLEN, Mr. ALEXANDER, Mr. DOWDY of Mississippi, and Mr. WHITTEN):

H.J. Res. 255. Joint resolution designating September 5, 1983, as "National Beale Street, Home-of-the-Blues Day" to commemorate the redevelopment of the historic area where W. C. Handy, originator of the famous music form known as the "Blues," composed the "Memphis Blues" some 70 years ago; to the Committee on Post Office and Civil Service.

MEMORIALS

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

99. By the SPEAKER: Memorial of the Senate of the Commonwealth of Pennsylvania, relative to the regulation of gas prices; to the Committee on Energy and Commerce.

100. Also, memorial of the Senate of the Commonwealth of Pennsylvania, relative to the Federal general revenue sharing program; to the Committee on Government Operations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOEHLERT:

H.R. 2859. A bill for the relief of John Brima Charles; to the Committee on the Judiciary.

By Mr. TORRICELLI:

H.R. 2860. A bill for the relief of SSC International, Inc., of Hackensack, N.J.; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

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

H.R. 282: Mr. GUARINI.

H.R. 567: Mr. KINDNESS.

H.R. 1050: Mr. PATTERSON and Mr. PAUL.

H.R. 1179: Mr. CLINGER, Mr. DANIEL B. CRANE, Mr. EDWARDS of Alabama, Mr. GOODLING, Mr. HOWARD, Mr. HUGHES, Mr. HYDE, Mr. LAGOMARSINO, Mr. LOEFFLER, Mr. MCKINNEY, Mr. MCNULTY, Mr. O'BRIEN, Mr. SENSENBRENNER, Mr. SIMON, Mr. SPRATT, Mr. TAYLOR, Mr. VANDER JAGT, and Mr. WILSON.

H.R. 1386: Mr. WOLPE.

H.R. 1436: Mr. LONG of Louisiana.

H.R. 1624: Mr. BARNARD.

H.R. 1646: Mr. BONKER and Ms. KAPTUR.

H.R. 1937: Mr. TAUKE and Mr. MCCLOSKEY.

H.R. 2090: Mr. GINGRICH, Mr. LEWIS of Florida, Mr. THOMAS of California, and Mr. BOSCO.

H.R. 2372: Mr. WON PAT, Mr. SUNIA, Mr. CHAPPELL, Mr. STOKES, Mr. AKAKA, Mr. FRENZEL, Mr. DYMALLY, Mr. BEVILL, Mr. QUILLEN, Mr. FAZIO, Mr. GORE, Mr. FROST, Mr. WHITEHURST, Mr. TORRES, Mr. DE LA GARZA, Mr. LELAND, and Mr. JONES of Tennessee.

H.R. 2449: Mr. DWYER of New Jersey, Mr. EVANS of Illinois, Mr. FLIPPO, Mr. JACOBS, Mr. KOGOVSEK, Mr. LEHMAN of California, Mr. LEHMAN of Florida, Mr. RINALDO, Mr. SISISKY, Mr. SMITH of Florida, Mr. LAFALCE, Mr. MCCURDY, Mr. SABO, Mr. STOKES, and Mr. MITCHELL.

H.R. 2732: Mr. SMITH of New Jersey, Mr. SENSENBRENNER, Mr. KINDNESS, Mr. GINGRICH, Mr. MCCAIN, Mr. WALKER, Mr. DUNCAN, Mr. HUTTO, and Mr. MCDONALD.

H.R. 2747: Mr. SHAW.

H.J. Res. 51: Mr. DANIEL, Mr. FRANKLIN, Mr. FRENZEL, and Mr. WAXMAN.

H.J. Res. 220: Mr. STRATTON, Mr. BROOKS, Mr. SYNDER, Mr. KEMP, Mr. HARRISON, and Mr. FEIGHAN.

H. Con. Res. 115: Mr. HILER, Mr. VANDER JAGT, Mr. KEMP, Mr. SCHAEFER, and Mr. MCDONALD.

H. Res. 15: Mr. ASPIN, Mr. BEREUTER, Mrs. BOGGS, Mr. BRITT, Mr. BROOMFIELD, Mr. BRYANT, Mr. CHANDLER, Mr. CLAY, Mrs. COLLINS, Mr. CONTE, Mr. EDWARDS of California, Mr. FEIGHAN, Mr. FISH, Mr. FORSYTHE, Mr. GEJDENSON, Mr. GINGRICH, Mr. GUARINI, Mrs. HALL of Indiana, Mr. HALL of Ohio, Mr. HANCE, Mr. HARKIN, Mr. JEFFORDS, Mr. JONES of North Carolina, Mr. KOSTMAYER, Mr. LAGOMARSINO, Mr. LANTOS, Mr. MADIGAN, Mr. MARTINEZ, Mr. MOODY, Mr. O'BRIEN, Mr. ORTIZ, Mr. PARRIS, Mr. PEASE, Mr. PENNY, Mr. PRITCHARD, Mr. RICHARDSON, Mr. ROTH, Mr. SCHAEFER, Mrs. SCHNEIDER, Mr. SCHUMER, Mr. SILJANDER, Mr. SOLARZ, Mr. STARK, Mr. TALLON, Mr. VALENTINE, Mr. VENTO, Mr. WHEAT, Mr. WINN, Mr. WIRTH, Mr. WYLIE, Mr. YATES, and Mr. YATRON.

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.R. 171: Mr. COLEMAN of Texas.

PETITIONS, ETC.

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

82. By the SPEAKER: Petition of the City Council of New York, N.Y., relative to an emigration visa for Boris Gorenstein; to the Committee on Foreign Affairs.

83. Also, petition of the City Council, New York, N.Y., relative to an emigration visa for Boris Klotz; to the Committee on Foreign Affairs.

84. Also, petition of the City Council, New York, N.Y., relative to an emigration visa for Aleksandre Letichevsky; to the Committee on Foreign Affairs.

85. Also, petition of the City Council, New York, N.Y., relative to an emigration visa for the Volvovsky family; to the Committee on Foreign Affairs.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.J. RES. 13

By Mr. LEVITAS:

(Amendment to the amendment in the nature of a substitute by Mr. AUCOIN.)

—After the last line of the amendment in the nature of a substitute insert the following new sections:

SEC. . The Congress proposes that the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations study measures relating to reductions pursuant to the first section, and relating to concurrent and complementary arms control proposals pursuant to section 2, especially those aimed at progressive reductions in the number of destabilizing weapons through a mutual "build down" or other verifiable process.

By Mr. MARTIN of North Carolina:

(Amendment to the amendment in the nature of a substitute by Mr. AUCOIN.)

—After the word "capabilities" the first time it appears and before the comma insert the following: "at present and in the future".

—After the last line of the amendment in the nature of a substitute insert the following new section:

SEC. . Nothing in this resolution shall be construed to commit the United States, in pursuit of the negotiating objectives set forth in this resolution, to any steps in the authorization or appropriation process suspending, deferring or deciding against research and development, testing, production, or deployment of nuclear warheads, missiles or delivery systems, unless agreed upon in negotiations with the Soviet Union.

SENATE—*Monday, May 2, 1983*

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

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

Let us pray.

*Holy, holy, holy, Lord God Almighty, which was, and is and is to come * * *. Thou art worthy, O Lord, to receive glory and honor and power: for thou hast created all things, and for thy pleasure they are and were created.*—Revelation 4: 8, 11.

God of creation, Lord of life, we thank Thee that we are alive. There are those who went to sleep last night who did not awaken this morning. We thank Thee that we are here with work to do. There are those who awakened today with no job to go to and no prospect of getting one. We thank Thee that we are whole physically and mentally. There are those who, through some tragedy, have been disabled this past week. We thank Thee for our spouses and children. There are those who have lost loved ones recently. Forgive us Lord for presuming upon life and so seldom thanking Thee for the common benefits which we enjoy so routinely.

We pray for those who are unemployed—for those who have been disabled or who have lost loved ones. Grant to them today Thy peace and comfort. In Jesus name. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

EVERYDAY THINGS

Mr. BAKER. Mr. President, this week's poem was written by Debora Greger, and is entitled "Everyday Things." I ask unanimous consent that it be printed in the RECORD.

EVERYDAY THINGS

Think of the swimming
that does for flight in dreams—feet
dragging through leaves, you watch
yourself climb through a stagy light,
like this afternoon's, doubly lit
by lamps and weaker sun. How can you
not believe the merely visible?
A boy struggles into costume
over a harness that's half the magic
of theatrical flying. Like humans,
ducks are slipping on the river,
feet out from under them
across the ice. Tossed from a window,
the carrier pigeon charts a course
as long as the night stays clear,
leaving me, armchaired, to imagine
a message worth wingbeats per mile
as ground traversed brings closer
nothing but dawn. The chair's
upholstered wings shelter, stiffly;
maybe the painter was right about
a floating world: chair not resting on
but hovering just above the floor,
everyday wings keeping us
from collisions that are touch
without will. I want to be a book—
pages riffling with pinions,
coverts, underwings, primary
and secondary feathers of flight,
its wings fall open in your hands.

—DEBORA GREGER.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, under the order previously entered, the Senate stood in adjournment until this moment with the provisions that the reading of the Journal be dispensed with, no resolutions to come over under the rule, the call of the calendar dispensed with, and the morning hour deemed to have expired. Notwithstanding, a provision has been made for the transaction of routine morning business of not to exceed 30 minutes in which Senators may speak for not more than 5 minutes each to begin after the expiration of the time allocated to the two leaders under the standing order and the time provided for the distinguished Senator from New Hampshire (Mr. RUDMAN) on special order.

THE BUDGET RESOLUTION

Mr. BAKER. Mr. President, after the expiration of the period for the transaction of routine morning business, it is the intention of the leadership on this side to ask the Senate to turn to the consideration of Senate Concurrent Resolution 27 or House Concurrent Resolution 91, both of which deal with the congressional budget resolutions. The immigration bill has been temporarily laid aside in order to provide for action on the budget resolution.

Mr. President, I had the privilege of talking this morning with the minority leader on the telephone, that I am now about to say will be only slightly different than what I shared with him informally earlier.

There will be a Republican conference of Senators this afternoon at 5 p.m. on the budget, and while that is not an official act of the Senate, it is, as we all acknowledge and agree, a vehicle that usually leads to more prompt resolution of difficulties or at least clearer definitions of conflicts.

Therefore, I will not ask the Senate to remain much past the hour of 5 p.m. today.

However, I urge Senators to consider that it is urgent, and imperative that we get on with the business of passing this budget resolution, and I am prepared to ask the Senate to come in early and stay late this week in order to try to finish the measure resolution by the close of business on Saturday.

Having uttered those words, I hope no one has gone into immediate cardiac arrest. I should point out that while there are 50 hours provided by statute on the resolution, other measures do not count against those 50 hours. Indeed, last year it took us 2 weeks to use less than 40 hours. I hope we can do better than that this year because we have the budget resolution to deal with and we have Appropriations Committee markups that are in progress. They certainly need to know what the budget marks are even if they are just Senate budget marks.

Moreover, I am advised by the Secretary of the Treasury that we are going to have to pass an extension of the debt limit by May 26, and that will take a significant amount of time.

So we have a series of important and highly controversial issues before us; it should thus come as no surprise to anyone that I must ask the Senate to come in early and remain late this week in order to try to complete the budget resolution as quickly as possible.

If it is not possible to finish the resolution by the end of this week, Mr. President, then we will, of course, go into next week. If we do that I will be beseeching the minority leader and others to consider modification of the unanimous-consent agreement in respect to the immigration bill which provided for a time certain for final passage of that measure but only if we can reach the immigration bill by noon on Monday, a week from today.

I suppose the immigration bill is not as important in the relative scheme of things as the budget resolution, but it is my desire to try to pass it nevertheless. I will talk later with the minority leader about a possible modification of that unanimous-consent agreement to provide that the time certain would occur perhaps 2 days after we resume the consideration of the immigration bill.

I do not now make that request but so other Senators who may be listening in their offices will be aware of it, I will probably discuss that with the mi-

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

nority leader sometime in the course of this day.

Mr. BYRD. Mr. President, will the majority leader yield?

Mr. BAKER. I yield.

Mr. BYRD. Would that mean Wednesday instead of Tuesday for the votes?

Mr. BAKER. If we did not finish the budget resolution until Monday, it would mean Wednesday instead of Tuesday, yes.

Mr. BYRD. I thank the Senator.

Mr. BAKER. Mr. President, these are unhappy tidings and I regret to bring them, but I shared them with the minority leader this morning who afterward discretely inquired if I had any good news.

Mr. President, on a lighter note, it has been brought to my attention that James Joyce, one of the great novelists and writers of our time, who was, of course, responsible for such famous tomes as "Ulysses" and "A Portrait of the Artist, as a Young Man," heard his wife say to him 43 years ago today, "Well, Jim, I have not read any of your books, but some day I will have to, considering how well they sell."

With that in mind, Mr. President, I express my apologies to the wife of the distinguished Senator from New Mexico, Nancy Domenici. Nancy is a distinguished lady in her own right and the wife of the chairman of the Budget Committee. I think Nancy Domenici must feel sort of the same way that Nora Joyce did because she has heard a great deal about her husband's work during the last several weeks I have taken a lot of the chairman's time at night and on weekends throughout this time and he has stayed away from his family late into the evening to work on the budget.

I rather suspect that Nancy Domenici, like Joy Baker and others, do not know an awful lot of what is in this budget, but to tell you the truth, I do not know a lot of what is in that budget myself, because it is an extensive document. Yet one of these days, this will all be over, and when it is, then maybe they will all want to see what it was we finally did.

In the meantime, Mr. President, I do not think it amiss for me to stand here and apologize to Mrs. Domenici, Mrs. Chiles, who is the wife of the ranking minority member or the committee and to the wives and families of members who are going to be inconvenienced by the announcement I made just a few moments ago. They have borne the brunt of that sacrifice while the budget has been in preparation, and will no doubt continue to do so.

I know firsthand how inconvenient that can be and how dislocating it often is.

I know the plaintive wails that will go up, about how the leadership must be able to find a better way to arrange the affairs of the Senate than to keep their husbands and wives late into the evening. I know that because I have said those things, but I also know, Mr. President, that sometimes it is absolutely necessary to address the business of the country, and for the Senate to undertake its responsibilities with diligence and sacrifice.

So to Nancy Domenici, to Mrs. Lawton Chiles, and to all the other wives and husbands and families who will have to sacrifice because of the schedule that I have just discussed, I send my deepest apologies.

Mr. BYRD. Now that the majority leader has apologized, would it be appropriate for me to stop apologizing in my own household?

Mr. BAKER. Mr. President, I expect the minority leader has had to apologize to his wife more than anybody in this Chamber except me.

Mr. BYRD. I thank the majority leader.

May I ask a question: The majority leader made reference to a conference of Members on his side of the aisle today at 5 o'clock. Does this mean we are going to have a budget rewritten by the distinguished majority leader and his colleagues which will see the light of day in a day or so? Why do we debate the budget today if there is going to be a new one written in a closed meeting of the Republican Party without participation by Democrats who helped get the budget out of the committee?

Mr. BAKER. Indeed this is partly facetious and partly serious. That is the problem. The resolution reported out was the Democratic budget.

Mr. BYRD. And the Republicans would not have gotten any out without the aid of Democrats.

Mr. BAKER. I have a feeling that I have not had my turn yet.

Mr. BYRD. So the majority leader is admitting or perhaps he is announcing that had it not been for the Democrats there probably would have been no budget emerging from the committee.

Mr. BAKER. That is a distinct possibility. I acknowledge that freely. Were it not for the understanding between the chairman (Senator DOMENICI) and the ranking minority member (Senator CHILES), that they owed the obligation to the Senate to get something to the floor for consideration, there might have been no budget, and had there been no budget resolution I think there would have been a great threat to the budget process. So, yes, I freely acknowledge that.

Mr. BYRD. I hope the majority leader will not feel that I am amiss when asking again do we expect to see a new budget written now by the majority party without any participation by the minority party which will be the budget that will be discussed on the floor?

Mr. BAKER. Mr. President, of course the Senate is the final dispositor of proposals and the most my weary Republican colleagues can do is make proposals which will go to the Senate, of course, to decide what final disposition to make. That is, whether to accept the Democratic budget which was reported from committee or amendments or even a substitute by Republicans.

I mentioned to the minority leader on the phone today, and I will repeat now that as far as I am concerned I have no present intention in beginning debate by offering a substitute, which was done last year. I do think since there is so much conflict and disagreement even within our respective parties on this subject that we ought to let the Senate work in its usual way. That does not mean that at some point I may not offer a substitute but I have no intention of doing that out of hand as soon as the resolution is brought to the floor. I expect there will be a number of votes on amendments, some to raise funding levels, some to reduce them, and at some point that will have to come to an end, with or without substitute. I do not plan to do that now. What I do anticipate is that it is a likelihood you will have the Budget Committee resolution before the Senate. You may or may not have a Republican alternative to it or we may have a series of amendments. Those are the things that have not been fully decided. But the Senate will work its will, as it always does, and I feel that the Republican Caucus this afternoon will help clarify that situation.

Mr. BYRD. In other words, I am to understand that the Republican Caucus will be for the purpose of either developing an alternative by which 51 Republicans can stand or there may be alternatives here and there that may be in the form of amendments discussed, and so on.

Mr. BAKER. Yes.

Mr. BYRD. I think the majority leader certainly has answered the question as far as he can go at this moment and we will look with great anticipation to the product of the Republican conference today.

Mr. BAKER. It will not be an overstatement to say so will I.

ORDER FOR ROUTINE MORNING BUSINESS MODIFIED

Mr. BAKER. Mr. President, the order for morning business provides that each Senator—that Senators may speak for not more than 5 minutes each. If the minority leader has no objection, I ask unanimous consent that that be changed to not more than 10 minutes.

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

ORDER OF BUSINESS

Mr. BAKER. Mr. President, I am confident there is no more time remaining to me under the standing order and I apologize to the minority leader and others for taking more than my just share but I now yield the floor.

EDUCATION FOR TOMORROW'S ECONOMY

Mr. BYRD. Mr. President, the National Commission on Educational Excellence issued its report last week. The Commission's report speaks eloquently of the steady decline in the quality of American education during the last 20 years and warns that "our very future as a nation and as a people" is threatened as a result. The Commission found a "nation at risk." The report laid out a goal which will serve us well:

> All, regardless of race or class or economic status, are entitled to a fair chance and to the tools for developing their individual powers of mind and spirit to the utmost. This promise means that all children by virtue of their own efforts, competently guided, can hope to attain the mature and informed judgment needed to secure gainful employment and to manage their own lives, thereby serving not only their own interests but also the progress of society itself.

We must recognize that the economic world has changed. The United States no longer dominates the world's economy. Foreign competition, which 20 years ago was restricted to low-wage products, now engages U.S. industry across a broad spectrum of goods and services.

The economic transformation means that a significant fraction of American workers compete with workers from other countries for the world's good jobs. Our workers will lose in that competition unless they are well equipped with knowledge, skills, and equipment.

Two hundred years ago, in "The Wealth of Nations," Adam Smith wrote:

> The skill, dexterity, and knowledge of a nation's people is the most powerful engine of its economic growth.

For most Americans, these same traits—skill, dexterity, and knowledge—are the most powerful determinants of personal growth. Many of us have struggled to obtain an education, working after school and going to school after work. We have also struggled to provide a good education for our children and grandchildren. Our lives are testimony to the value of education. We know it is the key to opportunity, to economic success, and to human dignity.

I am concerned about the education young Americans are receiving. I am especially concerned over the skills, dexterity, and knowledge that count in international competition. Mathematics and science skills are needed to develop, produce, and utilize high-technology products. Our workers need the dexterity to operate and maintain tomorrow's equipment—whether it be numerically controlled machine tools, robots, or word processors. We all need more knowledge of the world beyond our borders. Management, labor, and Government must be aware of what our trading partners are doing and of the potential in foreign markets.

We are not doing well enough:

There is a shortage of math and science skills. Although the decline in scholastic aptitude test scores has generally halted, the slide in verbal and math scores over the last 20 years is dramatic and there has been no improvement in higher level problem solving skills.

Japanese high school students ranked 1st while ours ranked 15th in a recent study of science and mathematics excellence. The typical Japanese high school student take 6 years of science and math, including a year of calculus—the average Russian takes twice as much. By contrast, less than half of American high school graduates take any math or science after the 10th grade. In a typical group of 100 students, only 8 take any calculus, only 19 take a year of physics, and only 37 take a year of chemistry.

International comparisons of student achievement, completed a decade ago, reveal that on 19 academic tests American students were never first or second and, in comparison with other industrialized nations, were last 7 times.

Over half the population of gifted students do not match their tested ability with comparable achievement in school. Both the number and proportion of students demonstrating superior achievement on the scholastic aptitude tests, that is, those with scores of 650 or higher, have dramatically declined.

About 13 percent of all 17-year-olds in the United States can be considered functionally illiterate. Functional illiteracy among minority youth may run as high as 40 percent.

Between 1975 and 1980, remedial mathematics courses in public 4-year colleges increased by 72 percent and now constitute one-quarter of all mathematics courses taught in those institutions.

The failure of American students to acquire science and math skills reflects a lack of good teachers, a lack of an engaging curriculum, a shortage of laboratory and computer equipment and, most likely, a lack of motivation.

The teacher problem is the most serious because teachers and principals are the key to educational excellence and because improving teacher quality is difficult.

The last 10 years have not been good ones for teacher quality. Alternative opportunities for women increased so that the school system no longer has a captive labor force of bright educated females with few other places to go. Teacher salaries have fallen relative to those of other jobs, especially in the math and science areas. A typical math graduate who starts as a computer programer this June will be offered a salary of $18,000.

The average salary after 12 years of teaching is $17,000. As a result, 43 States report a shortage of math teachers and 22 percent of secondary school math teaching positions are either unfilled or filled by teachers uncertified to teach math. Generally, the education departments receive students who score in the lowest quarter of the SAT tests for college entrants.

The problem may be even more critical in the Nation's engineering colleges. The Japanese—with half our population—are graduating more engineers than the United States.

Between 1963 and 1980 the number of science and engineering teaching jobs held by new PH. D.'s dropped by nearly 50 percent. As a result 20 percent of our undergraduate engineering faculty posts are unfilled or filled by temporary instructors. Almost half or 49 percent of the doctoral degrees awarded in engineering by American universities in 1981 went to citizens of other countries.

The dexterity gap is as evident as the math and science skill shortage. The comparisons of quality between some American products and their foreign competitors are embarrassing and are costing us jobs. Some of these problems are the fault of management, some of incentive systems, and some of a training and vocational education system that cannot keep up with changing requirements.

According to some projections, new employment for almost 5 million workers can be expected in fields where few people now work—in robots, computers, bio-electronics, lasers, hazardous waste management, and similar fields. Neither the instructors nor the equipment on which to learn is available in sufficient quantities to the vocational education system.

In addition to the shortages of skills and dexterity there is a gap in our knowledge of the rest of the world. When it comes to foreign languages we are still a provincial country. There are more Chinese learning English than there are Americans speaking English. The Japanese are more aware of our activities than we are of theirs.

As a result, American business, labor, and Government frequently are surprised. Witness the energy situation of the last decade. Just recently, the chief operating officer of Bethlehem Steel was quoted as saying:

> We didn't recognize soon enough the drastic changes occurring in the world import situation.

We cannot compete effectively unless we know what the competition is doing. The knowledge, moreover, must be shared by those who influence design, prices, wages, regulation, and the other factors that ultimately determine our position in international markets.

Some of these concerns are familiar. We faced them in 1957 when the Russian success with Sputnik made us realize our vulnerability to Russian challenges in military and space technology. Congress reacted with the National Defense Education Act (NDEA) which provided:

Loans to students preparing to enter careers in areas of scarcity;

Grants for purchases of equipment;

Foreign language development; and

Scholarships for sicence and math teachers.

At the same time NSF provided funds for curriculum design in science and math. The NDEA experience will be instructive now and many of the same tools will be useful. We should, however, keep in mind the difference between our current challenge and that of a quarter century ago. The challenge is primarily economic, not military. It is a challenge from many countries and in many fields and one that is unlikely to go away. Training and education will be a lifelong experience requiring adult education and retraining. About 75 percent of the Nation's work force in the year 2000 are now working adults. The aging of the population, coupled with the more rapid pace of change, means that the country must retrain or grow obsolete.

Fortunately, the tools, institutions and willingness to meet the challenge have also increased in the last 25 years. New educational technologies such as computer-based education provides an opportunity to extend the capacity of current teachers. Major firms such as Bank America, General Motors, IBM, Wang, and Digital Equipment Corp. are embracing computer and videodisc technology as part of the solution to the training and retraining challenge. Digital expects to save $40 million annually in reduced delivery, travel, and expense cost.

The junior and community college system has expanded enormously since NDEA. Last fall almost 5 million students signed up for college credit courses in 2-year institutions and 4.3 million for noncredit courses. These institutions are in a position to provide the convenience, flexibility, and low-cost delivery needed to meet the training requirements of small and medium-sized firms.

Finally the business community appears more willing to participate in the educational effort. Business understands their stake in the outcome. Some, like the computer manufacturers and the publishers have a commercial interest in selling their goods and services. The others recognize the need to have a trained work force. Business involvement includes such things as providing part time employment to math and science teachers, providing time for technical employees to teach, and lending executive capacity to efforts such as the Private Industry Councils.

What is needed, therefore, is not a repeat of NDEA but a new effort to meet the new challenge. The National Commission on Excellence in Education recommends a goal of creating a "leading society." Their suggested reforms include a tougher curriculum, more rigorous and measurable standards and higher expectations for academic performance and student conduct. Senators GLENN, DODD, PELL, KENNEDY, HART, TSONGAS, CHILES, and HUDDLESTON have submitted bills to improve science, math, and foreign language instruction. Other bills will surely be forthcoming in vocational education and in training and retraining. From these the Congress will have to fashion a comprehensive approach to the educational challenge. It is a challenge we must not fail to meet.

I ask unanimous consent that I may reserve my time under the order for a little while—a little while meaning 15 or 20 minutes.

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

RECOGNITION OF SENATOR RUDMAN

The PRESIDING OFFICER. Under the previous order, the Senator from New Hampshire (Mr. RUDMAN) is recognized for not to exceed 15 minutes.

S. 1185—CONGRESSIONAL CAMPAIGN CONTRIBUTION AND EXPENDITURE ACT OF 1983

Mr. RUDMAN. Mr. President, during my 1980 campaign for the senatorial office I now hold, I accepted no contributions from national political action committees. I still accept no such contributions. This is not so much action based on a belief that PAC's should be banned completely; rather, it is my view that the current system which allows a candidate for office to accept and spend an unlimited amount of PAC contributions will inevitably lead to a perversion of our political process. Although there may be other reasons for the decline in importance of individuals and national parties in our political process, I am convinced that political action committees have played a major role in that decline. I am certainly not alone in making this observation; it is difficult to find a week that passes without someone addressing the issue in a national forum. However, neither hand-wringing nor doctrinaire proposals will solve the problem.

What is called for is a realistic approach which recognizes both the constitutional rights of candidates and those giving to them to unfettered political expression and the right of society as a whole to be protected from perversions that unlimited free expression can cause in a democracy such as ours. Just as we do not permit an individual in the exercise of his right of free expression to shout "fire" in a crowded theater, so should we not allow the unlimited use of political action committee funds to pervert the right of individuals to band together for political expression.

That this is the time to act is clear. Last year, some 3,400 PAC's representing both industry and labor interests spent $183 million on congressional campaigns, a 37.6-percent increase over contributions in 1980. It is not only the money that bothers me. It is the special targeting that is possible under the PAC system that eventually perverts the political process.

Political action committees representing seven major industries regulated under the Clean Air Act contributed over $767,000 to all 42 members of the House Energy and Commerce Committee which has been considering amendments to the Clean Air Act which would stem polluting emissions from factories in the Midwest. It is this willingness to give vast sums of money to individuals regardless of political party in order to influence what, in totality, must be considered a small, special interest which I feel is a preversion of the political process envisioned by our Founding Fathers. Without PAC's, individuals and parties contribute to those who represent a general political philosophy, leaders who are entrusted to act with judgment in accordance with the words of Edmund Burke: "Your representative owes you, not his industry only, but his judgment; and he betrays instead of serving you if he sacrifices it to your opinion."

While I do not say that Members of Congress are for sale, I do say that political action committees are not attempting to buy our judgment, they wish to buy our votes for their opinions alone. This is the preversion that must be stemmed.

Unlike many, I am not so naive as to think that the problem can be solved by setting dollar limits on the amounts that PAC's can contribute to individual candidates. I am not even sure that such an approach is wise under the philosophy that is the cornerstone of our democracy. However, I do believe it is fair to reemphasize the importance of individual voters and the national parties which represent broad philosophical spectrums. To this end, I am today introducing the Congression-

al Campaign Contribution and Expenditure Act of 1983. The major provisions of the legislation are as follows:

First. The amount of individual contributions allowed by law would be raised from $1,000 to $2,500 per election. The cap on individual contributions was set at $1,000 in 1974 as part of the Federal Election Campaign Act and has not been raised since.

Second. The maximum allowable contributions for an individual during any calendar year would be raised from the current $25,000 to $30,000. This represents the ceiling on the total amount of money that any individual may contribute to all political candidates, political parties, or political action committees during any calendar year. Again, the cap was established in 1974 as part of the FECA and inflation alone dictates an increase in the limit.

Third. There would be no dollar limitation on the amount a candidate might spend for any election with certain exceptions relating to permissible ratios of expenditures relating to party and PAC contributions to total expenditures.

Fourth. With respect to PAC contributions, a candidate would be allowed to spend the greater of 25 cents multiplied by the voting age population of his or her State or congressional district—depending on whether it were a senatorial or a congressional election—or 20 percent of all funds expended by the candidate for the election in question. The provision would provide for preelection campaign planning in that, assuming PAC money were available to the candidate, he or she would know the minimum amount of such money that could be expended. Individual voters would regain their importance in that a candidate might spend more PAC money if he or she were successful in individual fundraising efforts. Interestingly enough, in the 1980 congressional elections, PAC contributions represented 29 percent of all contributions received by House candidates and 21 percent of all contributions received by Senate candidates.

Fifth. The same 25-cent-per-voter minimum would apply with respect to party contributions; provided, however, that 30 percent of a candidate's total expenditures for any election could come from party contributions.

Sixth. There would be no limit on the amount of his or her own funds that a candidate could spend in any one election; provided, however, that those funds could not be used for the purposes of calculating the amount of PAC or party contributions that could ultimately be expended in that election. Any funds borrowed by the candidate would be considered to be personal funds.

Seventh. There would be no limit on the amount of money a candidate could receive from either party or political action committees.

Unexpended funds would be held for subsequent use as governed by existing law, with the added provision that if the funds were used for a subsequent election, they would be subject to the same 20- or 30-percent formula for use as when originally received.

Eighth. Finally, any candidate expending more in political action committee or party contributions than permitted by law would be fined an amount equal to three times the excess amount expended. The fine would be assessed by, and be payable to, the Federal Election Commission, and no person upon whom such a fine was assessed could be a candidate for Federal elective office until the fine were paid.

In addition, if the fine were paid with funds attributable to contributions from either political action committees or a political party, the amount of the fine would be counted as a contribution for the purposes of computing permissible expenditures in any subsequent election.

I believe that the legislation that I have introduced today is a realistic attempt to deal with a serious problem. I have tried to balance the rights of all parties involved in what can only be termed a growing controversy. I urge my colleagues to examine this legislation carefully and to apply the formulas it contains to their own election experiences. I believe that examination of this sort will convince many of the fairness of the concept embodied in the Congressional Campaign Contribution and Expenditure Act of 1983. It is clear that action is called for; however, unless we act soon, we may lose the objectivity that presumably gives us the right to act at all.

Mr. President, I ask unanimous consent that the bill as filed at the desk be printed in the RECORD.

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

S. 1185

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 315(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a (a)) is amended—

(1) in paragraph (1) (A) by striking out "$1,000" and inserting in lieu thereof "$2,500"; and

(2) in paragraph (3) by striking out "$25,000" and inserting in lieu thereof "$30,000".

SEC. 2. Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended—

(1) by redesignating subsections (b) through (h) as subsections (c) through (i), respectively;

(2) by inserting after subsection (a) the following new subsection:

"(b)(1) No candidate for nomination for election, or for election, to the United States House of Representatives or the United States Senate may make expenditures for any such election other than as follows:

"(A) with respect to contributions of a candidate's own funds, an unlimited amount;

"(B) with respect to contributions from persons as provided for in subsection (a)(1)(A), an unlimited amount;

"(C) with respect to contributions from multicandidate political committees as provided for in subsection (a)(2)(A), an amount which does not exceed the greater of 25 cents multiplied by the voting age population of the State (or of the congressional district in the case of nomination for election, or for election, to the House of Representatives) (as certified under subsection (f) of this section) or 20 percent expended by the candidate for any such election; and

"(D) with respect to contributions from political committees established and maintained by a national party, which are not the authorized political committee of the candidate, an amount which does not exceed the greater of 25 cents multiplied by the voting age population of the State (or of the congressional district in the case of nomination for election, or for election, to the House of Representatives) (as certified under subsection (f) of this section) or 30 percent of all funds expended by the candidate for any such election.

"(2) For the purposes of this subsection—

"(A) funds contributed by a candidate to his or her own campaign shall include amounts borrowed by the candidate;

"(B) funds contributed by a candidate to his or her campaign for any election in excess of the amount permitted by subsection (a)(1)(A), whether or not expended, shall not be considered for the purposes of determining the percentage limitations imposed by subparagraphs (C) and (D) of subsection (b)(1);

"(C) for the purpose of computing the percentage limitation contained in paragraph (1)(D) of this subsection, there shall be included in the amount of expenditures any amount contributed by the Republican or Democratic Senatorial Campaign Committee, any similar House of Representatives campaign committee, or the national committee of a political party, or any combination of such committees; and

"(D) any unexpended contributions from multicandidate political committees or political committees established and maintained by a national party may be retained by the candidate in accordance with laws governing their subsequent use, except that if such contributions are to be expended by the candidate for any election governed by this subsection, the expenditure of such contributions shall be subject to the limitations contained in subparagraphs (C) and (D) of paragraph (1), as applicable; and

"(E) an expenditure is made by a candidate if it is made by the candidate directly or on behalf of the candidate by—

"(i) any authorized committee or any other agent of the candidate for purposes of making any expenditure; or

"(ii) any person authorized or requested by the candidate, an authorized committee of the candidate, or an agent of the candidate, to make the expenditure.".

(3) in subsection (c)(1)(A) (as redesignated herein) by striking out "(e)" and inserting in lieu thereof "(f)";

(4) in subsection (d)(1) (as redesignated herein) by striking out "Each limitation established by subsection (b) of this section and subsection (d)" and inserting in lieu

thereof "Each dollar limitation established by subsections (a), (b) and (c)";

(5) in subsection (e) (as redesignated herein) by striking out paragraph (3); and

(6) by amending subsection (i) (as redesignated herein) to read as follows:

"(i) Any candidate subject to the provisions of either subsection (b) or (c) who shall expend, or on whose behalf expenditures are made in amounts greater than those permitted under the applicable section shall be fined an amount equal to three times the excess amount expended. The fine shall be assessed by and payable to the Federal Election Commission and no person upon whom such a fine has been assessed may be a candidate for Federal elective office until such fine has been paid. If such fine has been paid with funds attributable to contributions from either a multicandidate political committee or a political committee established and maintained by a national party, such amount shall be counted as a contribution for the purpose of computing permissible expenditures in any subsequent election. If such fine was paid from any other source, such amount shall not be counted for any purpose for any subsequent election.".

The provisions of this act shall be applicable to all elections for nomination for election, or for election, to the United States House of Representatives or the United States Senate to be held after December 31, 1984.

Mr. RUDMAN. Mr. President, I thank the Chair and I yield the floor.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER (Mr. PRESSLER). Under the previous order, there will now be a period for the transaction of routine morning business for not to exceed 30 minutes with statements therein limited to 10 minutes each.

THE MX MISSILE SYSTEM

Mr. COHEN. Mr. President, we recently began the latest chapter in the rather long and tortuous history of the MX missile system. There is an interesting new character in this chapter—the President's Commission on Strategic Forces—which has injected some positive elements into this story.

The Commission, composed of distinguished experts from a number of administrations, studied the MX question in its broadest terms and made recommendations which reflect an understanding that weapons planning and arms control efforts must be intricately related. The Commission concluded not only that U.S. strategic forces must be modernized, but also that the United States "should seek to use arms control agreements to reduce instabilities and to channel both sides' strategic modernization toward stabilizing developments, deployments, and reductions."

These objectives require farsighted planning—a long term framework which combines weapons modernization with arms control. The Scowcroft Commission report provides a basis for movement in this direction, and the current national debate provides an opportunity for forging a broad consensus around such a framework.

The seemingly endless controversy over the MX missile system has engendered much ill will in this country among people who share the objective of reducing the risk of nuclear war. The MX missile has become a symbol in this debate, with the focus on that weapon alone, rather than on broader questions of national and international security. I believe if we are to move toward meaningful arms control, we must expand our perspective to encompass the entire weapons modernization question, including the opportunities for significant arms reductions.

Senator PERCY, Senator NUNN, and I are concerned that the administration is not focusing on the larger implications of the Scowcroft Commission report. We believe that before we can address a decision on the MX missile system, we must satisfy ourselves that it will fit into a framework which promises significant weapons reductions, enhancement of stability, and flexibility if deployments turn out to be unnecessary.

We recently sent the President a letter describing our concerns and outlining a durable framework which combines modernization and arms control. It calls for a reformulation of the U.S. START position, a proposal to the Soviet Union that the sides immediately implement the build down formula for arms reductions, and a firm commitment—despite probable defense budget constraints—to research and development of a new, small, single-warhead ICBM. In addition, we recommend the establishment of a Scowcroft-type commission on arms control policy to help insure continuity in U.S. arms control policy.

In his statement on the Scowcroft Commission report, President Reagan noted that:

> Preserving the peace requires more than wishful thinking and vague good intentions. Concrete, positive action is required to free the world from the spectre of nuclear conflict.

I agree with this conclusion. The program outlined by Senator PERCY, Senator NUNN, and me provides an immediate means of taking such action. We have made clear to the President that an expression of his view on this approach is necessary before we reach a decision on the critical question of opening the production line for the MX missile. I must state that, in the absence of a clear commitment to a program such as the one we have outlined, I would be unable to vote in favor of proceeding on the MX system.

Mr. President, I ask unanimous consent that the letter that was sent to the President last week be printed in the RECORD.

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

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, D.C., April 29, 1983.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We have carefully studied the report of your Commission on Strategic Forces and find it to be a valuable contribution to the national debate on U.S. strategic force posture and arms control policy. Your establishment of this bi-partisan Commission and your decision to endorse its recommendations reflect your sincere and continuing commitment to a strong national defense.

We believe the Commission's report contains the elements necessary to move the United States toward a posture in which force modernization and arms control can produce a more stable world. In particular, we see much merit in the Commission's recommendations to work vigorously toward development and deployment of systems which are collectively more survivable and individually less valuable as targets for a would-be attacker. We fully agree with the Commission's emphasis on a new direction in arms control as an essential component in its recommended program.

We are concerned, however, that the Administration has not responded more fully to the arms control recommendations put forward by the Commission. General Scowcroft has testified that the current U.S. START proposal is "not fully compatible" with the Commission's recommendations. Noting that the U.S. proposal would, if accepted, increase rather than decrease the existing warheads-to-launcher ratio, General Scowcroft has called on the Administration to eliminate its proposed ceiling on ICBM and SLBM launchers, as well as the associated sub-limits on specific ICBM types. However, the Administration has yet to indicate what, if any, modifications will be made in our START proposal.

The present debate in the United States provides an opportunity to develop a widely supported, long-term framework for arms control and weapons modernization—a policy that would put the United States in a position to move forward resolutely on strategic force improvements, while giving the Soviet Union strong incentives to bargain earnestly in ongoing arms reduction negotiations.

Toward this end, we recommend that you announce a firm commitment to the following:

A reformulation of the U.S. START position to incorporate the recommendations of the Scowcroft Commission.

A proposal in the appropriate arms control context that the Soviet Union and the United States should adhere to the principle of a guaranteed mutual build-down of nuclear forces in which each country would eliminate from its operational inventory two nuclear warheads for each one newly deployed. This agreement would ultimately be linked to warhead ceilings established in the relevant negotiations, and would be subject to mutually agreed procedures and verification.

An immediate start on research and development of a new, small, single-warhead ICBM, with an assurance that the program will retain a high priority despite probable constraints in the overall defense budget.

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In accordance with your request in your April 19, 1983, statement that General Scowcroft have a continuing role in shaping arms control policy, we also urge you to consider establishing a new, bi-partisan arms control panel to advise you on implementing the Commission's arms control recommendations. Establishing such a body would confirm your commitment to the formulation and maintenance of a durable framework for U.S. policy in this area. It would also underscore to our allies and adversaries the continuity of U.S. arms control policy beyond any one Administration.

These proposals would meet the essential concerns and recommendations of the Scowcroft Commission. Revising the U.S. START position and proposing the build-down concept as a mechanism for early arms reductions could give impetus to U.S. arms control efforts and would constitute evidence of U.S. resolve to encourage stability in weapons modernization decisions. The Commission indicates in its report that the build-down concept is consistent with its recommendations. The build-down concept has attracted support from such experts as: Lt. General Kelly Burke, who headed the MX development program as Air Force Deputy Chief of Staff for Research and Development in your Administration; General David Jones, former Chairman of the Joint Chiefs of Staff; and the present and previous Under Secretaries of Defense for Research and Engineering, Dr. Richard DeLauer and Dr. William Perry. In addition, a resolution supporting the build-down concept has already attracted 45 co-sponsors in the Senate.

Mr. President, the Scowcroft Commission Report and testimony before the Armed Services Committee make clear that, without effective arms control to restrain the threat, there is no satisfactory solution to the problem of land-based missile vulnerability. Unless we achieve steady progress toward reducing the number of ballistic missile warheads on both sides, the survivability of MX and the single-warhead missile will remain in doubt. For that reason, we believe that explorations should begin at once to determine whether there is any reasonable prospect of agreement with the Soviets to move toward the kind of long-term posture outlined in your Commission's report.

Soviet reaction to the build-down proposal would provide a crucial indication of their willingness to scale down total warhead inventories to levels compatible with ICBM survivability. At the same time, continuing research and development on an upgraded Minuteman III force would provide useful flexibility should developments in these talks make it unnecessary or unwise to field the full MX component.

In sum, Mr. President, our proposed approach would provide a means of immediately implementing the recommendations of the Scowcroft Commission. We believe it would attract wide bi-partisan Congressional and public support for a strong national defense and a viable arms reduction policy.

Before we reach a decision on the critical question of opening the production line for the MX missile, we would like an expression of your opinion on the approach we have outlined. If Congress decides to proceed with MX production, it is our opinion that the eventual number of MX missiles to be deployed should be contingent on arms control developments.

After you have had an opportunity to review our recommendations, we would like to meet with you personally to discuss these suggestions.

Sincerely,

WILLIAM S. COHEN.
SAM NUNN.
CHARLES H. PERCY.

Mr. NUNN. Mr. President, first let me congratulate my colleague and friend from Maine for his outstanding leadership in this crucial area of both strategic weapons programs and arms control and particularly his emphasis on the relationship between the two.

MX—THE NEED FOR CLARIFICATION

Mr. President, since the report of the President's Commission on Strategic Forces, there has been a considerable amount of attention on their recommendations and President Reagan's subsequent actions.

The Senate Armed Services Committee has conducted many detailed hearings with both administration and Commission witnesses as well as outside experts. Many of us have spent a great deal of time in these hearings as well as in individual meetings going into these issues in depth.

Throughout all this, there are two recurring themes:

First. The Commission's recommendations for procuring and deploying the MX are linked to arms control proposals and programs whose long-term purpose is a stable strategic posture.

Second. The administration's current strategic arms control (START) proposal and long-term arms control policies are not fully compatible with the Commission's recommendations.

Significant changes are going to have to be made if our arms control policies are going to follow the outline advocated in the Scowcroft Commission report.

Mr. President, there are some apparent inconsistencies between these points and the administration approach that, in my judgment, needs clarification before any final judgments can be rendered on the MX.

For example, General Scowcroft has testified that the current START proposal is "not fully compatible" with the Commission's recommendations and has recommended elimination of the proposed ceiling on ICBM and SLBM launchers. Dr. Bill Perry has testified that: "I would not support an MX program in the absence of an arms control approach."

Interestingly enough, Dr. Perry was on the Scowcroft panel, and his qualification regarding arms control, I think, is very important because it reflects not only his view but that of a number of people on that panel and their views in which they endorse the MX based on their overall approach in arms control.

The administration, however, has not acknowledged any specific changes to START or other long-term arms control policies to incorporate the Commission's recommendations, although I understand that they are studying this matter carefully.

For example, the Commission and many other witnesses were unanimous in their support of research and development of a small, land-based ICBM which would be necessary to shift over time to the kinds of systems which are more survivable and individually less valuable as targets. However, the administration witnesses have been less than clear on how this initiative fits into the overall strategic modernization program. In fact, the committee has not yet received any specific budgetary documents requesting the changes needed to accommodate the small missile development.

Again in fairness, my understanding is some work is being done on this.

In light of these important factors, I am joining my colleagues from Maine, Senator COHEN, and Illinois, Senator PERCY, in sending a letter to President Reagan in the hopes of obtaining some clarification in these areas before we have to decide the important question of MX funding.

I am certain that at the conclusion of our remarks, a unanimous-consent request will be made to have the letter to President Reagan printed in the RECORD.

Specifically, we are asking the President's views on the following recommendations:

A reformulation of the U.S. START position to incorporate the recommendations of the Scowcroft Commission.

A proposal in the appropriate arms control context that the Soviet Union and the United States should adhere to the principle of a guaranteed mutual builddown of nuclear forces in which each country would eliminate from its operational inventory two nuclear warheads for each one newly deployed. This agreement would ultimately be linked to warhead ceilings established in the relevant negotiations, and would be subject to mutually agreed procedures and verification.

An immediate start on research and development of a new, small, single-warhead ICBM, with an assurance that the program will retain a high priority despite constraints in the overall defense budget, which I think are inevitable.

We also suggest that the President consider establishing a bipartisan Commission on Arms Control similar to the Scowcroft Commission on Strategic Forces.

This has been a pet project of mine for a long time, and I am delighted that it is beginning to receive more and more support.

This Commission would advise the President on implementing the Scowcroft Commission's arms control recommendations and would help establish continuity in U.S. arms control

policies beyond any one administration, whether it is a Republican administration or a Democratic administration.

In my view, one of the most important features of negotiations is to have continuity, and I must say over the last decades, with one Democratic administration and three Republican administrations, we have not had continuity in arms control. We have had a huge turnover of advisers. We have had a huge turnover of negotiators. We have very little corporate memory. We have three treaties that have been signed by three American Presidents, one by President Nixon, one by President Ford, and one by President Carter, none of which have been ratified by the U.S. Senate. In my view, there will be little, if any, progress in arms control if the Soviets are convinced that the current arms control policies and the new changes that hopefully the President will make in light of the Scowcroft report, if the Soviets are convinced that these proposals will be changed by the next administration, whoever that administration may be composed of.

The Soviets have little incentive to negotiate earnestly if they think a "wait and see" policy will result in what they consider to be a better deal.

Mr. President, on this overall subject of arms control, the MX, deMIRV'ing, moving to a most stable nuclear posture, I have discussed these issues with Congressman GORE and other Members of the House. It is my understanding that Congressman GORE and Congressman NORM DICKS, and others on both sides of the aisle, have similar sentiments, although not identical sentiments. They are moving in the same general direction.

It is also my understanding that they will be communicating with the administration and expressing their concern in trying our strategic program, particularly the MX proposal, to the arms control policies which were recommended by the Scowcroft Commission. I would hope that we would be able to establish a working relationship in close communication with the Members of the House who have similar views, as well as many Members of this body who have similar views.

Mr. President, if the only result of the Scowcroft Commission is the deployment of 100 MX missiles in vulnerable silos, then we have done little in terms of the strategic balance of power in the world rather than to create a more destabilizing situation, which could even be viewed by some as more destabilizing.

Mr. President, we must recognize that no deployment scheme for ICBM's on the land is going to guarantee us invulnerability unless it is tied to a limitation on warheads on both sides. That was an apparent fact in the SALT II negotiations, though many people will dispute it. That is also even more apparent today. We will have done little to change our thrust and emphasis in either our strategic programs or our long-term arms control policies to a more stable posture unless we tie the deployment of the MX missile, if it is approved by Congress, to the other recommendations of the Scowcroft Commission which would move us toward a less dangerous world and a more stable environment.

Therefore, I will not make a final decision on the MX program until we have obtained the President's full and complete response to the letter that Senator COHEN, Senator PERCY, and I have forwarded to the administration and which we will insert into the RECORD today.

Mr. PERCY. Mr. President, I would like to say first to my colleagues, Senator COHEN and Senator NUNN, that through the years I have had occasion to work with them on many different projects. I considered each of them an important project and the way we have worked together to be one of the more satisfying aspects of our work in the Senate. We have always accomplished our end objective.

I think in this particular case we are dealing with the most important single problem faced by mankind.

This is the important issue, and it has taken years for people to realize how important it is.

Now we have people all over the world—a movement in Europe, a movement in the United States—that no one of us can overlook.

We do not have to go out and try to convince people that this is important; they recognize it before we even start to talk about the subject. From that standpoint, it is gratifying.

It is gratifying also that many people have taken positions. Here we shall have tomorrow, meeting in Chicago, the full group of bishops under Cardinal Bernardin on a report, now in its third draft, that has been highly controversial, within the church and between churches, but I think is performing a valuable service, because they have looked upon this as one of the great moral issues facing mankind. And they are not ducking the issue. I commend them on it. I do not agree with every conclusion they have come to, by all odds, but they are performing a marvelous service.

Certainly, Mr. President, many times, we have had issues that involve the Foreign Relations Committee and the Committee on Armed Services. In some countries such as Israel, they have seen fit to combine those two committees. They have a chairman and a ranking member of an Armed Services and Foreign Relations Committee. In the wisdom of the Senate, we have decided to keep those functions separate; but we have certainly had close cooperation. No chairman could ask for closer cooperation and no ranking member—Senator PELL—could ask for closer cooperation between them and the chairman, JOHN TOWER of Texas, and the ranking minority member, JOHN STENNIS, who, through his years as chairman, always worked closely with the Foreign Relations Committee in seeing that we had a defense posture that would back up and support the foreign policy of this country.

You cannot have a foreign policy, Mr. President, unless you have a strong defense standing behind it. Now, as we move into this area of arms control, finding a way to lessen the level of terror—when we take into account that there are 18 countries on Earth that either have nuclear weapon capability or are striving to get it, we must recognize that the Soviet Union and the United States, with a preponderance of those weapons today, have a tremendous responsibility to move toward a program of arms control.

So, Mr. President, I welcome very much indeed the initiative taken by Senators COHEN and NUNN in the build-down proposal that they have made. I think it is an ingenious approach, one that deserves a tremendous amount of attention. I have personally brought it to the attention of the Bernardin Commission and shall follow through in every way I can in espousing this cause because I believe, from the standpoint of practical, pragmatic approaches, it offers one of the greatest hopes for the future that any proposal can offer.

Mr. President, the report of the President's Commission on Strategic Forces, headed by General Scowcroft, deserves strong bipartisan support from Congress and the American public.

Gen. Brent Scowcroft and the distinguished members of his Commission have outlined a positive program for achieving a stable and far less threatening nuclear balance with the Soviet Union. By integrating prudent weapons modernization recommendations with an imaginative proposal for a new direction in U.S. arms control policy, the Commission has established the foundation for an enduring consensus on the prerequisites of strategic deterrence.

It is especially noteworthy that the Commission report was endorsed by all members of the panel and all of its senior counselors, including former Secretaries of State Haig and Kissinger and former Secretaries of Defense Brown, Rumsfeld, Schlesinger, and Laird. In this respect, the report can be said to represent the best thinking of the main architects of the last two decades of U.S. national security

policy. As one who has been concerned by the lack of continuity between successive administrations, I commend the panel and its counselors for reconciling their differences and arriving at a common position on these crucial issues.

In testimony before various congressional committees, members of the Commission have emphasized one central theme of their report: The proposals for modernizing the ICBM leg of our stategic triad cannot be separated from the panel's proposals on arms control.

Mr. President, here is the most important part of the Commission's report. The latitude the President gave them to take into account not just one particular basing mode or one particular method but also to take into account its impact and effect on arms control was very wise on the President's part and certainly well executed by the Commission and particularly by its Chairman, General Scowcroft.

Without a new direction in arms control, neither deploying the MX in existing silos nor developing a new, small, single-warhead ICBM make sense. Conversely, without the incentives presented to the Soviet Union by the deployment of the MX, it is unlikely that we can achieve agreement on moving toward an arms control regime in which the role of multiple-warhead missiles is severely restricted or perhaps eliminated altogether. As one panel member testified on April 18, "the three elements are inseparable; taken separately, they fail."

Mr. President, the crucial question facing Congress as we assess the Commission's recommendations is the extent to which the administration has, in endorsing it, embraced each of its three main proposals. There can be no doubt that the administration intends to proceed at once with the development of the MX if Congress so approves. I also expect that the Defense Department will structure a comprehensive and prudently paced program for developing the small ICBM option. However, I am concerned that the administration has not yet responded more fully to the Commission's proposal for a new direction in arms control. Although administration officials have welcomed the general thrust of the arms control recommendations, they have not indicated what, if any, modifications will be made in our current START proposal.

Certainly, I shall make this a very high order of priority for the new ACDA Director that we did confirm, Ambassador Ken Adelman.

Last week, an administration task force began to study this question. In time, I hope that the task force will complete its work and recommend affirmative steps to implement all of the Commission's arms control recommendations. Unfortunately, we in Congress do not have much time before we shall be asked to decide the future of the MX. The Senate will most likely vote before Memorial Day on a resolution lifting the restrictions imposed in the fiscal year 1983 Defense Appropriations Act on MX flight testing and development of its basing mode. If Congress is to make an informed decision on MX, it must know how, specifically, the administration plans to proceed from here on arms control.

Mr. President, the letter which Senator COHEN, Senator NUNN, and I sent to President Reagan on Friday recommends a dynamic and far-reaching program for immediately implementing the recommendations of the Scowcroft Commission. We believe this approach would attract wide, bipartisan support for a strong national defense and a viable arms reduction policy. Knowing of the President's deep commitment to these paramount national objectives, I look forward to receiving a constructive, forward-looking reply at the earliest possible time.

Mr. STENNIS. Mr. President, I shall be very brief. I understand that this part of the program today will be cut off at 1:15 p.m. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. STENNIS. I shall be brief. I know the Senator from Wisconsin has been here almost as long as I have. I commend the three Senators who have just spoken on this far-reaching problem. There is no question that they have made a contribution here.

Just before President Reagan was sworn in, I had a chance to tell him that I thought the biggest problem before him and his entire administration would be the matter of handling the problem of arms control.

EXTENSION OF TIME FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

(The following proceedings occurred during the foregoing colloquy:)

Mr. BAKER. Mr. President, there are still a number of Senators who wish to speak in morning business. After conferring with the minority leader, I think it would be appropriate to extend the time for morning business. I ask that the time for morning business be extended to not past the hour of 1:15 p.m. today under the same terms and conditions.

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

NATIONAL GUARD AND RESERVE FORCES

Mr. STENNIS. Mr. President, I am today briefly calling attention to another part of the military program, a major part, which relates to Reserves and National Guard and preparedness. They are able to add to our overall picture if they are really given the necessary small items of ammunition, hand weapons, things out in the field, in proper proportion to their responsibilities, which have increased greatly, most of us will remember, in 1971.

Mr. President, I commend the men and women who serve in the Reserve Forces of our country—the National Guard and the Reserve components. They are a truly dedicated and able group who spend long hours training to fulfill their assigned responsibilities. These persons make a vital contribution to our national security. In my opinion, and that of many of our military leaders, the capability of our Guard and Reserves today is better than any time since the end of World War II.

I am certain that the average citizen is fully aware of the many changes in recent years that have been made in the mission and responsibilities of the Reserve Forces—or in the state of readiness that is required and dictated by the ever-present threat.

The total force policy was implemented in 1971 whereby the most advantageous mix of Active Forces and Reserves were to be relied upon to support the national strategic policy. In many instances today, Guard and Reserve Forces are assigned missions that dictate early deployment and the need to be ready for immediate use in combat. The driving force behind this decision in 1971—and still true today—is that the Reserves are a bargain. When we consider the lower sustaining cost of Reserve Force units, as compared with active duty units, this results in a larger total force for a given Defense budget. For less than 5 percent of the Defense budget, the Guard and Reserves provide the following:

Between 40 and 50 percent of the Army and Air Force combat capability in the initial stages of a mobilization.

Eight of the 24 combat divisions in the total Army.

Forty-six percent of the total Army combat units and 37 percent of the support forces.

Sixty-five percent of the air defense force, 57 percent of our tactical reconnaissance, 27 percent of our tactical fighter force, 30 percent of tactical airlift and 17 percent of the Air Force's strategic air refueling capability.

The key fact to remember is that these missions and many more are provided by our Guard and Reserve forces for less than 5 percent of the Defense budget.

The weakest link in assuring that our Guard and Reserves are fully combat ready has been the obsolescence, compatibility, and shortages of equipment. In every major conflict, our Armed Forces have had to fight with the arms and equipment on hand

when the conflict started. Future wars will be no different, and our National Guard and Reserves have been neglected over the years. This has continued even under the total force concept.

Combat readiness is certainly inhibited by the pervasive equipment problems. But, in addition, the obsolete and incompatible equipment increases the cost and complexity of maintenance and has a serious negative effect on personnel recruitment and retention. It is estimated that the shortfall required to fill the authorized wartime equipment needs is $15 to $17 billion. The Army National Guard alone is short an estimated $4 billion of their wartime equipment requirements.

I have advocated for a number of years that a long-term plan and additional funds are required to assure that essential equipment is provided to our Reserve Forces. This is the only way that our total force requirements can be met in these claims of constrained fiscal resources.

In 1982, I introduced an amendment to the defense authorization bill to require an annual report by the Secretary of Defense on the equipment needs of the Guard and Reserves. This amendment was adopted and is section 902 of Public Law 97-86. This legislation has been a good start in insuring that the equipment needs of the Guard and Reserve receive adequate consideration commensurate with their assigned responsibilities.

I have also been successful in my amendments to provide additional funds dedicated strictly for equipment for the National Guard and Reserves. They received $50 million in fiscal year 1982 and $125 million in fiscal year 1983. The dedicated appropriation is important as it is a down payment on the long-neglected needs of common, everyday equipment that it takes to make a combat-ready unit function.

I am disappointed that no funds have been requested by the President for this separate, dedicated appropriation in fiscal year 1984. The need remains and grows more important as our Reserve Forces are assigned missions of increased responsibility.

Mr. President, I have reviewed the day-to-day equipment needs of our Reserve Forces and it is most important that the plan that has been set in motion in recent years be continued. It is my intention to propose an amendment to the fiscal year 1984 defense authorization bill when it is considered by the Armed Services Committee which will add $100 million for equipment for the Army National Guard and $50 million for the Air National Guard. In addition, I will propose an amendment to increase the average strength of the Army National Guard by 6,000. This will provide an average strength of 424,400 for fiscal year 1984, an increase of 8,800 above the fiscal year 1983 level. The National Guard has made a strong case that well-qualified personnel are being turned away each day from serving their country. This is occurring at a time when many National Guard combat units are below their authorized mobilization strength. I submit that we must provide the National Guard with sufficient authorization to accept qualified personnel while we are in a period of depressed economic conditions. We also have to face the fact that the supply of prime enlistment age males will continue to decline through the year 1996.

Mr. President, I believe my amendments will continue the momentum we have gained in the past few years toward providing the Guard and Reserve Forces with the equipment and personnel to meet their assigned responsibilities. I have great faith in the leadership of our Guard and Reserves and the dedicated men and women who serve in the various units around the country.

ORDER OF BUSINESS

Mr. STENNIS. Mr. President, I will yield the floor now, in order that the Senator from Wisconsin may have such time as he may wish to use.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. PROXMIRE. I thank the distinguished Senator from Mississippi for his graciousness.

THE CATHOLIC CHURCH TAKES ON OUR NUCLEAR DILEMMA

Mr. PROXMIRE. Mr. President, as U.S. Senators, we must make crucial and agonizing decisions on the policies this country should follow in authorizing and appropriating money for research, production, and deployment of nuclear weapons. Our options range all the way from working to stop any further funding of any nuclear weapons to an all-out, top-priority push for clear and decisive nuclear superiority. Should we adopt a "no-first-strike" policy? If we opt for a no-first-strike policy, should we favor negotiating a freeze now? Or should we postpone, delay, drag out negotiations with the Soviet Union, while we catch up, to the satisfaction of all or almost all? Should we work for options that seek a middle road in all these choices? How do we make these terrible decisions? All of us want peace. All of us want to avoid a nuclear war. All of us recognize what an absolute final catastrophe a nuclear war would represent for this country we love and for all of civilization.

So where do we look for guidance? About 2 years ago, the National Conference of Catholic Bishops began working on a pastoral letter. The purpose of that letter: to develop "a theology of peace suited to a civilization poised on the brink of self destruction." Today that paper will be given its final consideration at a special meeting in Chicago. Does this theological expression provide us with any useful guidance in this agonizing dilemma we face?

For the answer to that, Mr. President, I go not to a theologian, not to a Catholic, but to a man who has a long, hard, practical association with the Soviet Union as one of our most distinguished American Ambassadors to Russia, a man who understands the practical necessities of foreign policy and has devoted his life to thinking and writing about how we achieve peace in the modern world. Most recently, he wrote an excellent book on the subject: "The Nuclear Delusion." Of course I am talking about George Kennan. Here is what Kennan, writing yesterday in the New York Times, called the pastoral letter which will be considered at the Catholic conference today and tomorrow.

> The most profound and searching inquiry yet conducted by any responsible collective body into the relations of nuclear weaponry, and indeed modern war in general, to moral philosophy, to politics, and to the conscience of the national state.

Mr. President, that is a great commendation and recommendation by George Kennan, particularly since George Kennan speaks, obviously, as a layman and as an expert of this expression by these distinguished religious people who represent the Catholic Church.

Mr. President, as George Kennan points out, the letter carries the following answers to these questions:

First. Can there be circumstances in which the State would be justified in waging war? The Bishops' reply: Yes. But the conditions and circumstances are narrowly circumscribed.

Second. Under what conditions can war be waged? Answer: The cause must be just. Resort to the force of arms must be a last resort.

Third. What is the key principle for waging a just war—as a last resort? Answer: Proportionality. That means the damage to be inflicted and the costs incurred by war must be proportionate to the good expected by taking up arms.

Fourth. Are there any circumstances that would justify starting a nuclear war? Answer: None.

Fifth. May a nation possess nuclear weapons and threaten to use them to prevent a nuclear war? Yes. But only as a step toward progressive disarmament.

Sixth. What steps do the Catholic bishops recommend to achieve peace? Answer: A series of arms control measures, a general stop to the arms race, deep bilateral cuts in arsenals, a com-

prehensive test ban treaty, removal of short range weapons.

Seventh. Are arms control agreements enough? Answer: No. We need vigorous parallel efforts to reduce political tensions.

Mr. President, I think this is a most fascinating, useful, and historic action which the Catholic bishops are taking, and this analysis by Mr. Kennan is particularly helpful.

I ask unanimous consent that the remarkable article by Mr. Kennan, which appeared in yesterday's New York Times, be printed in the RECORD.

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

[From the New York Times, May 1, 1983]

THE BISHOPS' LETTER

(By George F. Kennan)

PRINCETON, N.J.—The results of the two world wars of this century, representing setbacks for European civilization, already began to draw a veil of doubt over the validity, in this modern age, of most of the theoretical principles worked out in earlier centuries to relate the use of the armed power of the state to politics and morals. But the development of the nuclear weapon, bringing the power of existing arsenals to a point that made their use in warfare suicidal and threatening to the very intactness of civilization, heightened the significance of these questions many times over, presenting dilemmas to which the wisdom of the past provided no sure answers, and raising the demand for a fundamental rethinking of the role of armed force in the strategy and the moral philosophy of the modern state.

Numbers of individuals have struggled, over the years, with this challenge and have published their findings. Many conferences of scholars and individual officials have been devoted to it. But these efforts involved no collective discipline, and they departed from no unified, accepted platform of moral philosophy.

Nearly two years ago, a committee, set up at the instance of Archbishop John R. Roach, president of the National Conference of Catholic Bishops, undertook the drafting of a pastoral letter designed to develop and to perfect, as the authors of the letter described it, "a theology of peace suited to a civilization poised on the brink of self-destruction." The paper went through two preliminary drafts. These came, repeatedly, before the membership of the Conference. They were reviewed in international ecclesiastical gatherings held under Vatican auspices. They were discussed at length with senior officials of the present, and previous, American Administrations. The third and final draft, reflecting the results of all these consultations, has now been completed and is to be given final consideration at a special meeting of the Conference in Chicago tomorrow and Tuesday.

This paper, which is now available to the public, may fairly be described as the most profound and searching inquiry yet conducted by any responsible collective body into the relations of nuclear weaponry, and indeed of modern war in general, to moral philosophy, to politics and to the conscience of the national state. Not all of the paper is directed to a non-Roman Catholic readership; the final and fourth part, dealing with "The Pastoral Challenge and Response," is addressed directly to members of the faith. But most of the remainder represents an effort "to share the moral wisdom of the Catholic tradition with the larger society . . . and to participate in a common effort with all men and women of good will who seek to reverse the arms race and secure the peace of the world."

Whatever else may be said of this paper, no one can say that its authors made it easy for themselves. They confronted, without flinching, the challenges that nuclear weapons present, not just to all previous Catholic teachings on the relationships of war to morals and politics but to Western public philosophy on these questions generally. Both tone and language of the document bear witness to the earnestness that this effort involved.

The entire question of war, as a legitimate recourse of the national state, is re-examined here with relation to the conditions of this present age. Is there still such a thing as a "just war" in the traditional sense? Can there, in other words, be circumstances in which the state would be justified in waging war? Yes, reply the authors, there can be, but the conditions in which war might be legitimately resorted to are narrowly circumscribed, and the manner in which warfare can then properly be waged is subject to a whole series of restrictions. The cause must be just. The authority that takes the responsibility of launching hostilities must be competent. Resort to the force of arms must be a last resort: all other alternatives must have been previously explored and tested. Above all, the principle of "proportionality" must be observed: The damage to be inflicted and the costs incurred by war must, that is, "be proportionate to the good expected by taking up arms." And the action must be discriminate. The security of noncombatants must be respected. War must be directed "against unjust aggressors, not against innocent people caught up in a war of their making." There must, in particular, be no aiming of any act of war at the destruction of entire cities or of extensive areas along with their populations.

Are there, in the light of these principles, any circumstances in which the inauguration of nuclear warfare would be justifiable? No, say the authors, there are none. Nuclear weapons are too indiscriminate; even if they are not launched with the aim of destroying innocent civilian life, they inevitably subject it to a wholly unacceptable jeopardy.

But how about "deterrence"? "May a nation threaten what it may never do? May it possess what it may never use?" And is nuclear deterrence, then, a justifiable concept? Yes, say the authors, it is—but not as a purpose in itself—only as a step toward progressive disarmament. It can be invoked as a means of preventing others from using nuclear weapons; but concept that run to "prevailing" in nuclear war must be seen as going unacceptably far beyond that, as does any attempt to achieve nuclear superiority, as distinct from sufficiency.

In support of these principles, the letter recommends a whole series of arms control measures, including in effect a general stop to the arms race, deep bilateral cuts in arsenals, a comprehensive test ban treaty, and removal of the short-range weapons "which multiply dangers disproportionate to their deterrent value." It recognizes, however, that arms control agreements alone are insufficient if not accompanied by vigorous parallel efforts to reduce political tensions.

The authors avoid the mistake of allowing it to be inferred that if only the nuclear danger were overcome, all would be well. They recognize the wholly unacceptable destructiveness of even the so-called conventional weapons in this modern age. They quote Pope John Paul II to the effect that "the scale and the horror of modern warfare—whether nuclear or not—makes it totally unacceptable as a means of settling differences between nations." They reject the suggestion that to remove the possibility of nuclear war would be to enhance the probability of a non-nuclear one. Means must be found of defending peoples, they insist, that "do not depend upon the threat of annihilation." The authors do not rule out the possibility that there might have to be a strengthening of Western conventional forces to fill whatever gap might be created, at least psychologically, by the removal of the nuclear option; but they prefer to see the emphasis placed on a new and more determined effort to achieve mutual reductions in conventional forces with a view to disarming both the real possibilities and the public fears of a conventional conflict.

That these propositions meet with the hearty approval of this writer will be evident. But my purpose is not to point that out, but rather to emphasize that the beauty of the pastoral letter lies precisely in the limitations it defines—in the moral perimeters it establishes for the use of force in international affairs.

The paper is firm in its insistence that military values, even when they legitimately exist, must never be treated as absolutes and hence carried to self-defeating extremes—that they must rather be seen, invariably, as relative and conditional: relative to the fundamental need of civilization for survival, conditional on the observance of those elementary moral scruples beyond which horror becomes unlimited, and hope impossible. There is surely no lesson that this generation of Americans needs more to learn.

(George F. Kennan is professor emeritus at the Institute for Advanced Study and author, most recently, of "The Nuclear Delusion.")

THE HOLOCAUST: BEYOND THE REACH OF ART?

Mr. PROXMIRE. Mr. President, the New York Times recently published an article which is notable for both its insights and admonitions. The article, written by Elie Wiesel who is chairman of the U.S. Holocaust Memorial Council, examines the shortcomings that Wiesel believes accompany attempts to portray the Holocaust in films, dramas, and other art forms.

Wiesel, who is a survivor of the Holocaust, argues that artistic recreations of the Holocaust experience are necessarily inadequate. He contends that the Nazi genocide of the Jews lies beyond the abilities of art to render to audiences the truth of the Holocaust. Artistic expressions, while compelling in their own right, cannot transmit the sheer intensity of the horror which prevailed at the death camps. So unimaginable was this terror that Wiesel submits that the Holocaust escapes even the language used to explain it. He observes:

* * * I no longer recognize myself in the person I was, over there, long ago. I see

myself even less in others' fictional characters. The situations in their books and films and plays seem distorted to me. It's not their fault. They don't know. Those who never lived that time of death will never be able to grasp its magnitude of horror. Only survivors of Auschwitz know what it meant to be in Auschwitz.

Despite the movies, plays, and novels about the Holocaust, Wiesel believes that it still remains an event that cannot be accurately retold. Yet, while it may be impossible to relate the despair, anguish and rage of the Holocaust, Wiesel insists we must not forget its occurrence even if we cannot convey the dimensions of its tragedy. Although survivors of the concentration camps are also limited by language in their efforts to tell what happened, Wiesel states that they must be responsible for never letting the world forget their testimony.

Wiesel admits that to simultaneously remember the 6 million murdered while being unable to adequately explain the horror of the murders presents a troubling inconsistency, if not a paradox. Nonetheless, he warns:

For the sake of our children and yours, we invoke the past so as to save the future. We recall ultimate violence so as to prevent its reoccurrence. Ours then is a twofold commitment: To life and truth.

It may not be possible for us to know what Auschwitz was, but Wiesel rightly warns that if we are to forget what Auschwitz has come to symbolize we may someday repeat the catastrophe in the form of a Holocaust of our own.

Mr. President, Elie Wiesel writes in defense of human life for today and all times. His experiences as a prisoner in the Nazi concentration camps give him a unique appreciation of the value of human life. I urge my colleagues to show their willingness to prevent future Holocausts by giving their advice and consent to the Genocide Convention. By ratifying this treaty we can make a positive step toward assuring the human rights of all people around the world.

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

The PRESIDING OFFICER (Mr. WILSON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CAPITOL PAGE SCHOOL HONOR ROLL

Mr. BYRD. Mr. President, the Capitol Page School has just issued a list of those pages who have achieved first and second honors for the third advisory period of the school year. A total of 17 Senate pages have achieved a place on the honor roll.

All of us who serve in the Senate are aware of the daily duties and responsibilities of our pages. They are present during all Senate sessions and serve as important links between the various offices in the Senate and House complex. It is demanding and tiring work, and the days can be extremely lengthy.

Many people outside of the Senate may not be aware that pages must be at the Library of Congress for classes every day at 6 a.m. Achieving grades which place them on the honor roll is a special tribute to the ability of our 17 pages to manage a full school and workload.

I congratulate all 17 pages and ask unanimous consent that a list of the honor roll be placed in the RECORD.

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

PUBLIC SCHOOLS OF THE DISTRICT OF COLUMBIA, CAPITOL PAGE SCHOOL, LIBRARY OF CONGRESS

HONOR ROLL: FIRST HONORS

Seniors: Ruth Stern.
Juniors: Elizabeth Laszlo.

HONOR ROLL: SECOND HONORS

Seniors: Brian Bean, John DeGroote, Nancy Dynan, William Lanham, Diane Lee.
Juniors: Angela Ayres, Roger Berg, Carol Hartigan, Heidi Hustedt, Katherine Koh, Laura Nelson, Joseph Setting, Jennifer Small.
Sophomores: Aidan Myhre.
Freshmen: Farra Bishop.

Mr. BYRD. 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. BAKER. 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. BAKER. Mr. President, we had anticipated that we would be on the budget resolution by this time. However, the chairman of the Budget Committee is still in conference. It is expected that that conference will continue for another 30 minutes.

EXTENSION OF TIME FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS UNTIL 2 P.M.

Mr. BAKER. Mr. President, I ask unanimous consent that the time for the transaction of routine morning business be extended until not later than 2 p.m. under the same terms and conditions.

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

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

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

THE BRONZE SCULPTURE AT THE JAMES MADISON BUILDING

Mr. STEVENS. Mr. President, last Thursday, April 28, the distinguished chairman of the Legislative Branch Appropriations Subcommittee, Mr. D'AMATO, and I took testimony from the Architect of the Capitol on his fiscal year 1984 budget requests. During that testimony, I asked Mr. White why he had failed to respond to the objections of the employees of the Library of Congress and the Librarian on his desire to install a huge bronze sculpture on the front of the James Madison Building.

Mr. President, he did not have an adequate answer, except to say that the Senate Office Building Commission, House Office Building Commission, and the Joint Commission on the Library authorized this project.

I doubt if these committees know how strongly the employees object to this structure. It will cover much of the only available common window space on the front of the James Madison Building.

The building is fine, Mr. President, without this art work, but even if we did want to use it, it should not be installed on a portion of the building where some of the little available window space is located.

Senator D'AMATO and I made a request to the Architect that he delay installation of this sculpture until we can carefully consider these legitimate and important concerns.

If the Architect does not delay this project, then the Senate may seek a way to stop this project, with legislation, if necessary, until this matter can be more fully considered.

Mr. President, at this point I ask unanimous consent that the article entitled "Falling Books Block Fading Light," from the March 1, 1983, issue of Creativity, the newsletter of the Congressional Research Employees Association, be printed in the RECORD.

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

[From Creativity, Mar. 1, 1983]

FALLING BOOKS BLOCK FADING LIGHT

(By David C. Huckabee)

If the Architect of the Capitol gets his way, approximately 20 percent of the total window area of the Madison Building will soon be covered by the long-planned, long-delayed, 40,000 pound, "falling book sculpture."

No, the "falling book sculpture" is not a myth. The "bronze decorative screen", as it is referred to in official documents, is sched-

uled to begin cascading over the heads of unsuspecting visitors to the Madison Building in April, when it is to be installed over the one large window at the front entrance of the building.

Most Library employees had erroneously assumed that the "falling book sculpture" had been eliminated from the building plans because (1) it was a bad idea; (2) the Librarian was thought to be opposed to it; and (3) the architecture critics had panned it. (Wolf Von Eckardt in 1980, described the "decorative frieze" as the "book-hater's revenge for the cost of the Library . . . dimming the only sizable source of natural light in this entire 1.2 million square foot box.")

The "falling book sculpture" will not only substantially eliminate natural light from the entrance lobby of the building, but it will directly affect employees working on the third through fifth floors of the building. Employees affected will include the Government Division of CRS which will lose the only "common access" window in the division; the Copyright Public Information Office; and the Subject Cataloging Division Office.

After CREA learned in October 1982 that the Architect intended to go ahead and install the sculpture, President Brown, acting on behest of a number of concerned Government Division employees, contacted staff members of the Senate Environment and Public Works Committee. In September 1982, the Committee had been referred a bill (H.R. 6666) that provided an additional $8,140,000 to complete the James Madison Building. Included in the report on H.R. 6666 was a justification for $2,187 for "additional support work—bronze decorative screen." (As best as can be determined from the legislative history of Madison Building funding, at least $50,000 has been previously authorized for this matter.)

Environment and Public Works Committee staff members expressed interest in recommending an amendment to H.R. 6666, to prohibit the installation of the screen in front of any window in the building, authorizing instead that it be installed on any of the many blank walls of the building. H.R. 6666 died at the end of the 97th Congress. Thus, a Madison Building authorization bill will have to be reintroduced this Congress.

Although the time is late, it still may be possible to save the only substantial source of natural light for employees working on the first five floors of the building. CREA urges those who are concerned to write their Senators and Representatives about this matter.

JUDGE EDWARD R. BECKER

Mr. SPECTER. Mr. President, today, in conjunction with the celebration of Law Day, I wish to pay tribute to the Federal judiciary which has done so much for the rule of law in the United States and to one of its members, Judge Edward R. Becker, who on the celebration of his 50th birthday this week, exemplifies our fine Federal judiciary.

In citing Judge Becker as a representative of the Federal Judiciary, I do so for personal as well as professional reasons. Judge Becker and I attended the University of Pennsylvania together, the Yale Law School together, and were debate colleagues together. It was with great pleasure and pride that I joined in his induction ceremony on December 10, 1970, as judge of the U.S. District Court for the Eastern District of Pennsylvania and again on January 22, 1983, when he was sworn in as judge of the U.S. Court of Appeals for the Third Circuit.

With most of his judicial career still ahead of him at the age of 50, Judge Becker has already served with great distinction on the Federal judiciary for the past 12½ years. He represents the finest example of judicial qualities for scholarship, temperament, literary ability, decisiveness, and fairness. We are privileged to live in a nation which enjoys the reputation and reality of justice afforded the Federal judiciary and men like Judge Edward R. Becker.

CONCLUSION OF MORNING BUSINESS

Mr. BAKER. Mr. President, there are 2 minutes remaining in the maximum time allocated for the transaction of routine morning business. Will the Chair inquire whether there is further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

FIRST CONCURRENT RESOLUTION ON THE BUDGET—FISCAL YEAR 1984

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Concurrent Resolution 27, Calendar No. 99.

The PRESIDING OFFICER. The concurrent resolution will be stated by title.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 27) revising the congressional budget for the United States Government for the fiscal year 1983 and setting forth the congressional budget for the United States Government for the fiscal years 1984, 1985, and 1986.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. Time is under control.

Who yields time?

Mr. BAKER. Mr. President, first may I ask the Chair to state the conditions as to time and the control of time provided by statute.

The PRESIDING OFFICER. The time is limited to 50 hours, and it is under the control of the two leaders.

Mr. BAKER. Mr. President, I thank the Chair.

Mr. President, I yield control of the time, and I designate the distinguished chairman of the Budget Committee, the Senator from New Mexico (Mr. DOMENICI) to control the time on this side.

Mr. BYRD. Mr. President, I designate the distinguished Senator from Florida (Mr. CHILES) to control the time on this side.

Mr. BAKER. Mr. President, will the Senator from New Mexico yield me 1 minute?

Mr. DOMENICI. I yield 1 minute to the distinguished majority leader.

Mr. BAKER. I thank the Senator.

Mr. President, as I indicated earlier, it is the hope of the leadership that we can continue the debate on this matter until approximately 5 p.m. today.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent that after the Senate completes its business today, it stand in recess until the hour of 10 a.m. tomorrow.

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

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, I will make one inquiry to the minority leader that I meant to mention to him privately and I did not and neglected it. I will not make a request now, but since we are planning to come in early and perhaps stay late this week to try to do the budget resolution, we are going to inevitably discommode a number of committees unless we make some special provision.

I ask the minority leader if he would be willing to consider the possibility of an order for this week only that would permit all committees to meet until 2 p.m. notwithstanding the time at which the Senate convenes.

Mr. BYRD. Mr. President, I wish to take that under advisement. I personally have no objection. I wish to check that out with our ranking minority committee people.

Mr. BAKER. I appreciate as much. If the Senator could let me know later I would be grateful.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, first, I send to the desk a list of staff members and ask unanimous consent that persons named therein be granted privileges of the floor during the consideration of Senate Concurrent Resolution 27.

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

The list of staff members follows:

REGULAR FLOOR PRIVILEGES FOR SENATE BUDGET COMMITTEE STAFF

MAJORITY STAFF

Rich Bartholomew, Steve Bell, Sid Brown, Michael Carozza, Gail Cowper, Becky Davies, Pete Davis, Marcy Edwards, Beth Farcht, Charles Flickner, Gail Shelp Fosler, Tom Foxwell, Bob Fulton, Laurie Greene, Russell Hedge, Paul Heilig, Bill Hoagland, David Hooker, Ann Houck, Jan Grassmuck Lilja, Terrence Lyons, Jeff Malashock, S. Anthony McCann, Carole Baker McGuire, Nancy Moore, David Nummy, Deborah

Paul, Mary Nell Payne, Joyce Purcell, Robin Seiler, Deborah Swartz Lipman, Alan Struthers, C. G. Nuckols, and Paul Van de Water.

MINORITY STAFF

Dennis Beal, Rick Brandon, Ron Chiodo, Kathy Deignan, Ken Erickson, Lisa Faulkner, Rick Koskella, Bentley Lipscomb, Gary Schinasi, and Jim Stasny.

FIFTEEN MINUTE FLOOR PRIVILEGES FOR BUDGET COMMITTEE STAFF

MAJORITY STAFF

Tim Baade, Judee Klepec, Patricia Hameister, Kathryn Hamilton, Margaret Janowski, Gina Knoll Mellen, Anne Miller, Ronald Newlin, Susan Yurko, Scott Fifer, Linda Crowl, and Jennifer Manthorpe.

MINORITY STAFF

Beth Clark, Julie Coffren, and Tricia Tate.

REGULAR FLOOR PRIVILEGES FOR STAFF OF MAJORITY MEMBERS

Paul Mueller on behalf of Senator Armstrong.

Brian Waidmann on behalf of Senator Armstrong.

Guy Clough on behalf of Senator Kassebaum.

Dave Bartel on behalf of Senator Kassebaum.

Robert Orr on behalf of Senator Boschwitz.

Gary Russell on behalf of Senator Boschwitz.

Hayden Bryan on behalf of Senator Hatch.

Bobbi Dunne on behalf of Senator Hatch.

Fred McClure on behalf of Senator Tower.

French Hill on behalf of Senator Tower.

Diane Tebelius on behalf of Senator Andrews.

Dave Sullivan on behalf of Senator Symms.

Anne Canfield on behalf of Senator Symms.

Kris Kolesnik on behalf of Senator Grassley.

Charles Jarvis on behalf of Senator Grassley.

Elise Paylan on behalf of Senator Kasten.

Dawn Gifford on behalf of Senator Kasten.

Barbara McLennon on behalf of Senator Quayle.

Jim Wolfe on behalf of Senator Quayle.

Bob Thomas on behalf of Senator Gorton.

John Wills on behalf of Senator Gorton.

REGULAR FLOOR PRIVILEGES FOR STAFF OF MINORITY MEMBERS

Rick Brandon on behalf of Senator Chiles.

John Nelson on behalf of Senator Hollings.

Bob Sneed on behalf of Senator Hollings.

Dick Andrews on behalf of Senator Biden.

Laura Hudson on behalf of Senator Johnston.

Lance Simmens on behalf of Senator Sasser.

Bob Hamrin on behalf of Senator Hart.

James Wagoner on behalf of Senator Metzenbaum.

David Krawitz on behalf of Senator Riegle.

Susan Slater on behalf of Senator Moynihan.

Jon Oberg on behalf of Senator Exon.

Mr. DOMENICI. Let me state for the record that has been checked with the minority.

Mr. President, I ask unanimous consent that the presence and use of small electronic calculators be permitted on the floor of the Senate during the consideration of Senate Concurrent Resolution 27.

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

Mr. DOMENICI. That, too, has been cleared with the minority and it has been traditional since the budget process began.

Mr. President, I yield myself as much time as is necessary for my opening remarks.

The first concurrent budget resolution for fiscal year 1984 stands as a remarkable document for three reasons: First, it reflects the entire range of divisive fiscal and policy debate engaged in by Congress during the past 30 months; second, it attempts to produce, apart from its tax recommendation, a steady-state budget so critical in economic times as uncertain as those now afflicting both America and the rest of the world; and, third, it continues the policy of fiscal restraint across the board that has characterized the budget resolutions of the past 2 years.

That this resolution exists at all is a tribute to the persistence of the bipartisan tradition that has been the hallmark of the Budget Committee. This tradition continues despite the most enormous pressures against the budget process itself and deep divisions on fundamental policy questions among members of the committee.

I might state at this point, Mr. President, that I do not really believe the difficulties which I have just expressed come from the budget process or are inherent in a budget resolution. These difficulties exist because the realities of these times, as they impact on fiscal policies and especially on tax policy are indeed complex and difficult. It is the complexity of the circumstances that produces the enormous pressures which are sometimes reflected in threats to the budget process itself and in divisions on fundamental policy questions among Members of the committee and of the Senate, as a whole.

On a personal note, I must thank all Members for the time they have devoted to the lengthy debate in the committee at great length on this resolution, including those who supported it and those who could not.

While this resolution cannot resolve, as no legislative vehicle can resolve, the basic ideological differences now splitting the committee, the committee was able nonetheless to do its basic duty—present to the full Senate a proposed blueprint for fiscal policy for the next 3 years.

I support the basic spending policy outlined in this resolution.

While I have some difference of opinion with reference to some of them and indeed might be a part of attempting to change some of them, I basically support the spending side of this budget resolution. To the greatest extent possible, the committee has squeezed out spending growth and supported cost-reducing reforms, while providing adequate resources to meet basic governmental responsibilities in the areas of national defense, education, science, health, law enforcement, and basic physical facilities.

Whatever has been said about the budget resolution, the committee was able to hold the line on spending despite great pressures from all areas for very large increases. For example, the House-approved budget is nearly $30 billion higher in domestic spending budget authority in fiscal year 1984 than the resolution we present to the Senate now.

During the past 6 months, there have been many pressures for more spending as the economy faltered. The administration's request for $11 billion in fiscal year 1983 supplemental spending is incorporated in this resolution, as in the spending created by the passage of the multibillion dollars Surface Transportation Act. which we all understand was passed, accompanied by the 5-cent gasoline tax. That legislation was supposed to do two things: Begin the repair, maintenance, and completion of our surface transportation system, and aid and assist the mass transit system of this country. That bill was signed into law in late 1982 by our President.

We have incorporated the spending and revenue effects of that bill in their entirety, consistent with the way it was promoted and promulgated here in the Senate and ultimately in Congress as a whole.

The resolution incorporates the impact of the emergency jobs spending passed by Congress, and that is an additional $5 billion. That also was signed into law earlier this year by our President.

The total impact of these actions, over which the commmittee had no control and which exceeded the committee's spending recommendations of last year, has been to add significantly in terms of billions of dollars to the projected 1984 deficit.

While there are some who might have concluded that we could ignore those realities, act as if they did not exist, or change them substantially in the resolution, it was the rather unanimous view of the budget Committee that we had to take the facts as they are, and thus we have those programs continued in the projected numbers for 1984 and the outyears.

After adjusting for these actions of Congress and the administration and after taking into account economic changes during the past year, the resolution we have produced is only marginally higher than the fiscal year 1984 spending level recommended last year in the fiscal year 1983 budget approved by Congress.

(Mr. JEPSEN assumed the chair.)

Mr. DOMENICI. In short, considering the times we live in, the nature of the confrontations and ideological differences, and, yes, indeed, the great difference of opinion among economists and other experts, I think the product of the committee's labor is a good one with respect to Federal spending.

In short, this is a fiscally restrained budget. Unfortunately from this Senator's standpoint, the budget contains one prominent flaw—one item with which I disagree. This comes as no shock to my distinguished friend, who is managing the bill for the minority. The resolution asks for increases of more than $30 billion in 1984 and nearly $40 billion in 1985 in taxes. I do not state that case in any way intended to prejudice the issue. I call them tax increases because those words are consistent with budget language. They are increases over the baseline, which assumes current policy or current law.

So it is in that regard that I call them $30 billion and $40 billion in tax increases.

I firmly believe that while these are difficult and uncertain times in terms of knowing what the risks of various policy approaches are, I conclude that this is bad policy. If one wants to speak of it in terms of risks there are many risks. But I think it is an extremely high risk to suggest a policy in the middle of or the beginning of this economic recovery that asks for that much in tax increases in 1984 and 1985.

These increases would occur just as we hope the economy will be struggling to prolong what has been a modest recovery to date. Make no mistake about it, we are not witnessing a typical postrecession recovery. The first quarter GNP data show the economy grew at an annualized rate of 3.1 percent in real terms. We are all very happy with that when contrasted with practically no real growth in 4 years in this country. That is one of the things we must put on the positive side of the ledger.

Nonetheless it is about half the average first-year growth experienced as America emerged from previous recessions that have occurred since World War II.

While many factors, including substantial international economic uncertainty, combine to lower our economic expectations at this point, economists are unanimous in one conclusion: The recovery will be fragile and its extent uncertain. In this context substantial new taxes would be counterproductive. The $30 billion 1984 tax increase would lower by 33 percent the anticipated new disposable personal income in fiscal year 1984. In addition, it would lower anticipated GNP growth by at least 0.7 of 1 percent or $11 billion.

My judgment is that in 1984 we need the lowest possible tax burden if we are to have a broad-based consumer-led recovery.

Therefore, as I indicated publicly in committee, after a great deal of bipartisan effort on the spending side of this budget and successfully restraining it as I have already explained, I intend to do my best on the floor of the Senate to see to it that those taxes that I have just described do not leave the floor of the Senate as the recommendation or as reconciliation instructions contained in a budget passed by the Senate.

As a final note on spending, I would encourage careful consideration of the resolution's recommendations on defense. The committee, led by a bipartisan group, has been the driving force since 1978 for higher defense spending. In an effort to overcome serious neglect of our national defense forces during most of 1970, the committee has advocated real growth of between 3 and 8 percent for each of the past 5 years. We have reported a budget resolution to the Senate that continues that effort.

The 1984 recommendation would yield 5 percent real growth for national defense for that year and for the entire 5-year period. However, I am reminded in this regard that the House Budget Committee has an extremely low number in terms of real growth in resources of defense. As I indicated when I voted for final passage of this resolution in committee in spite of its tax numbers, which I have described, I had some concern about the defense number, especially in light of the extremely low, in my opinion, real growth defense number in the House-passed budget resolution.

Combined with actions advocated by the President and approved by Congress during the past 26 months, the previous defense growth, plus what we have added in this particular budget, would mean about a 40-percent real growth in defense spending in less than 4 years. This is unprecedented peacetime growth, and would continue through 1986 if the resolution was basically followed.

Approval of our recommendation would give the administration about $1.64 trillion of the $1.76 trillion it has sought for defense.

I personally can support a slightly higher defense level. I stated before and I repeat that, if it is the will of the Senate during the debate on this resolution that the defense number increase, I will join in that effort. However, we cannot avoid subjecting defense spending to the same scrutiny as that given other spending areas within the budget. The committee showed during extensive debate on this subject that it is deeply concerned about many of the issues that surround the defense budget. My view is that defense spending must become more efficient and less wasteful if the consensus for rebuilding our arms forces is to be sustained over a long period of time by our country at large.

Finally, I would like to point out to everyone concerned with the large budget deficits, both in the President's budget and in this budget, that we must take action that will bring out-year deficits down further than now expected. I agree with those who say that only modest progress can be made in 1983 and 1984.

Early in 1982 many on the committee warned that failure to change entitlement spending and the 1981 congressional decision to cut taxes a great deal more than the administration had originally requested, would lead to deficits, large ones, and this has turned out to be accurate.

Now the Federal budget contains deficits larger than any of us desire. These, combined with modest recovery, make the work of Congress extremely difficult, as I indicated earlier. Nonetheless, I believe caution must be the byword during the next 2 years as we attempt to reach what I choose to call a steady state budget.

I believe the resolution approximates that, other than in the tax area where I have just indicated that I believe that the risks are too large to include tax increases of the size and at the times recommended by the budget resolution that is pending before us.

Mr. President, my closing observation is directed again to this question: Is this a steady state budget, even with respect to domestic spending?

I am informed that for 1984 nondefense/noninterest portion of the budget would be growing at a negative 3.1 percent in real terms. This means that the domestic budget is not growing even as fast as the very low rate of inflation now projected.

I think that, while some will criticize it here on the floor, some will offer to decrease it substantially, others will ask to increase it substantially, this resolution contains a pretty good definition of a steady state domestic spending budget for these times.

In the remainder of this opening statement I intend to discuss briefly the economic and fiscal conditions the Congress must confront in acting on this budget resolution and then summarize the policies the Budget Committee recommends.

Before I get into the discussion of those matters, however, I want to com-

ment briefly on the difficult and time-consuming path which this resolution has had to travel before it was ready for consideration by the full Senate.

BRIEF HISTORY OF SENATE CONCURRENT RESOLUTION 27

My colleagues will recall that the majority and minority leaders, committee chairmen and ranking Members, and indeed most Members of the Senate were hopeful earlier this year that the Senate could move its 1983 work on a fast track. Originally, we had hoped to complete initial Senate action on this budget resolution in late March—before the Easter recess. Our goal at that time was to complete the conference with the House and have final Senate and House votes on the budget resolution by April 15—a full month ahead of the May 15 target date established by the Budget Act.

I regret that it has not proven possible to move the budget resolution through the Senate on the expedited timetable we originally sought. The reason is simple: This budget resolution brings into sharp focus some of the most difficult, most sensitive, most divisive issues this Congress will confront. It takes time for a great deliberative body like the Senate to sort through complex, immensely important issues such as those which are brought to the fore in this budget resolution. It is not an easy matter for the Senate to determine its will and then work its will on issues such as those we will debate starting today. Even the framing of the issues—which is one of the major roles of the Budget Committee—takes a great deal of time.

There were two major interruptions in the progress of Senate Concurrent Resolution 27 between March 9—the day the Budget Committee began markup—and today, May 2, the day on which the full Senate begins consideration of the resolution:

On March 15, the Budget Committee suspended work on the budget resolution at the request of President Reagan. The President made this request personally to me as chairman and then to Senator CHILES, the ranking minority member of the committee. The President stated that he needed more time for reevaluating the administration's budget request for national defense needs and indicated that the administration might find some flexibility and some basis for accommodation to congressional concerns about the levels of defense spending the administration had requested. The administration did in fact revise its defense request downward somewhat in early April.

The first interruption of the Budget Committee's work ended on April 6, when the committee resumed its markup sessions.

The Budget Committee's meetings on the resolution were suspended again after it deadlocked on April 14, on the issue of revenue increases.

There then was a period of over a week during which many private discussions took place among Senators and with Representatives of the House of Representatives and the administration regarding possible solutions to the impasse over revenues.

This hiatus ended on April 21, when the Budget Committee met, voted its approval of the revenue numbers included in Senate Concurrent Resolution 27 and then voted to report this resolution to the full Senate.

RESERVATIONS AND CONCERNS

I want now to turn again briefly to the other preliminary matter I want to discuss—the reservations and concerns I have about the content of Senate Concurrent Resolution 27.

First, let me say I doubt that any Budget Committee chairman has ever been totally satisfied with any of the budget resolutions the Congress has produced since it began implementing the budget process in 1975. Chairmen—and usually ranking minority members too—have normally swallowed hard and come here on the Senate floor and fought to hold the resolution together. I have done that myself during the past 2 years—even though I always would have written the resolution somewhat differently had I been in a position to do so. The defense on the floor of a committee's product is what is normally expected of a chairman.

Before the final vote in the Budget Committee on revenues and before the vote to report this resolution, I notified members of the committee that I was casting my votes with reservations. I further told the committee that I expected to support floor amendments to the resolution in at least two areas—revenues and defense spending.

I believed then, and I believe now, that the revenue increases proposed for fiscal years 1984 and 1985 by Senate Concurrent Resolution 27 are much too high. I much prefer the much smaller increases proposed by the President.

Likewise, I believe the compromise struck by the Budget Committee on national defense spending may have left the fiscal year 1984 numbers somewhat below where they need to be.

I have already made clear that I expect to be a cosponsor of a floor amendment which will improve Senate Concurrent Resolution 27 with respect to revenues. As I also said earlier, I am prepared to support some increase in national defense spending.

I believe my colleagues will agree that I have ample grounds for working here on the floor to modify the resolution produced by the Budget Committee. These are very tough and very controversial issues. The Budget Committee cannot be the final decision-maker on these issues. The committee has done all it could to narrow the debate and to frame the issues for consideration here on the floor. The full Senate must now work its will.

THE ECONOMIC SITUATION

When it has completed work on this budget resolution Congress will have drawn a fiscal policy blueprint for the Nation. This blueprint can and will be changed somewhat in the future, but it is going to be a reasonably good indicator of the likely course of congressional decisionmaking in the months ahead. The budget resolution will thus provide a lot of important signals to the Federal Reserve Board, to other nations, to private financial markets, to State and local governments, and indeed to the American people.

These signals will influence behavior by others, and will thus affect the economic progress the Nation makes in the coming months and years.

In order to build appropriate fiscal policies, it is essential that Congress assess the current economic picture and the outlook for the economy. The Budget Committee has spent much time in hearing testimony about the economy from outside experts, the administration's representatives and the Director of the Congressional Budget Office. We have received and reviewed a comprehensive report from the Joint Economic Committee as well as the annual economic report of the President.

The committee's basic conclusion is that an economic recovery is now underway and that the continuation and duration of this recovery are heavily dependent on adoption of appropriate Federal fiscal policies.

For a period of more than 4 years, the American economy has been essentially flat—with no net growth in the real—inflation-adjusted—gross national product. This lack of economic growth has caused a tremendous loss of economic resources. It has also reduced estimates of Federal revenues over the 5 years from fiscal year 1982 through 1986 by nearly one-half trillion dollars below the cumulative levels expected in 1981.

The Nation still has an unemployment rate over 10 percent. It has much unutilized industrial capacity; it has a high failure rate among small businesses.

Most experts believe the long-awaited economic recovery is now underway. We could have a real economic boom just ahead of us. There are, however, major uncertainties in the economic outlook. Real interest rates are still very high by historical standards, although nominal interest rates have come down substantially in recent months. There is an ever-present concern that as the economic recovery proceeds, growing private

borrowing needs may collide with large Federal borrowing and force interest rates even higher. This in turn could cut short the economic recovery and bring back "stagflation."

The committee has concluded, therefore, that the prudent course is to build the budget resolution on the assumption that the economic recovery, now underway, will be more moderate than past recoveries. For example, the average real growth rate for past postwar recoveries is about 4.7 percent compared to real GNP growth of 3.7 percent assumed in the forecast used in preparing this budget resolution. In fact, the average growth in the economy during the first year of a postwar recovery is typically 6 percent compared to the 4 percent assumed in the budget resolution.

There are a number of good reasons for assusming more modest growth than we have had in the past.

The budget resolution assumes 3.7 percent growth in the first quarter. GNP data to date, including the revisions for the fourth quarter of 1982, suggest that the budget resolution assumptions for economic growth are right on target.

The economic recovery appears quite moderate so far. First quarter real GNP growth was 3.1 percent which is about half of the postwar average for the first quarter of a recovery.

Other indicators are also rising moderately. In the first quarter of 1983, industrial production increased at an annual rate of 8.2 percent. Historically, industrial production has increased about 14 percent in the first quarter of recovery.

We have been disappointed during the past 2 years by setting our expectations for economic growth too high. We expected the economy to grow in 1982, and it declined. Last year, we expected the economy to grow 4.5 percent in 1983, and instead, we have only about half that much growth.

Mr. President, I ask unanimous consent that the table printed on page 29 of the Budget Committee's report, showing the economic projections used by the committee, be printed in the RECORD at this point.

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

TABLE 2.—ECONOMIC ASSUMPTIONS

[Calendar years]

	Actual 1982 [1]	1983	1984	1985	1986	1987	1988
GNP (in billions of dollars)	3,057.5	3,265.6	3,759.5	3,903.2	4,220.7	4,540.4	4,878.2
Percent change, annual	4.1	6.8	9.6	9.0	8.1	7.6	7.4
Real GNP: Percent change, annual	−1.8	2.1	4.7	4.1	3.7	3.5	3.5
GNP deflator: Percent change, annual	6.0	4.6	4.7	4.7	4.3	3.9	3.8
CPI: Percent change, annual	6.1	4.5	5.0	4.7	4.1	3.9	3.7
Unemployment rate [2] annual average	9.7	10.6	9.8	9.0	8.4	8.0	7.5
3-month T-bill rate, annual average	10.7	6.8	7.4	7.2	6.6	6.1	5.9

[1] Does not include fourth quarter revisions.
[2] All civilian workers.

Mr. DOMENICI. I also ask unanimous consent, Mr. President, that a table be printed in the RECORD at this point comparing the fiscal year 1983–86 economic forecasts used by the committee with the latest administration forecast and with a so-called consensus forecast which averages the forecasts of a number of outside economists.

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

COMPARISON OF ECONOMIC FORECASTS

[Calendar year, percent]

	Year to year				4th quarter to 4th quarter or 4th quarter level	
	1983	1984	1985	1986	1983	1984
Nominal gross national product:						
Budget resolution	6.8	9.6	9.0	9.1	8.9	9.6
Administration (Mar. 23, 1983)	7.4	9.4	9.1	8.8	9.3	9.2
Consensus (Apr. 27, 1983)	7.2	10.1	10.1	NA	NA	NA
Real gross national product:						
Budget resolution	2.1	4.7	4.1	3.7	4.0	4.7
Administration	2.9	4.3	4.0	4.0	4.7	4.0
Consensus	2.7	4.6	4.2	NA	NA	NA
Gross national product deflator:						
Budget resolution	4.6	4.7	4.7	4.3	4.7	4.6
Administration	4.4	4.8	4.9	4.6	4.5	5.0
Consensus	4.4	5.2	5.7	NA	NA	NA
Consumer Price Index:						
Budget resolution	4.5	5.0	4.7	4.1	4.8	4.8
Administration	2.9	4.1	4.6	4.6	2.5	4.4
Consensus	3.1	4.9	5.7	NA	NA	NA
Unemployment rate:						
Budget resolution	10.6	9.8	9.0	8.4	10.4	9.4
Administration	10.0	9.1	8.4	7.7	9.7	8.8
Consensus	10.1	9.4	8.6	NA	NA	NA
Interest rate (3 month T-bill):						
Budget resolution	6.8	7.4	7.2	6.6	7.0	7.6
Administration	8.0	7.9	7.4	6.8	8.0	7.8
Consensus	7.8	8.1	8.6	NA	NA	NA

RECOMMENDED FISCAL POLICIES

Mr. DOMENICI. Mr. President, all Members of the Senate, I am sure, are very much concerned about Federal budget deficits. A record budget deficit of $110.6 billion was experienced in fiscal year 1982. The Federal deficit in fiscal year 1983 has already reached nearly $130 billion and we are only a litle more than halfway through the year. Baseline deficits as calculated by CBO range from $200.9 billion in fiscal year 1984 to $267.5 billion in fiscal year 1988. Moreover, the Federal Government is faced with large "structural deficits" such that even with a healthy economy and/or big drop in the unemployment rate, the gap between spending and revenues would still be in the range of $200 billion per

year for the next several years—4 to 5 percent of GNP.

These large deficits exert upward pressure on interest rates, which are still quite high in real terms and which threaten to rise in the coming months unless the Federal deficits now projected can be reduced substantially. High interest rates have severe economic effects in fields such as agriculture, housing construction, automobiles, and other types of interest-sensitive businesses. Indeed, high interest rates dampen economic activity in all fields, as businesses cannot borrow to expand their operations when the return on investment is extremely small in relation to the cost of capital and consumers borrow less and therefore buy fewer automobiles, houses, appliances, and other goods and services.

What the American economy needs most is a strong and durable economic recovery. And what most threatens a strong and sustained economic recovery is the prospect of high real interest rates. The Budget Committee believes that high and rising deficits threaten recovery, and it has therefore reported a resolution providing for substantially lowered deficits.

The plan reflected in Senate Concurrent Resolution 27 consists of the following elements:

First. Spending Restraint. The resolution encompasses spending reductions totaling $60.9 billion in the 3 fiscal years 1984-86. Projecting the recommended policies forward an additional 2 years raises the total outlay savings to $146.5 billion below the baseline projections during fiscal years 1984 through 1988.

Second. Increased Revenues. The committee recommends that, along with the recommended spending reductions, Congress enact changes in law to achieve revenue increases of $121.2 billion during the 3 years from fiscal year 1984 through 1986 and $266.8 billion over the next 5 years. These increases would be in addition to the $48.6 billion in revenue increases already achieved by the new social security legislation.

Mr. President, I ask unanimous consent that a table showing the changes from the baseline recommended by the committee be printed in the RECORD at this point.

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

TABLE 4.—SUMMARY OF CHANGES FROM BASELINE REFLECTED IN PROPOSED BUDGET RESOLUTION

[By fiscal years, in billions of dollars]

	1984	1985	1986	1987	1988	5-year total
Revenues:						
Baseline	653.9	717.8	773.5	827.1	882.4	
Enacted legislation and technical reestimates	1.5	5.7	5.4	6.9	17.4	36.9
Revenue increases	30.2	39.1	51.9	65.6	80.0	266.8
Committee recommendation	685.6	762.6	830.8	899.6	979.8	
Outlays:						
Baseline	854.8	928.4	1,000.2	1,073.8	1,149.9	
Defense	−.6	−7.0	−10.0	−1.5	5.6	−13.5
Medicare and medicaid	−.8	−1.5	−4.2	−7.3	−9.0	−22.8
Social security	−3.7	−4.1	−4.3	−4.6	−5.0	−21.7
Other entitlements and mandatory items	−1.8	−.5	−1.6	−.5	−.9	−5.3
Nondefense discretionary programs	3.2	.6	−3.2	−4.9	−8.5	−12.8
Civilian agency pay raises	−1.1	−1.4	−1.8	−2.2	−2.6	−9.1
Offsetting receipts	−.5	−.1	−.7	−1.3	−2.1	−4.7
Net interest	−.7	−4.8	−10.4	−16.8	−24.1	−56.8
Total outlay savings	−5.9	−18.8	−36.2	−39.1	−46.5	−146.5
Committee recommendation	848.9	909.6	964.0	1,034.7	1,103.4	
Deficit:						
Baseline	200.9	210.5	226.7	246.7	267.5	
Proposed changes	−37.6	−63.6	−93.5	−111.6	−143.9	−450.2
Committee recommendation	163.3	147.0	133.2	135.1	123.6	

Mr. DOMENICI. Mr. President, I want to clarify one point about this table, which is also printed on pages 7 and 8 of the committee report. It contains a line showing "social security" outlay savings. This is not a suggestion that there be outlay reductions in social security beyond those already achieved in the recent social security bill. Rather, the presentation of the social security savings on this table simply reflects the fact that the baseline used by the Budget Committee was calculated as of the beginning of this Congress, so we have shown as changes from the baseline the spending and revenue effects of social security legislation and other legislation enacted so far this year.

The spending restraint proposed in this resolution comes on top of substantial policy changes in the past 2 years and the actions earlier this year on the social security bill. These actions have already reduced Federal nondefense spending by more than $60 billion per year below where it otherwise would have been.

The further spending restraint in this resolution includes the following highlights:

First. It holds nondefense, noninterest outlay growth in fiscal year 1984 to a total of only $6.9 billion over fiscal year 1983. This is growth in nominal dollar terms of only 1.4 percent. It is a decline of 3.1 percent in real terms compared to the fiscal year 1983 outlay level now expected. In fact, the budget targets included in the resolution would provide negative real growth in nondefense, noninterest outlays for fiscal years 1984-86 and real growth of less than 2.5 percent per year in fiscal year 1987 and fiscal year 1988.

Second. Achieves 5-year entitlement savings of $49.8 billion including savings already achieved through the social security bill. The entitlement restraint includes:

Historic steps to limit the growth of health care for a total savings of $22.8 billion in medicare and medicaid over the 5-year period.

Provides for moving all cost-of-living adjustments (COLA's) for Federal retirement and disability programs to January 1—with substantial savings beyond those achieved by the COLA changes included in the social security legislation.

Provides for additional savings to be achieved in agriculture price supports, unemployment compensation, and child support enforcement.

Third. Restrains discretionary, nondefense programs so as to produce savings of $12.8 billion over the 5-year budget period.

Fourth. Holds outlays for national defense $88.4 billion below those requested by the President and $13.5 billion below the CBO baseline during the next 5 years.

Fifth. In addition, the committee's recommendations will achieve savings in interest costs totaling $56.8 billion during the fiscal year 1984-88 period.

Mr. President, I ask unanimous consent that another table from pages 9, 10, and 11 of the committee's report, be printed in the RECORD.

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

TABLE 5.—FIRST BUDGET RESOLUTION FOR FISCAL YEAR 1984 AS REPORTED BY THE SENATE BUDGET COMMITTEE

[In billions of dollars]

Function		Fiscal year—					
		1983	1984	1985	1986	1987	1988
050: National Defense	BA	244.1	267.0	299.5	334.8	372.1	410.4
	O	214.3	241.5	270.7	300.0	331.5	363.6
150: International Affairs	BA	24.9	18.2	16.5	15.9	16.9	17.7
	O	11.5	12.7	12.8	12.8	12.7	12.4
250: General Science, Space, and Technology	BA	7.9	8.5	8.5	8.4	8.4	8.5
	O	7.7	8.2	8.5	8.4	8.4	8.4
270: Energy	BA	4.0	3.9	3.6	3.2	3.1	3.5
	O	4.6	4.1	2.9	2.7	2.9	3.0
300: Natural Resources and Environment	BA	12.5	12.0	12.2	12.5	12.8	13.0
	O	12.8	12.5	12.6	12.2	12.1	12.3
350: Agriculture	BA	24.2	11.6	14.0	13.2	13.7	14.0
	O	24.0	11.4	12.3	13.1	13.6	13.9
370: Commerce and Housing Credit	BA	5.2	5.9	6.5	6.5	8.0	8.3
	O	2.7	1.8		−0.3	1.2	1.7
400: Transportation	BA	26.8	27.7	28.4	29.2	29.8	30.3
	O	22.1	25.9	26.9	27.8	28.6	28.6
450: Community and Regional Development	BA	8.3	6.6	7.1	7.1	7.1	7.1
	O	7.9	8.1	8.2	7.6	7.5	7.4
500: Education, Training, Employment, and Social Services	BA	28.0	30.8	27.5	27.5	27.4	27.4
	O	26.8	27.0	27.4	27.4	27.3	27.5
550: Health	BA	25.1	31.8	35.0	37.8	40.9	44.3
	O	29.6	31.8	34.5	37.2	40.1	43.3
570: Medical Insurance	BA	46.1	61.4	69.4	79.1	87.4	95.2
	O	53.1	60.3	68.3	75.6	85.7	97.1
600: Income Security	BA	121.7	126.0	127.5	131.4	135.5	140.1
	O	110.2	104.1	105.5	108.6	112.1	116.3
650: Social Security	BA	184.1	174.9	194.7	211.0	226.7	256.7
	O	167.6	177.1	188.4	200.8	213.7	227.8
700: Veterans Benefits and Services	BA	25.2	25.7	26.8	27.3	27.8	28.2
	O	24.5	25.7	26.4	26.7	27.2	27.6
750: Administration of Justice	BA	5.2	6.0	5.8	5.9	6.7	6.5
	O	5.1	6.0	5.9	5.8	6.6	6.4
800: General Government	BA	5.6	5.7	6.0	6.2	6.3	6.3
	O	5.7	5.7	5.8	5.9	6.0	6.2
850: General Purpose Fiscal Assistance	BA	6.4	7.1	7.2	7.5	7.9	8.2
	O	6.4	7.0	7.1	7.5	7.8	8.1
900: Net Interest	BA	87.6	95.3	102.1	104.3	106.8	107.6
	O	87.6	95.3	102.1	104.3	106.8	107.6
920: Allowances	BA	0.8	0.6	1.9	3.2	4.6	6.0
	O	0.9	0.6	2.0	3.4	4.9	6.4
950: Undistributed Offsetting Receipts	BA	−18.0	−17.9	−18.7	−23.5	−22.0	−22.2
	O	−18.0	−17.9	−18.7	−23.5	−22.0	−22.2
Total spending	BA	875.7	908.8	981.5	1,048.5	1,127.9	1,217.1
	O	807.1	848.9	909.6	964.0	1,034.7	1,103.4
Revenues:							
Social security		148.5	166.5	187.7	204.4	219.5	246.5
Medical insurance		35.9	39.7	44.2	50.9	55.6	60.0
Other receipts		418.7	479.4	530.7	575.5	624.5	673.3
Total revenues		603.1	685.6	762.6	830.8	899.6	979.8
Deficit		204.0	163.3	147.0	133.2	135.1	123.6
Public debt		1,383.9	1,591.1	1,788.8	1,979.6	2,177.1	2,375.7

Mr. DOMENICI. This table shows the spending, revenue deficit, and public debt totals provided for by Senate Concurrent Resolution 27, for the 6 fiscal years from fiscal year 1983 through fiscal year 1988. I want to make clear that the fiscal years 1987 and 1988 numbers do not appear as targets in Senate Concurrent Resolution 27, but are projections of the policies recommended for the earlier years.

This table shows the spending levels, both budget authority and outlays, broken down by budget functions. It also subdivides revenues into three categories: Social security, medical insurance, and other receipts.

BUDGETARY TREATMENT OF SOCIAL SECURITY AND MEDICAL INSURANCE

The foregoing table reflects the decision Congress made in enacting Public Law 98-21, the Social Security Amendments of 1983, that the disbursements and receipts of social security and medical insurance trust funds should be presented separately in the congressional budget, beginning with the budget for fiscal year 1984. Consistent with Public Law 98-21, the committee has included in this resolution a new budget function for social security, identified as function 650, and another new function for medical insurance, function 570. The committee has further implemented Public Law 98-21 by separately identifying in Senate Concurrent Resolution 27 the estimated receipts of the social security and medical insurance trust funds.

REVISION OF SECOND BUDGET 27 RESOLUTION FOR FISCAL YEAR 1983

Senate Concurrent Resolution 27 revises the aggregate and functional totals provided in the second budget resolution for fiscal year 1983. The second budget resolution for fiscal year 1983 took effect automatically on October 1, 1982, as a result of a provision in the first budget resolution for fiscal year 1983. Section 7 of that resolution (S. Con. Res. 92) provided that if Congress had not, by October 1, explicitly adopted a second budget resolution for fiscal year 1983, the first budget resolution would be converted automatically to a second resolution. Implementation of the automatic second resolution provision was, in fact, the course followed by Congress in the fall of 1982.

Many changes have occurred in the budget outlook since the first resolution for fiscal year 1983 was adopted. This resolution updates the spending and revenue estimates and provides for the spending levels which the committee believes necessary in fiscal year 1983. Adoption of the conference report on the first concurrent resolution for fiscal year 1984 will supersede Senate Concurrent Resolution 92.

RECONCILIATION

A significant portion of the spending reductions proposed in Senate Concur-

rent Resolution 27 will be implemented through the reconciliation process. The resolution contains reconciliation instructions directing committees of Congress to take actions that will change existing laws in order to reduce outlays and increase revenues. Without reconciliation, the committee believes and I believe that the budget plan would not have credibility in the financial markets and with the general public. If this were the case, expectations about the future of the economy would be less positive and the benefits of the budget plan would be delayed or negated.

I remind the Senate that reconciliation is well established as an effective means to reduce Federal deficits. The first budget resolution for fiscal year 1981, 1982, and 1983 each included reconciliation instructions.

The resolution includes instructions addressed to five Senate committees and their House counterparts to recommend changes in laws within their jurisdiction to reduce spending.

Mr. President, I ask unanimous consent that a table showing the major program reductions which the Budget Committee assumes will be made in implementing these instructions be printed in the RECORD. This table is also printed on page 14 of the committee report. I want to emphasize that these assumptions are shown for information purposes only. The committees which receive the instructions will be required to achieve spending reductions totaling the amounts specified, but they may choose to achieve the savings in ways different than assumed by the Budget Committee.

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

TABLE 6.—RECONCILIATION SPENDING SUMMARY

[By fiscal years, in millions of dollars]

Committees/programs in which savings are assumed	1984		1985		1986	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
(1) Agriculture: Milk price supports	−1,243	−1,243	1,332	1,332	1,327	1,327
(2) Finance:						
Medicare		−809		−995		−1,572
Medicaid		−7		−543		−407
Child support enforcement		−40		−116		−139
Unemployment compensation				−370		−366
Subtotal finance		−856		−2,024		−2,484
(3) Governmental Affairs:						
COLA-Civil Service Retirement		−273		−462		−841
COLA-Military and Public Health Service Retirement (Armed Services) [1]	−253	−253	−360	−360	−621	−621
COLA-Coast Guard Retirement (Commerce) [1]	−5	−5	−8	−8	−15	−15
COLA-Foreign Service Retirement (Foreign Relations) [1]		−3		−4		−9
Subtotal Governmental Affairs	−258	−534	−368	−834	−636	−1,486
(4) Small Business: SBA disaster loans	−139	−287	−555	−466	−544	−443
(5) Veterans Affairs: COLA-Veterans compensation	−202	−201	−117	−115	−118	−118
Total	−1,842	−3,121	−2,372	−4,771	−2,625	−5,858

[1] The spending reductions indicated will be achieved automatically in these programs if the COLA for civil service retirement is amended as assumed.

Mr. DOMENICI. As is indicated in the foregoing table, the assumed legislative action by the Governmental Affairs Committee on cost-of-living adjustments (COLA's) will result in savings in programs outside of the Governmental Affairs Committee's jurisdiction. These savings will occur because existing laws link COLA's in military, Public Health Service, Coast Guard, and Foreign Service retirement to the COLA's in civil service retirement. Therefore, it is not necessary for the Senate Committees on Armed Services, Commerce, Science, and Transportation, and Foreign Relations to report legislation in order to achieve the assumed savings.

PUBLIC DEBT

Senate Concurrent Resolution 27 provides for increases in the public debt subject to limit of $93.7 billion, $207.2 billion, $197.7 billion, and $190.8 billion in fiscal year 1983, fiscal year 1984, fiscal year 1985, and fiscal year 1986, respectively.

CREDIT

This resolution continues to reflect the Budget Committee's concern about the credit activities of the Federal Government. It contains a number of provisions dealing with credit activities including recommended totals by function for new direct loan obligations and new loan guarantee commitments, language calling for allocation of credit totals among committees and subcommittees, and sense-of-the-Congress language calling for limitations on credit activity and consideration of legislation to institute improved budgetary treatment of Federal financing bank lending. These credit provisions are consistent with the recommendations of the Temporary Subcommittee on Federal Credit which submitted its report to the full Budget Committee in December 1982.

DETAILS OF COMMITTEE RECOMMENDATIONS

Mr. President, I ask unanimous consent that there be printed in the RECORD a summary of the committee's recommendations on revenues, on each of the budget spending functions and on the credit provisions included in Senate Concurrent Resolution 27.

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

REVENUES

The Budget Committee recommendation would raise revenues by $30.2 billion in FY 1984 and by $121.1 billion over FY 1983–1986.[1]

The recommendation makes no assumption as to how these revenues would be raised.

One way of raising these revenues would be to repeal the third year tax cut scheduled to begin July 1, 1983 and to repeal tax indexing which would go into effect January 1, 1985.

It is entirely feasible to raise these revenues through tax increases which do not involve repeal of the third year or tax indexing. The President's contingency tax raises comparable revenues with a 5 percent income tax surcharge and a $5 per barrel oil excise.

Other means of raising these revenues include excise tax and user fee increases, improvements in taxpayer compliance, and tax expenditure reductions.

Tax expenditures total $327.5 billion in FY 1984. A ten percent reduction in tax expenditures would yield the committee recommendation for increased revenues.

FUNCTION 050: NATIONAL DEFENSE

The Committee recommends $267.0 billion in budget authority and $241.5 billion in outlays for the national defense function.

The Committee recommendation is $22.9 billion in budget authority and $27.2 billion

[1] The committee recommendation also assumes additional revenue changes for the effects of the PIK program (P.L. 98-4) and the social security amendments (P.L. 98-21) plus additional technical reestimates from the Congressional Budget Office.

in outlays above the currently enacted levels for FY 1983.

The recommendation provides for 5 percent real growth in FY 1984 and 5 percent over the FY 1984-1988 period. This compares to 10 percent in FY 1984 and 6 percent over the five year period contained in the President's request.

The committee recommendation provides 94 percent of the spending requested by the President over the five year period FY 1984-1988.

It allows continuation of the strategic modernization and readiness improvement initiatives currently in progress.

It provides $3.2 billion more budget authority and $6.1 billion more outlays than the House passed resolution for FY 1984.

The Committee recommendation saves $88.4 billion in outlays over the period FY 1984-1988 compared to the President's request.

FUNCTION 150: INTERNATIONAL AFFAIRS

The overall numbers for this function in FY 1984 are the same as the President's request, re-estimated by CBO. However, in some areas of this function, the Committee's assumptions are somewhat different from the President's request.

In the case of direct credits (in practice, grants) for Israel, the Committee does not assume the reduction of $200 million proposed by the Administration.

For diplomatic and foreign information activities, the Committee recommendation allows for expected inflation, but it does not accommodate the 10 percent real growth requested by the President for FY 1984.

The Committee recommendation does accept the President's estimate for direct loan activity by the Export-Import Bank ($3.8 billion in FY 1984), with the understanding that a supplemental described in the FY 1984 budget may be submitted later (see Report, p. 99).

The $8.5 billion supplemental for the International Monetary Fund can be accommodated by the Committee recommendation for FY 1983.

The Committee recommends making room for the IMF funding for the sole purpose of sustaining international trade and export-related American jobs, not for a bank bailout.

The Committee position on the IMF funding is supportive of the Banking Committee's efforts to require private banks to more fully disclose bad loans abroad.

The Committee recommendation is less than the House-passed FY 1984 level by $0.6 billion in budget authority and $0.5 billion in outlays.

FUNCTION 250: GENERAL SCIENCE, SPACE AND TECHNOLOGY

S. Con. Res. 27 recommends $8.5 billion in budget authority and $8.2 billion in outlays for this function in FY 1984.

S. Con. Res. 27 would provide 2 percent real growth for programs in this function. Within that increase, basic research of the National Science Foundation and Department of Energy would increase by 15 percent.

Under S. Con. Res. 27, the National Science Foundation could provide increased support for a new program designed to improve and recognize quality mathematics and science education in secondary schools, upgrade outdated university research facilities and instrumentation, and increase research grants and graduate student support.

Funding provided for the Department of Energy under S. Con. Res. 27, would allow for the upgrading of several accelerator facilities and for initiating the construction of the Stanford Linear Collider, as proposed by the administration.

NASA could continue operation of the existing two shuttle orbiters and could maintain the current production schedule of the remaining two orbiters scheduled for delivery in late 1984.

NASA would also be able to initiate two new space science initiatives, the Venus Radar Mapper and the Extreme Ultraviolet Explorer Satellite.

FUNCTION 270: ENERGY

The Senate Budget Committee mark for function 270 provides for a higher level of funding for Strategic Petroleum Reserve Facilities Construction than the level assumed by the President.

Spending for both the low-income weatherization and the schools and hospitals conservation programs would increase over FY 1983 levels.

All Energy Research and Development activities would be provided for at a level equal to FY 1983.

All non-nuclear Energy Research and Development, including fossil, solar, conservation, and renewables, are provided for levels considerably above those proposed by the President.

FUNCTION 300: NATURAL RESOURCES AND ENVIRONMENT

S. Con. Res. 27 recommends $12.0 billion in budget authority and $12.5 billion in outlays for this function in FY 1984.

The Committee recommendation increases funding for critical areas of national concerns including: emergency cleanup of hazardous waste sites which threaten public health, environmental research and development, and implementation the emergency jobs bill.

S. Con. Res. 27 does not assume savings from user fees. Implementation of user fees requires authorizing legislation, which has been proposed for the past two years, and has not been enacted by Congress. To assume savings from user fees without the necessary Congressional support is unrealistic.

S. Con. Res. 27 would continue programs at the FY 83 level which have been repeatedly proposed for elimination by the President but continued to be funded by Congress: Historic Preservation programs, and recreational Land acquisition under the Land and Water Conservation Fund.

S. Con. Res. 27 would freeze water project construction of the Corps of Engineers, Bureau of Reclamation and Soil Conservation Service at the FY 1983 appropriated level.

FUNCTION 350: AGRICULTURE

The Committee recommendation for agriculture is $11.6 billion in budget authority and $11.4 billion in outlays in FY 1984.

The Committee recommendation assumes a freeze in funding at the baseline levels, after adjustments for recent payment-in-kind (PIK) sign-up reestimates and the Emergency Jobs Act. The Committee recommendation assumes no legislative savings as proposed in the President's budget, such as a freeze on commodity target prices.

Function 350 is a highly volatile function. Over 90 percent of the spending in this function is associated with the entitlement programs operated by the Commodity Credit Corporation (CCC). Those programs provide income and price support to farmers. The outlays for the programs are heavily influenced by such variables as weather, crop diseases, world-wide demand and production, and farmer participation in government programs.

This volatility is evident between FY 1983 and FY 1984. Without any legislated policy changes, outlays will decrease from nearly $24.0 billion in FY 1983 to $11.4 billion in FY 1984, a 53 percent reduction.

The Committee recommendation reaffirms actions taken through the Omnibus Reconciliation Act of 1982, that would reduce funding for the dairy price support program. There remains a great deal of uncertainty in the savings that will be achieved from that Act. Therefore, the Committee has reconciled the Agriculture Committee for $1.2 billion in savings in FY 1984, and $1.3 in both FY 1985 and 1986, to insure savings within the Agriculture Committee's jurisdiction.

FUNCTION 370: COMMERCE AND HOUSING CREDIT

The Committee recommendation assumes sufficient funds in this function in FY 1983 to accommodate the emergency jobs appropriations bill.

The reported resolution also assumes an additional $0.1 billion in budget authority and outlays in both FY 1983 and FY 1984 for Small Business Administration (SBA) purchases of guaranteed loans that are expected to be in default. The government has no choice but to make these purchases, and the money to pay for them is essentially mandatory.

In fiscal year 1984 through 1988, the Committee recommendation generally assumes that discretionary programs in this function will be frozen at the FY 1983 appropriated level provided before enactment of the jobs bill.

The freeze rejects the President's proposals to virtually eliminate Farmers Home rural housing loans, terminate SBA business loans, reduce elderly and handicapped housing loans, and reduce funds for postal rate subsidies by one-half.

All these programs have been reduced in recent years. The further large reductions proposed by the President are unrealistic, and the Committee recommendation rejects them in favor of a general freeze on spending.

The reported resolution assumes that the revenue foregone appropriation to the Postal Service, which funds subsidized postal rates, will be $760 million in FY 1984. This is nearly double the level requested by the President and is the amount recommended by the Senate Appropriations Committee in March.

Some Senators may be concerned that the assumed revenue foregone figure would not be enough to keep subsidized postal rates at current levels in FY 1984. The amount assumed by the Committee is not binding and each Senator will be free to advocate a higher level, within overall budgetary constraints during the appropriations process.

FUNCTION 400: TRANSPORTATION

The Committee recommends $27.7 billion in budget authority and $25.9 billion for transportation programs in FY 1984. The recommended level provides for 2 percent nominal growth in budget authority for discretionary programs in FY 1984.

Spending resulting from the Emergency Jobs Act is accommodated by the recommended mark. Over the five year period, FY 1983-1988, this Act will add $0.7 billion in outlays for transportation programs.

The Committee recommends that spending for contract authority programs, such as Federal-aid highways, airport improvement

grants, and mass transit capital grants increase to the fully authorized levels contained in the 1982 Surface Transportation Assistance Act and the Airport and Airway Improvement Act. The Committee mark assumes that FY 1984 outlays will grow in comparison to FY 1983 by 40 percent for highways and 50 percent for airport grants, including spending provided by the Emergency Jobs Act.

The Committee adopted current policy funding for urban mass transit. The recommended mark assumes the continuation of transit operating assistance authorized by the Surface Transportation Assistance Act, rather than phasing out operating assistance as proposed by the administration.

FUNCTION 450: COMMUNITY AND REGIONAL DEVELOPMENT

The Committee recommends $6.6 billion in budget authority and $8.1 billion in outlays for this function in FY 1984.

The Committee recommendation assumes baseline funding for Farmers Home Administration (FmHA) rural development programs and Bureau of Indian Affairs (BIA) Indian programs.

The recommendation incorporates spending resulting from the Emergency Jobs Act, including $1.0 billion in additional budget authority for the community development block grant (CDBG) program in FY 1983.

Funding for CDBG in FY 1984 and beyond would be frozen at the FY 1983 level, excluding the Emergency Jobs Act funding.

No additional budget authority is assumed for the SBA disaster loan program in FY 1984. Large unobligated balances and loan repayments are expected to provide sufficient funding for this program.

The Committee also expects reauthorization of the SBA disaster loan provision requiring that agriculture disaster loans be operated through FmHA.

Termination of the Economic Development Administration (EDA) and Appalachian Regional Commission (ARC) is assumed in the Committee recommendation.

All other discretionary programs within Function 450 would be held to their FY 1983 appropriated levels.

FUNCTION 500: EDUCATION, TRAINING, EMPLOYMENT, AND SOCIAL SERVICES

The Budget Committee recommends $30.8 billion in budget authority and $27.0 billion in outlays in FY 1984 for function 500, education, training, employment, and social services programs.

The recommendation is above the President's request by $5.4 billion in budget authority and $1.5 billion in outlays for FY 1984.

The Budget Committee recommendation assumes the President's requested increase of $215 million for the dislocated worker program, Title III of the Job Training Partnership Act. These funds will allow states to establish programs for job counseling, training, and relocation assistance for dislocated workers. There individuals have little chance of regaining their old jobs as the economy moves into recovery and deserve assistance as they adjust to the changing economy.

The recommendation also assumes increases above last year's level of $60 million for vocational education and $100 million for compensatory education for disadvantaged children. These programs have demonstrated effectiveness in preparing young people for the workplace and in improving achievement test scores. An additional investment in these programs is justified to sustain a long-term economic recovery.

The function 500 recommendation assumes funding of $230 million for a new math and science education initiative. Congressional concern over the quality of math and science instruction in our nation's elementary, secondary, and post-secondary schools is great. Legislation is likely to be enacted this year.

This recommendation assumes a one-time increase in budget authority for the Job Training Partnership Act and the employment service to place these programs on an advance funding cycle consistent with other education programs.

Other discretionary programs are funded at the FY 1983 baseline budget authority level. No changes or savings are assumed for any entitlement programs in this function.

FUNCTION 550: HEALTH

The Committee recommendation continues needed funding for health service programs such as maternal and child health, migrant health, preventive health, and community health centers. Each of these programs is assumed to be funded at a level higher than that needed to cover inflation.

The Committee rejected the President's proposal to freeze funding for the health block grants.

In medicaid, the Committee assumed a continuation of the present growth targets and penalties enacted in the 1981 Reconciliation Act. The penalties would be reduced, however, as proposed by the President.

The Committee did not assume the President's proposal for mandatory medicaid copayments. A voluntary system for the states to decide on copayments is currently in effect.

The Committee assumed current policy levels for health research.

The National Institutes of Health would receive a $200 million increase over its FY 1983 appropriation under the Committee recommendation.

The Committee assumed a freeze in health education and consumer and occupational health at the FY 1983 level.

The Committee incorporated the effects of the emergency jobs appropriation bill in this function—$260 million in FY 1983 budget authority.

FUNCTION 570: MEDICAL INSURANCE

This new function was created to comply with the requirements in the Social Security Amendments of 1983 that medicare receipts and disbursements be displayed separately in the budget.

The Committee recommendation recognizes the permanent reduction in hospital reimbursements enacted in the Social Security Amendments. These savings represent a $10.3 billion reduction over the next five years.

The Committee would freeze physician fees for those doctors who charge higher rates than those set by medicare. It also assumes that provisions will be enacted to insure that reimbursement reductions will not be passed on to beneficiaries.

The Committee recommendation assumes that most beneficiaries would continue to pay 25 percent of the medical insurance program costs through premiums.

The Committee assumes that high-income individuals would pay a higher premium for medical insurance. The Committee's recommendation would cost couples with incomes over $32,000 and individuals over $25,000 approximately $8 per month in 1984. It would affect only 7-8 percent of the medicare population.

These changes will reduce the federal general fund subsidy payment to medical insurance from a 16.3 percent growth rate in the baseline to 13.3 percent.

Without action by Congress, medicare will grow at a 14.4 percent rate during 1983-88. During this period, outlays could almost double.

The Committee rejected the Administration's across-the-board increase in premiums, deductibles, and copayments.

FUNCTION 600: INCOME SECURITY

The Committee recommendation incorporates action already taken by Congress on the emergency jobs appropriation. It increased funding for the supplemental feeding program for women, infants, and children (WIC), charitable food distribution, and benefits for unemployed rail workers.

The Committee recommendation incorporates action already taken by Congress in the Social Security Amendments of 1983. This legislation extends benefits for the long-term unemployed and increases benefit levels in the supplemental security income program.

The Committee assumes a delay, as early as possible, to January for cost-of-living adjustments in federal civilian and military retirement and several smaller retirement and disability programs. (Social security COLAs are already scheduled for a delay until January as a result of the Social Security Amendments of 1983.) This change would put all of the retirement programs on an equal basis.

The Committee recommendation also assumes funding levels that ensure the solvency of the railroad retirement program. Without such action, railroad retirement benefits will be cut beginning October 1, 1983. The Committee recommendation does not include the deeper benefit reductions now proposed by the Administration. The Committee further assumes that windfall benefits will be paid in full.

The Committee enactment of modifications to improve the child support enforcement program. These changes would enhance the financial security of women and children in families with an absent parent, increase the financial responsibility of absent parents to support their children, and improve program performance.

The Committee recommendation assumes modifications of the unemployment system after the economy has recovered. It assumes that the basic unemployment program would use the same eligibility standards that are already in place for the extended benefits programs. This would strengthen the state unemployment system which is in massive debt.

The Committee assumes that spending for discretionary programs will be held to the fiscal year 1983 current law levels. However, it allows room for increased funding for the supplemental feeding program for women, infants, and children (WIC).

The Committee also assumes a $100 million increase in funding for child nutrition programs. This proposal has bipartisan support in the Committee and is only half of the House-passed increase.

The Committee recommendation assumes that funding for subsidized and public housing will be frozen at fiscal year 1983 levels in fiscal year 1984 and future years. The assumed level of funding would provide assistance for about 97,000 additional rental units for low-income families.

FUNCTION 650: SOCIAL SECURITY

Function 650, Social Security, is a new function. It was created to comply with P.L. 98-21, the Social Security Amendments of 1983. It reflects the decision of Congress to separately identify the social security trust funds within the federal budget.

The Committee recommendation incorporates the changes enacted by the Congress in the Social Security Amendments of 1983. These provisions ensure the solvency of the social security program through a combination of revenue increases, slower outlay growth, and general fund transfers.

FUNCTION 700: VETERANS BENEFITS AND SERVICES

The First Budget Resolution provides a generous budget for veterans programs, even while it restrains the growth of entitlement programs.

The President and the Committee have upheld their traditional commitment to our Nation's 28.5 million veterans by providing a record $25.7 billion budget for veterans benefits and services.

In these times of high unemployment, the Budget Resolution addresses the needs of veterans by including $150 million for a new readjustment benefits initiative recommended by the Senate Veterans' Affairs Committee.

The Resolution accommodates the President's increases for important VA hospital and medical care programs. FY 1984 funding for these programs is 8 percent above the FY 1983 level.

This commitment will help the VA meet the anticipated needs of over 11 million aging World War II veterans, most of whom will reach age 65 by the end of this decade.

The resolution also assumes $0.3 billion in FY 1983 supplemental funding to accommodate expected congressional action to accelerate the construction of VA facilities that were included in the President's FY 1984 budget.

The Budget Resolution provides equitable restraint in entitlement programs through a six-month delay in the FY 1984 cost-of-living increases for veterans compensation and pension programs, just as it does for social security.

Veterans and other federal benefit recipients are asked by the President and the Congress to make a one-time sacrifice to do their fair share in combatting escalating federal deficits.

In addition, the Resolution assumes that all COLA changes will shift to January so that federal beneficiaries will get COLAs at about the same time.

FUNCTION 750: ADMINISTRATION OF JUSTICE

The Committee recommends $6.0 billion in budget authority and outlays for this function in FY 1984.

The resolution incorporates funding for the 1983 emergency jobs appropriation bill—$0.1 billion in this function in FY 1983 budget authority.

The Committee assumes an additional $600 million for federal law enforcement programs to address the national priorities of preventing crime and organized drug trafficking. This is approximately $300 million more than requested by the President and $600 million more than assumed in the House-passed resolution.

Additional funding has also been included in anticipation of the passage of comprehensive immigration reform legislation which should cost approximately $4.0 billion over the next five years.

The Committee assumes continuation of the Legal Services Corporation and juvenile justice and delinquency prevention programs at their current appropriation level of $241 million and $70 million respectively. The President proposed to eliminate these programs.

All other programs in this function, such as the Judiciary, are assumed to be funded at current policy levels.

FUNCTION 800: GENERAL GOVERNMENT

The Committee recommends $5.7 billion in budget authority and outlays for this function in FY 1984.

This resolution incorporates funding for the 1983 emergency jobs appropriation bill—$0.1 billion in this function in 1983 budget authority.

The Committee assumes increased funding for the Internal Revenue Service to carry out provisions of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA). TEFRA and other compliance measures are expected to increase receipts to the Treasury by approximately $9 billion in FY 1984.

The Committee assumes normal spending levels for the federal buildings fund and current law spending for all other programs in this function.

FUNCTION 850: GENERAL PURPOSE FISCAL ASSISTANCE

The Committee recommends $7.1 billion in budget authority and $7.0 billion in outlays for this function.

The Committee assumes a continuation of the general revenue sharing program. This assumption will assure local governments of a steady source of fiscal assistance in spite of a difficult federal situation.

The Committee recommendation could accommodate funding for a federal-state infrastructure program. All other programs are assumed to hold at the current level including the Payments-in-Lieu-of-Taxes program, payments to states from forest service receipts and the Mineral Leasing Act, and federal land management activities.

FUNCTION 900: NET INTEREST

The Committee recommendation assumes reductions in net interest costs consistent with the deficit reductions from the baseline that are contained in the recommended budget.

FUNCTION 920: ALLOWANCES

The Committee recommendation assumes a six-month freeze on pay raises for federal civilian agency employees, followed by 4 percent pay raises in April 1984, April 1985, and April 1986.

FUNCTION 950: UNDISTRIBUTED OFFSETTING RECEIPTS

The Committee recommendation assumes amounts for the employer share of employee retirement that are consistent with decisions made in other functions.

The Committee recommendation assumes increased levels of OCS receipts based on the latest available information.

CREDIT BUDGET

The reported resolution accommodates the credit budget impact of the fiscal year 1983 emergency jobs appropriations bill.

For fiscal year 1984 through 1988, the Committee recommendation generally assumes that the appropriation act limitations on credit programs enacted in fiscal year 1983 will be continued.

This "freeze" on discretionary credit programs rejects the reductions proposed by the President in Foreign Military Sales, agriculture, rural housing, rural development and small business loans. The "freeze" also rejects the Administration's cuts in REA loan guarantees, FHA mortgage insurance, and Ginnie Mae mortgage-backed securities.

CONCLUSION

Mr. DOMENICI. Mr. President, the development of Senate Concurrent Resolution 27 is an extremely difficult but important challenge. I am gratified that the committee has been able to produce a budget resolution which received strong bipartisan support inside the committee. It is time now for the full Senate to work its will.

I yield the floor at this point.

Mr. CHILES. Mr. President, I yield myself such time as I shall need to make my opening statement.

Mr. President, the first concurrent budget resolution is on the Senate floor today because the Senate Budget Committee felt the most important thing was to get a deficit reduction plan in place.

It is important to understand that, but let us not have any illusions about the debate ahead. The chairman of our committee has made it clear he will oppose certain elements of this resolution, even though he supported them in committee. So, we will have a full discussion on the big three issues. We will talk about defense spending, domestic spending, and revenue levels. Those are all at the core of this resolution.

But they are not the central question this debate must deal with. The central issue before the Senate in this budget debate is interest rates. That is right—interest rates. The life of the economic recovery is tied to them. The ability of Americans to find work depends on interest rates: how low we can get them, and how many jobs will be produced as a result. Business, industry, the person on Main Street, and the investors on Wall Street rely on interest rates to gage their level of economic activity—what they buy, what they sell, what they invest.

So, while we will talk about lots of issues in the days ahead, they will all come back to interest rates, and what we can do to bring them down and keep them down.

Every Senator in this Chamber knows what we need to do. We have to cut Federal deficits, and we will debate how to do that.

I can tell you right now how we can bring those deficits down. We can do it by adopting the budget resolution reported by the Senate Budget Committee.

The President of the United States does not care much for the budget resolution now before us. To me, that is a little ironic, because this resolution is an attack on deficits, and I have always thought those were important to him. At least they were still important when he spoke to the Mortgage

Bankers' Association this February. He brooded then about the deficits, saying that unless something is done about them, they "will continue to absorb increasing amounts of credit that the private sector sorely needs to insure economic recovery."

He was alluding to deficits, but he was really talking about interest rates. And that is what we must talk about in this debate.

I will tell you it is not easy to keep the public's mind on the extent of the problem we face since we keep reading and hearing about the new records the stock market is setting. Over 1,200 last week, and another sign that recovery seems to be underway. Well, maybe it is a recovery, and maybe it is only a low rebound. Maybe it is just a wild bounce after 2 years of recession.

Whatever it is, we have to be careful we just do not lean back and say, "boy, I'm glad that's over, so let's forget about it." With that kind of attitude, it really will be "over"—all over.

I think we need to be realistic. We have still got plenty of work ahead. And if what we are seeing really is recovery, we will have to work hard to keep it. Nothing will kill the recovery quicker than interest rates going up. And nothing will keep those rates higher than huge Federal deficits.

Let us look at what this budget resolution does to attack those deficits. The deficits in this resolution are high; they are very high. In fiscal 1984, the deficit will be $163 billion; in fiscal 1985, it will be $147 billion; and in fiscal 1986, the deficit will be $133 billion. Those are the deficits we will have if we pass the resolution reported by the Budget Committee.

But what would those deficits be if, instead of the Senate budget proposal, we went with the President's proposals? In fiscal 1984, the deficit would be $179 billion. In fiscal 1986, under the President's proposal, the deficit would be $149 billion. Those kind of deficits would absorb 96 percent of all net private savings in the country.

In every case, in each year, the deficits in the Senate budget resolution are substantially lower than the President's. That is the key virture of the Senate proposal. The deficits are still way too high, but they are a lot lower each year than the President's, and on a steady downward path year to year. If we pass the budget we have reported, we will knock off $32 billion in interest payments on the national debt alone—$32 billion, Mr. President. That is how much less we will pay in a period of 5 years under Senate Concurrent Resolution 27 than we would pay under the President's budget. That, by itself, ought to be a strong signal to the credit markets that we are serious about cutting deficits and interest rates.

Compared to the President's proposal, this budget resolution will reduce Federal deficits by $131 billion over the next 5 years. That is $131 billion more that will be available for private borrowing.

That is $131 billion less Federal pressure on interest rates. That is $131 billion that we will not have to borrow, money we will not have to take away from the private sector.

That is what this resolution will do. What we will debate is how the resolution does it. I suppose the best place to start is with revenues, since it looks like that will be a big sticking point.

There is no question we have a revenue problem that translates into a giant-sized deficit problem. Early this year, the Congressional Budget Office described it as a "long-term mismatch between Federal spending and taxing." CBO went on to warn that—

> * * * the American economy faces unprecedented risks in the years ahead unless the Federal Government takes measures to narrow the gap between tax revenues and spending.

Well, they have certainly got that right. The sorry part is that the administration has had it wrong, but will not do what is necessary to correct its mistakes. The President's budget would have added virtually no revenues to the budget until 1986. The President said that was an insurance policy. Well, we all know what it takes to collect on an insurance policy.

Mr. President, it takes a calamity—it takes a fire, it takes death, it takes a theft. What we need is some preventive medicine right now before we lose the patient.

Two years ago, Congress accepted the President's plan for a 3-year, 25-percent tax cut. Fifteen percent of that tax cut is already in place. If the taxpayer really has not felt it much in his savings account, he can sure feel it in the size of his interest payments. The tax cuts were paid out of money we did not have. It was like a giant revolving charge that made things seem OK for the present. But I think we can see now the bill collector's at the door and he wants his money. We have run up nearly $200 billion in extra debt, largely because of the tax cuts.

The White House hears those arguments, too. But they are ignoring them. I am afraid we have been ignoring something, as well. The White House talks about the stimulus of tax cuts, but they do not ever seem to talk about the fact that the tax cuts are permanent. If the third year of the tax cut remains in place, it will mean we have permanently cut 25 percent out of the tax base.

You can preach all you want about the virtues of tax cuts, but as long as we keep cutting taxes, we will never reach the day when the deficits can be reduced significantly.

The Senate Budget Committee's resolution includes the Democratic proposal to increase revenues over the baseline by $30 billion in fiscal 1984, growing to $80 billion in fiscal 1988. While these technically show as increases to the base, they are the amounts we could save by forgoing the third year of the tax cut and repealing indexing. That is, we do not have to raise taxes. We just have to hold off from any more "red ink" tax cuts.

Specific legislative changes are not the province of this budget resolution. But the revenues prescribed in Senate Concurrent Resolution 27 are essential, and ways must be found to get them. When the President hears that hard truth, he often reverts to calling this resolution a tax-and-spend budget. Well, it is not. This resolution will lead to a tax burden of 20.4 percent of the gross national product by 1988. The President's budget in January would have actually produced a tax burden of 20.6 percent. So the tax levels in this resolution are actually lower than the President's as a percentage of GNP by 1988.

Mr. President, we always talk about how we do not want any tax increases. Certainly no politician likes to talk about increases in taxes. But in this resolution both sides are talking about increasing taxes. The President is talking about a major tax increase. The President says we should wait until 1986 to make that increase, and the Senate budget resolution says begin to get some of that revenue in 1984. Do not wait until 1986. Do not let those deficits get higher and higher and higher, allowing the interest rates to accumulate and compound so that we will have this ever-increasing deficit.

You can see from the figures I have just given, we are both talking about a tax burden, the President of 20.6 percent and the Senate budget resolution of 20.4 percent. The question simply is: What year?

So we need to do something about revenues. I admit we cannot look at the size of the Federal budget without concluding a large part of our problem comes from big spending. But neither can we look at the size of our annual deficits without concluding a large part of the problem comes from big and permanent tax cuts.

Mr. President, let me repeat that no one likes to oppose tax cuts, but to have tax cuts of the size that we have had—when they have all been written with red ink—that is our problem. The huge tax cuts were ever larger than the dramatic spending cuts we have made. Yet, it was decided that we would buy this great theory that says you can write people a tax cut with red ink and that would stimulate the economy.

We have seen what it has stimulated: One of the biggest recessions we have ever had and the biggest deficits

we have ever faced in the history of this country.

We have to keep that in mind as we move through the spending levels in this budget. For fiscal 1984, the pending resolution is essentially a hold-the-line budget.

This is something that the chairman of the Budget Committee and I and Members agree on.

It provides no substantial increases, but it rejects virtually all of the President's proposed cuts. For most domestic programs, no inflation adjustments are assumed for 5 years. However, most needs-tested programs for low-income people are entitlements, and they are covered for inflation and caseload costs.

Let me give you a couple of precise examples. For education and training, programs are basically frozen at fiscal 1983 levels. There is a small increase for education, but it still falls about $600 million short of what it would take to cover inflation, let alone paying for new initiatives.

The resolution makes some cuts in medicare and medicaid which add up to about $21 billion over 5 years. That is about half what the President proposed. Frankly, I hope we can restore more money for those programs here on the floor. People using these programs are among the deeply needed.

So let us not get into that argument about the need for further domestic cuts. We still spend a lot on domestic programs, but those programs have contributed more to spending cuts than any other in the budget. So I am not buying the argument that cutting the deficits is an either/or proposition. It is not a case of "either cutting domestic spending" or "cutting domestic spending." We have to proceed with a more equitable and better balanced program of spending containment and adequate revenues to get those deficits down. We have not had that so far, and figures from the Congressional Budget Office make it clear. Up to now, according to CBO, Congress has already cut domestic spending by $387 billion spread out over the next 5 years.

In case anybody wants to see the CBO table, you can just look at page 174 of the report that goes along with this budget resolution. We have actually reduced Federal deficits by $387 billion as a result of domestic spending cuts.

On that same page, you will see that we have added—added—$860 billion to the deficit by reason of the tax cuts. That means that if you just look at tax cuts versus spending cuts, we have added $473 billion to the deficits because of previous action. Now let us be frank. Those extra deficits are not there because we did not cut domestic spending enough; we have huge deficits because taxes have been cut too deeply.

You are going to hear in the debate about how awful we are, talking about adding $30 billion revenues in 1984 and $267 billion over 5 years. These numbers sound big, but they are just a fraction of what we have given away, and we do not have to add any new taxes, we just have to stop cutting them.

If anybody thinks we can cut domestic spending to make up the deficits caused by the tax cut, it will mean chopping whole programs like medicare and housing and education and veterans' programs.

I do not think, Mr. President, we are going to do this. I do not think this Senate on either side of the aisle is going to. We are not going to do that, and everybody in the Congress knows why. Those programs are a large section of the safety net even the administration has pledged to defend.

The tax cuts are way out of proportion to the dramatic cuts already made in spending. But those two parts of the budget are not the only issues before us. The other issue is national defense.

Back in January when the President delivered his state of the Union address, he told us we could expect to find $55 billion in defense spending restraint in his new budget. So I expected it. I did not find it. And the reason it was not found is becuase it was not there. What the President actually proposed was an $81 billion increase.

We found out in the budget committee how that happened. The President decided that he would not be bound by the actions enacted last summer that lowered what we would spend on defense.

Mr. President, those were actions that were initiated by the Republican majority in the Budget Committee.

So his restraint of $55 billion was calculated from the figure he wanted, not the figure signed into law.

Let me put to rest any suggestion that the Senate budget resolution in any way cuts defense spending. It does not. This resolution actually increases defense spending at a real rate of 5 percent, fiscal 1984 over fiscal 1983. That comes on top of the 36-percent real growth in defense spending over the last 3 years. Under the terms of this resolution, the United States will actually spend $214 billion next year based on $244 billion in budget authority contained in this measure.

That's big money. And it's necessary money. The Soviet Union is building weapons at a rapid pace. There are any number of trouble spots around the world at risk because of Soviet adventure. If we are tested, we had better be ready.

This resolution makes it clear we are ready. We are ready to maintain a strong defense, and determined to make our economy strong enough to build it.

I am not going to pretend the pending resolution is appealing to everyone. Of course it is not. Some of us would like to see the deficits cut still further. A few want to spend more on defense and a lot less on domestic programs. Others want to cut domestic spending without raising any more revenues. We will have some long talks on each of those opinions in the days ahead.

But I ask the Senate to keep its eye on the goal in all this. The goal is reducing interest rates so that we can achieve a solid economic recovery. We have got to convince investors and business that we are serious about cutting Federal deficits and getting the Federal Government out of the credit markets. We have got to show the individual American that we want to lower interest rates enough so that he or she can get back into the marketplace.

Interest rates are corrosive. They chew up economic growth. They chew up tax cuts and leave the taxpayer with some relief on April 15, but a year-round interest rate hole in his pocket.

Again, I point out that the committee-passed budget resolution will reduce interest rates by $32 billion that the Government will have to pay over the next 5 years over the President's budget.

Senate Concurrent Resolution 27, the First Concurrent Resolution, is a serious attempt to sustain economic recovery. And it is up to us; it is up to the Federal Reserve, and up to the private sector to join hands to keep the recovery going. We did not get the recovery started because of tax cuts. Recovery began after last year's tax increase, and after the Federal Reserve loosened up on monetary policy.

Mr. President, maybe it is wrong for me to use that term, "tax increases," for last year because it was not called tax increases last year. It was called revenue enhancement. I notice the distinguished chairman of the Committee on the Budget said he was using a technical term, that he was not going to prejudice the debate in any way. I appreciate his concern in that. I do notice that last year in the committee report we subtitled it "increased revenues." About one-fourth, it was said, of the deficit-reduction new revenues can be raised by a variety of means which would not require that the scheduled individual income tax reduction be changed from $20 billion the first year, $35 billion the second year, and $40 billion the third year. So we had $95 billion in increased revenues, but it was not called a tax increase then. Now it is tax increases. Technically I think that is very good.

The point I want to make, Mr. President, is the recovery started when we sent the signal out that we were going

to try to lower this deficit. After we did that, the Federal Reserve lossened up some on its monetary policy. That was the genesis of this recovery.

Mr. DOMENICI. Mr. President, would the Senator yield before he changes the subject?

Mr. CHILES. I am happy to yield.

Mr. DOMENICI. I agree with the Senator. Last year, we called it increased revenue in the budget resolution, but when we got to the floor, it was called what it was, a tax increase. Frankly, I did not see any reason to go back to the old approach because I would just be explaining the difference between increased revenues and tax increases. So I decided that I had better call it what it was, because it did not get by last year in spite of what we called it.

Mr. CHILES. I think it has been said a rose by any other name is still a rose. I agree with that. I think it depends on who is doing the goring whether we are going to call it an ox or not.

Mr. President, we probably all remember the story about Ben Franklin and the constitutional convention. As Franklin stepped from the hall in Philadelphia, someone asked him what kind of new government we had. "A Republic", said Franklin, "if you can keep it."

I would paraphrase that to say what we have today is a recovery—if we can keep it. I think the coming debate will be over how we keep it. I think one of the ways to keep it is to reduce interest rates. That, I think, means that we have to push deficits as low as we possibly can.

I ask my Senate colleagues to join me in supporting Senate Concurrent Resolution 27. It is just the kind of sensible, fair restraint we need to keep economic recovery going.

Mr. President, I ask unanimous consent that a series of statements and explanatory material related to Senate Concurrent Resolution 27 be printed at this point in the RECORD.

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

HIGHLIGHTS OF THE REPORTED FIRST BUDGET RESOLUTION

Economic Policy: The basic policy of this Budget Resolution is to reduce the threat of high real interest rates by enacting policies to greatly lower the projected federal deficits. Democrats believe that the Federal Reserve's monetary policy should actively support strong economic growth in coordination with fiscal policy. This Resolution does not contain Sense of the Congress language on monetary policy, but it will be offered on the floor. The experience of the last two years has shown that big red-ink tax cuts—coupled with tight monetary policy—produce high interest rates and recession, not the economic growth promised. The present recovery began last fall when Congress passed a Reconciliation bill which moderated the tax cuts and the Federal Reserve loosened monetary policy.

Deficits: The Resolution provides a 1984 deficit of $163 billion, which is $11 billion below the House and $22 billion below the President. The deficits decline to $133 billion by 1983 and $123 billion by 1988.

DEFICITS

[By fiscal years, in billions of dollars]

	1984	1985	1986
Senate reported resolution	163	147	133
House-passed	175	147	136
President	185	179	149
Current policy baseline	201	211	227

Because the deficits are so much lower than the President's, interest costs are $32 billion below his for the five-year period.

Defense: The Resolution provides for 5 percent real growth in Budget Authority, an increase of $23 billion over the fiscal year 1983 level. An average of 5 percent a year real growth is provided for 1984 through 1988; this is on top of a 36 percent real growth over the last three years. Defense outlays for 1984–88 are $88 billion below the President's request, but only $13 billion below the multi-year program in last year's budget resolution.

Domestic spending: For Fiscal Year 1984, the Resolution is essentially a hold-the-line budget. It provides no substantial increases, as the House does, but it rejects virtually all of the President's proposed cuts. Small increases in some areas like Law Enforcement are offset by small cuts in others, like Community and Regional Development. However, no inflation adjustments are assumed for five years for most domestic programs. A freeze would squeeze real service capacity by 20–25 percent. Most needs-tested programs for low-income people are entitlements and are covered for inflation and caseload costs.

Revenues: The Committee accepted the Democratic proposal to increase revenues over the baseline by $30 billion in fiscal year 1984, growing to $80 billion in fiscal year 1988. While these technically show as "increases" to the base, they are the amounts which would be saved by failing to cut taxes further by foregoing the 3rd round 10 percent cut and foregoing indexing. No revenues are raised in the current year (1983).

There are no specific assumptions made as to how to achieve these revenue targets; in place of repealing the third year, Congress could limit its benefits to low and middle income taxpayers, could impose a temporary surcharge, or take other action.

While the President will call this a "tax-and-spend" budget, that is not correct. There is no new spending provided in the targets. The 1988 tax burden is limited to 20.4 percent of GNP. In the President's January budget, he proposed a tax burden of 20.6 percent of GNP. The difference is that we avoid revenue loss in 1984 and 1985, rather than letting tax cuts go into effect, then repealing them in 1986.

SUMMARY OF THE BUDGET RESOLUTION FOR FISCAL YEAR 1984 AS REPORTED BY THE SENATE BUDGET COMMITTEE

EXPLANATION OF CBO CURRENT POLICY BASELINE

The baseline was prepared by the Congressional Budget Office (CBO) using the economic forecast contained in the CBO annual report to the Budget Committees and CBO's technical estimating methodology. The baseline is the level that would occur if programs and policies that were enacted as of the end of the 97th Congress were continued unchanged through the projection period with all programs adjusted for inflation so that existing real levels of activity are maintained. In the case of national defense programs, the baseline is the level contained in the First Budget Resolution for FY 1983, adopted by Congress in June 1982, extended through FY 1988.

The baseline does not include actions already completed by the Congress during the present session, such as the emergency jobs supplemental appropriation bill and the social security act amendments. These actions are reflected in the functional totals. The baseline does not include recent reestimates by CBO of the effect of the existing PIK and dairy price support programs in Function 350, agriculture. These recent reestimates are also reflected in the function totals.

COMPARISON OF COMMITTEE ACTIONS

[By fiscal years, in billions of dollars]

	1983	1984	1985	1986	1987	1988	5-yr total
Current policy baseline:[1]							
Budget authority	839.7	907.7	998.8	1,068.5	1,140	1,215.3	5,330.3
Outlays	800.9	854.8	928.4	1,000.2	1,073.8	1,149.9	5,007.1
Revenues	606.3	653.9	717.8	773.5	827.1	882.4	3,854.7
Deficit	194.6	200.9	210.5	226.7	246.7	267.5	1,152.3
Public debt	1,348.8	1,572.7	1,811.8	2,070.7	2,349	2,644.9	10,449.1
President's budget reestimated:[2]							
Budget authority	873.0	902.0	994.0	1,064.9	1,142.7	1,224.8	5,328.4
Outlays	807.3	842.6	907.7	973.9	1,045.3	1,113.6	4,883.1
Revenues	603.1	657.7	728.9	824.6	884.7	954.2	4,050.1
Deficit	204.2	184.9	178.8	149.3	160.6	159.4	833.0
Public debt	NA	NA	NA	NA	NA	NA	NA
Reported budget resolution:[3]							
Budget authority	875.7	908.8	981.5	1,048.5	1,127.9	1,217.1	5,283.8
Outlays	807.1	848.9	909.6	964	1,034.7	1,103.4	4,860.6
Revenues	603.1	685.6	762.6	830.8	899.6	979.8	4,158.4

COMPARISON OF COMMITTEE ACTIONS—Continued

[By fiscal years, in billions of dollars]

	1983	1984	1985	1986	1987	1988	5-yr total
Deficit	204.0	163.3	147.0	133.2	135.1	123.6	702.2
Public debt	1,383.9	1,591.1	1,788.8	1,979.6	2,177.1	2,375.7	9,912.3

[1] Baseline used by Senate Budget Committee during markup, current policy levels.
[2] April update of the President's request reestimated by CBO.
[3] Senate Budget Committee mark from first concurrent resolution (FCR).

COMPARISON OF COMMITTEE ACTIONS

[By fiscal years, in billions of dollars]

	1983	1984	1985	1986	1987	1988	5-year total
President compared to baseline:							
Budget authority	33.3	−5.7	−4.8	−3.6	2.7	9.5	−1.9
Outlays	6.4	−12.2	−20.7	−26.3	−28.5	−36.3	−124
Revenues	−3.2	3.8	11.1	51.1	57.6	71.8	195.4
Deficit	9.6	−16	−31.7	−77.4	−86.1	−108.1	−319.3
Public Debt	NA	NA	NA	NA	NA	NA	NA
Resolution compared to baseline:							
Budget authority	36	1.1	−17.3	−20.0	−12.1	1.8	−46.5
Outlays	6.2	−5.9	−18.8	−36.2	−39.1	−46.5	−146.5
Revenues	−3.2	31.7	44.8	57.3	72.5	97.4	303.7
Deficit	9.4	−37.6	−63.5	−93.5	−111.6	−143.9	−450.1
Public Debt	35.1	18.4	−23.0	−91.1	−171.9	−269.2	−536.8
Resolution compared to President:							
Budget authority	2.7	6.8	−12.5	−16.4	−14.8	−7.7	−44.6
Outlays	−.2	6.3	1.9	−9.9	−10.6	−10.2	−22.5
Revenues	0	27.9	33.7	6.2	14.9	25.6	108.3
Deficit	−.2	−21.6	−31.8	−16.1	−25.5	−35.8	−130.8
Public Debt	NA	NA	NA	NA	NA	NA	NA

ACTIONS AS A PERCENT OF GNP

[By fiscal years]

	1983	1984	1985	1986	1987	1988
Current policy baseline: [1]						
Outlays	25.1	24.4	24.3	24.1	24.1	24.0
Revenues	19.0	18.7	18.8	18.7	18.5	18.4
Deficit	6.1	5.7	5.5	5.5	5.5	5.6
President's budget reestimated: [2]						
Outlays	25.3	24.1	23.8	23.5	23.4	23.2
Revenues	18.9	18.8	19.1	19.9	19.8	19.9
Deficit	6.4	5.3	4.7	3.6	3.6	3.3
Reported budget resolution: [3]						
Outlays	25.2	24.3	23.8	23.3	23.2	23.0
Revenues	18.9	19.6	20.0	20.1	20.2	20.4
Deficit	6.4	4.7	3.8	3.2	3.0	2.6

[1] Baseline used by Senate Budget Committee during markup, current policy levels.
[2] April update of the President's request reestimated by CBO.
[3] Senate Budget Committee mark from first concurrent resolution (FCR).

BUDGET COMPONENTS AS A SHARE OF GNP

[By fiscal years, in percent]

	1983	1984	1985	1986	1987	1988	Change, 1983–88
National defense: Outlays	6.7	6.9	7.1	7.2	7.4	7.6	+0.9
Nondefense discretionary: Outlays	4.6	4.5	4.2	3.9	3.8	3.6	−1.0
Entitlements: Outlays	12.0	11.0	10.7	10.5	10.4	10.4	−1.6
Revenues	18.9	19.6	20.0	20.0	20.2	20.4	+1.5

RECONCILIATION SPENDING SUMMARY

[By fiscal years, in millions of dollars]

Committees/programs in which savings are assumed	1984		1985		1986	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Agriculture: Milk price supports	−1,243	−1,243	−1,332	−1,332	−1,327	−1,327
(2) Finance:						
Medicare		−809		−995		−1,572
Medicaid		−7		−543		−407
Child support enforcement		−40		−116		−139
Unemployment compensation				−370		−366
Subtotal, Finance		−856		−2,024		2,484
(3) Governmental Affairs:						
COLA—Civil service retirement		−273		−462		−841
COLA—Military and Public Health Service retirement (Armed Services) [1]	−253	−253	−360	−360	−621	−621
COLA—Coast Guard retirement (Commerce) [1]	−5	−5	−8	−8	−15	−15
COLA—Foreign Service retirement (Foreign Relations) [1]		−3		−4		−9
Subtotal. Governmental Affairs	−258	−534	−368	−834	−636	−1,486

RECONCILIATION SPENDING SUMMARY—Continued

[By fiscal years, in millions of dollars]

Committees/programs in which savings are assumed	1984		1985		1986	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
(4) Small Business: SBA disaster loans	−139	−287	−555	−466	−544	−443
(5) Veterans Affairs: COLA—Veterans compensation	−202	−201	−117	−115	−118	−118
Total	−1,842	−3,121	−2,372	−4,771	−2,625	−5,858

[1] The spending reductions indicated will be achieved automatically in these programs if the COLA for civil service retirement is amended as assumed.

RECONCILIATION SPENDING ASSUMPTIONS BY FUNCTION

[By fiscal years, in millions of dollars]

	1984	1985	1986
Reconciliation spending assumptions by function:			
050: National defense:			
Budget authority	−252	−358	−617
Outlays	−252	−358	−617
350: Agriculture:			
Budget authority	−1,243	−1,332	−1,327
Outlays	−1,243	−1,332	−1,327
400: Transportation:			
Budget authority	−5	−8	−15
Outlays	−5	−8	−15
450: Community and regional development:			
Budget authority	−139	−555	−544
Outlays	−287	−466	−443
550: Health:			
Budget authority	−1	−2	−4
Outlays	−8	−545	−411
570: Medical insurance:			
Budget authority			
Outlays	−809	−995	−1,572
600: Income security:			
Budget authority			
Outlays	−316	−952	−1,355
700: Veterans benefits and services:			
Budget authority	−202	−117	−118
Outlays	−201	−115	−118
Total:			
Budget authority	−1,842	−2,372	−2,625
Outlays	−3,121	−4,771	−5,858
Reconciliation assumptions for revenues: Revenue increases (in billions)	30.2	39.1	51.9

ECONOMIC ASSUMPTIONS IN THE BUDGET RESOLUTION

The economic assumptions underlying the markup baseline estimates of spending and revenue are presented in the attached table. They are the CBO-baseline projections for the period 1983-88. By all standards, the short-term assumptions portray a relatively modest recovery in economic activity, with growth in real GNP of only 2.1 percent in 1983, followed by 4.7 percent growth in 1984. Over this same time period, the rate of unemployment declines slowly to 9.8 percent, and the rate of price inflation remains in the 4½ to 5 percent range. The short-term rate of interest on 90-day treasury bills falls dramatically in 1983 to 6.8 percent but then rises in 1984. Despite these lower nominal interest rates, real interest rates (nominal interest rates adjusted for inflation) remain very high by all historical standards.

Over the longer-term, real GNP growth remains moderate as inflation, the rate of unemployment, and interest rates continue to decline. By 1988, GNP growth is 3.5 percent, accompanied by a 7.0 percent unemployment rate, inflation in the 3½ to 4 percent range, and an interest rate of about 6 percent.

MARKUP BASELINE

	Calendar year—						
	1982	1983	1984	1985	1986	1987	1988
GNP (billions) [1]	$3,057.5	$3,265.6	$3,759.5	$3,903.2	$4,220.7	$4,540.4	$4,878.2
Percent change, annual	4.1	6.8	9.6	9.0	8.1	7.6	7.4
Real GNP: Percent change, annual	−1.8	2.1	4.7	4.1	3.7	3.5	3.5
GNP deflator: Percent change, annual	6.0	4.6	4.7	4.7	4.3	3.9	3.8
CPI: Percent change, annual	6.1	4.5	5.0	4.7	4.1	3.9	3.7
Unemployment rate, [2] annual average	9.7	10.6	9.8	9.0	8.4	8.0	7.5
3 mon. T-bill rate, annual average	10.7	6.8	7.4	7.2	6.6	6.1	5.9

[1] These baseline economic assumptions do not reflect 4th quarter GNP revisions.
[2] All civilian workers.

FUNCTION 050: NATIONAL DEFENSE—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year—						5-yr. total
	1983	1984	1985	1986	1987	1988	
Change to baseline:							
BA	0.2	−11.3	−22.9	−15.2	−0.9	+12.4	−37.9
O	.1	−.7	−7.0	−10.0	−1.5	5.6	−13.5
Change from President:							
BA	−.9	−13.2	−29.9	−29.5	−24.3	−21.7	−118.6
O	0	−3.2	−11.5	−21.5	−26.0	−26.2	−88.4
New function total:							
BA	244.1	267.0	299.5	334.8	372.1	410.4	1,683.8
O	214.3	241.5	270.7	300.0	331.5	363.6	1,507.3

The Resolution provides a five-percent real growth, over inflation, in defense spending for Fiscal Year 1984 and 5 percent on an annual average basis for the five-year period 1984 to 1988.

FUNCTION 150: INTERNATIONAL AFFAIRS—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year—						5-yr total
	1983	1984	1985	1986	1987	1988	
Change from baseline:							
BA	+0.8	−0.1	−0.8	−1.3	−1.7	−2.1	−6.0
O	+.3	+.3		−.3	−.6	−.9	−1.5
Change from President:							
BA				+.2	+.3	+.2	+.6
O							0
Tentative mark:							
BA	24.9	18.2	16.5	15.9	16.9	17.7	85.2
O	11.5	12.7	12.8	12.8	12.7	12.4	63.4

Foreign Economic and Financial Assistance: Rejects proposed cuts in President's budget from FY83 for humanitarian aid restoring spending to baseline levels for United Nations and Refugee Assistance. PL 480 food assistance is continued at the FY83 level. Accepts President's request for increased funding to IMF (or the FY83 supplemental) and International Development Association.

International Security Assistance: Assumes the overall level of Security Assistance requested by the President's budget, but with different assumptions. For the Middle East, it rejects the President's proposed $200 million cut in Foreign Military Sales credit to Israel from the FY83 level, and would allow an increase in FMS Credit and Economic support for the Middle East over the FY83 level.

Diplomatic Operations and foreign info activities: Assumes baseline level of spending, which would not allow major expansion in Department of State or USIA activities, such as Project Democracy.

Export Import Bank: Assumes a credit limit for direct loans which is lower than FY83 in light of current recession and projection of continued low export demand. Committee adopted report language supporting supplemental funding if necessary to meet predatory financing practices or additional demand for funds.

FUNCTION 250: GENERAL SCIENCE, SPACE, AND TECHNOLOGY—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year						5-yr total
	1983	1984	1985	1986	1987	1988	
Change to baseline adopted:							
BA		+0.4	+0.4	+0.2	−0.1	−0.3	+0.6
O		+.3	+.4	+.2	+.1	−.3	+.7
Change from President:							
BA			+.1	+.7	+.7	+1.6	+3.1
O			+.1	+.5	+.7	+1.4	+2.7
New function total:							
BA	7.9	8.5	8.5	8.4	8.4	8.5	+42.3
O	7.7	8.2	8.5	8.4	8.4	8.4	+41.9

This recommendation assumes that funding for programs in this function will be increased by 7 percent over FY 1983 levels. Within this increase, funding for the NSF and DOE basic research would increase by 19 percent. NASA's civilian space programs would be increased by 4 percent.

This mark differs from the President's proposed mark in that it would increase R&D each year, while the President would freeze the NSF budget after FY 1984. For FY 1986-88, there could be 5 percent real growth in funding for basic research and engineering programs, including NSF, DOE's basic science research and the space sciences, and other NASA programs. It assumes baseline funding for the Shuttle, but includes some increase in offsetting receipts, since NASA will be receiving increased reimbursement payments because of a new pricing policy on commercial satellite launches by the Shuttle. However, since the President's estimates of these receipts may be too optimistic, the Committee mark assumes only half the President's estimate. This accounts for the large differences between the Committee mark and the President's budget in the years 1986-88. The remaining programs are held to the baseline.

FUNCTION 270: ENERGY—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year						5-year total
	1983	1984	1985	1986	1987	1988	
Change from baseline adopted:							
BA	+0.1	−0.2	−0.5	−0.7	−1.1	−1.6	−4.1
O	+.1		−.4	−.8	−1.1	−1.4	−3.7
Change from President:							
BA	+.1	+.7	+.2		−.3	−.4	+.2
O	+.3	+.2		−.2	0	−.2	−.2
New Function Total:							
BA	4.0	3.9	3.6	3.2	3.1	3.5	17.3
O	4.6	4.1	2.9	2.7	2.9	3.0	15.6

Major Assumptions: This freezes BA at FY83 levels, for FY84-88. It allows no growth in discretionary spending for R&D, in construction facilities for the Strategic Petroleum Reserve, or in energy conservation programs. The Committee rejected the President's proposals for large spending cuts throughout this function.

FUNCTION 300: NATURAL RESOURCES AND ENVIRONMENT—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year—						5-yr total
	1983	1984	1985	1986	1987	1988	
Change from baseline adopted:							
BA	+1.0	+0.3	+0.4	+0.3	+0.4	+0.2	+1.6
O	+.4	+.8	+.4	+.2	+.3	+.2	+1.9
Change from President:							
BA	+.3	+2.8	+2.7	+3.0	+3.4	+3.5	+15.4
O	+.5	+2.0	+2.5	+2.3	+2.6	+2.7	+12.1

FUNCTION 300: NATURAL RESOURCES AND ENVIRONMENT—FILE REPORT—FIRST RESOLUTION MARKUP 1983—Continued

	Fiscal year—						5-yr total
	1983	1984	1985	1986	1987	1988	
New function total:							
BA	12.5	12.0	12.2	12.5	12.8	13.0	62.5
O	12.8	12.5	12.6	12.2	12.1	12.3	61.7

The Administration called for large cuts in this function—from $2.3 billion to $3.2 billion in BA, from FY84-88. EPA abatement and enforcement would be reduced by 20 percent from FY83 levels under the President's request. Funding for Bureau of Reclamation water resource projects (construction) would increase by 21 percent. The House recommendation for BA is +$0.10, −$0.40 and −$0.75 billion dollars relative to the mark, for FY84-86.

Major assumptions

The mark accepted by the Committee calls for additional funding for the Superfund ($0.1 billion in BA above the baseline) for FY84. It also freezes water projects construction at FY83 level through FY88, thereby rejecting the President's proposal for large increases in funding for the Bureau of Reclamation. No additional user fees are assumed. Funding for the American Conservation Corps at $0.3 billion is also assumed in the mark.

FUNCTION 350: AGRICULTURE—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year—						5-yr. total
	1983	1984	1985	1986	1987	1988	
Change from baseline:							
BA	+3.0	−2.1	−1.0	−1.1	−1.1	−1.3	−6.6
O	+2.9	−2.1	−1.0	−1.1	−1.1	−1.4	−6.7
Change from President:							
BA	0	+.5	+1.2	+2.1	+2.4	+2.3	+8.5
O	+.1	+.6	+1.3	+2.0	+2.3	+2.2	8.4
New function total:							
BA	24.2	11.6	14.0	13.2	13.7	14.0	66.5
O	24.0	11.4	12.3	13.1	13.6	13.9	64.3

Substantial savings from the PIK (payment-in-kind) program are included in the baseline, for FY83 and FY84, as are the first and second 50 cent per hundred weight dairy assessments, under CCC program.

Major assumptions

Continues funding at the CBO baseline level from FY83-88. The mark does not require savings from a freeze in farm target prices, as in the President's mark. The Committee recommendation could allow for some increased FMHA credit assistance to farmers facing loan forfeitures, if offsetting reductions were made in other agricultural support programs. The Committee mark assumes baseline funding for agricultural research and extension services, and 5% real growth in basic research.

Recent Administrative action by USDA had delayed the implementation of the first of two 50 cent per hundred weight assessments on dairy producers. These two assessments are part of the compromise reached in the Omnibus Reconciliation Act of 1982. They are to provide the U.S. some receipts to offset the more than $2.3 billion in federal outlays for the CCC dairy price support program. The delay by the Administration means that the dairy savings of $1.2 billion assumed in the Committee recommendation probably will not be realized. As a result, either Congress must make changes in the CCC dairy program to yield these savings, or other programs in 350 would have to be cut to generate these savings, to stay within the Committee's funding recommendation for Agriculture. The Resolution includes a Reconciliation instruction to the Agriculture Committee to restore these savings.

FUNCTION 370: COMMERCE AND HOUSING CREDIT—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year—						5-year total
	1983	1984	1985	1986	1987	1988	
Change to baseline:							
BA	+0.4		−0.1	−0.3	−0.5	−0.7	−1.6
O	+.4	+0.1	−.1	−.2	−.4	−.5	−1.1
Change from President:							
BA	−.1	−1.9	+.6	+1.7	+3.2	+3.8	+7.4
O	−.6	+.5	+1.7	+1.7	+2.6	+3.5	+10.0
New function total:							
BA	5.2	5.9	6.5	6.5	8.0	8.3	35.2
O	2.7	1.8		−.3	1.2	1.7	4.4

The mark is at the CBO baseline level of funding in FY84, and $1.6 billion below the CBO baseline in BA, and $1.1 billion below the baseline in outlays for the period, FY84-88. It is $10.7 billion above the President in BA, and $14.2 billion above the President in outlays.

The President proposed to reduce rural housing loans in function 370 and substitute a state block grant in function 600. He also proposed lower loans for elderly and handicapped housing and for small business, mortgage insurance and purchases, and significantly reduced postal rate subsidies. The House calls for $0.20 billion in BA, +$0.60 billion in outlays, in FY84; −$0.35 and +$0.25 billion in FY85; and −$0.40 and −$0.25 billion in FY86, relative to the baseline level of funding.

Major assumptions

The mark assumes that BA and outlays for non-discretionary programs within 370 are to be continued at the baseline level of funding. These include FHA mortgage insurance, GNMA, the FSLIC, and FDIC programs. Discretionary programs such as RHIF (Rural Housing Insurance Fund), the SBA's Business Loan Investment Fund, and the nonprofit mail subsidy are to be held to current law levels of funding, plus a 2 percent increase in FY84 only. The recommendation also includes maintaining the nonprofit mail subsidy at the FY83 current law level. The Emergency Jobs Appropriations (P.L. 98-8) is assumed.

Funding for the housing for the elderly or handicapped fund is at the baseline level. Finally, $116 million in FY83, and $118 million FY84 (above the 2 percent increase noted above) for the Small Business Loan and Investment Fund (BLIF) is also included.

FUNCTION 400: TRANSPORTATION—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year—						5-yr. total
	1983	1984	1985	1986	1987	1988	
Change from baseline:							
BA	+0.2	−0.2	−0.6	−1.0	−1.3	−1.7	−4.8
O	+0.2	+0.1	−0.2	−0.5	−0.9	−1.6	−3.1
Change from President:							
BA	−0.1	0.0	+0.1	.....	+0.8	+0.8	+1.7
O	+0.1	+0.8	+1.0	+0.9	+1.0	+0.5	+4.2
New function total:							
BA	+26.8	+27.7	+28.4	+29.2	+29.8	+30.3	145.4
O	+22.1	+25.9	+26.9	+27.8	+28.6	+28.6	137.8

On Tuesday, April 12, 1983, the Committee discussed Function 400 and developed a consensus that included the following elements:

1. increase 1984 discretionary budget authority by 2 percent and freeze discretionary spending at that level through 1988;

2. restore transit spending (BA) back to the baseline (+0.1 billion);

3. provide increases for Federal Aviation Administration to levels requested by the Administration for the National Air Space System plan improvements (+0.4 billion in 1984 increasing to +0.9 billion in 1988);

4. provide increases (+0.3 billion) to continue the Coast Guard law enforcement initiatives;

5. room for spending provided by the Jobs bill and 1983 mandatory supplementals;

6. in order to keep the totals below the baseline and to permit direct spending programs to share in the overall restraint, it was also suggested that the highway spending ceiling be frozen at $12,375 billion. Because this last item was left out of the mark, it was larger than expected (+0.6 BA; +0.3 O in FY84) and the mark was defeated by a vote of 7 to 9.

The mark freezes all discretionary spending and does include the necessary room for the Jobs bill.

On Thursday, April 22, 1983, by general consent +0.2 billion in spending authority was added back for Transit spending. While Transit programs would still be $0.2 billion below authorized levels, funding for operating assistance is included.

The final mark does not include the needed $0.4 billion to permit the Administration to proceed at requested levels with the program to modernize the National Air Space System. Nor does it permit Coast Guard expansion. The general freeze on discretionary spending cuts an additional $0.2 billion of inflationary program growth which would impact most notably on Coast Guard and Federal Aviation Administration operations.

FUNCTION 450: COMMUNITY AND REGIONAL DEVELOPMENT—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year—						5-yr. total
	1983	1984	1985	1986	1987	1988	
Change to baseline:							
BA	+1.5	−0.6	−1.3	−1.5	−1.8	−2.0	−7.2
O	+0.2	+0.2	+(*)	−0.9	−1.2	−1.4	−3.3
Change from President:							
BA	−0.4	+0.5	+0.5	+0.5	+0.6	+0.6	+2.7
O	+0.1	+0.1	−0.0	+0.3	+0.6	.7	+1.7
New function total:							
BA	8.3	6.6	7.1	7.1	7.1	7.1	35.0
O	7.9	8.1	8.2	7.6	7.5	7.4	38.8

This proposal assumes the implementation of the Emergency Jobs bill which provides an additional $1.0 billion in Budget Authority for the Community Development Block Grant program (CDBG) in fiscal year 1983 and specifically rejects the Administration's proposed deferral of the UDAG program in fiscal year 1984. The mark also assumes baseline levels for both the Rural Development Insurance Fund and BIA's Operation of Indian Programs beginning in fiscal year 1984. The mark would freeze CDBGs at the $3.5 billion Budget Authority level beginning in fiscal year 1984 and would also freeze the UDAG program over the next five fiscal years. An allowance is also made for new housing construction as an eligible activity under the proposal as is the possible creation of a demonstration block grant program for Indian tribes. No new budget authority is provided for the SBA disaster loan program and three programs, the Appalachian Regional Commission, the Appalachian Regional Development programs and the Economic Development Administration are to be terminated under this mark. The remainder of the programs in Function 450 would be continued at current law levels.

FUNCTION 500: EDUCATION, TRAINING, EMPLOYMENT AND SOCIAL SERVICES—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year—						5-yr. total
	1983	1984	1985	1986	1987	1988	
Change from baseline adopted:							
BA	+.7	−.4	−1.6	−2.7	−3.8	−5.0	−13.5
O	+.3	+(*)	−.8	−1.8	−2.9	−4.0	−9.5
Change from President:							
BA	+1.3	+5.4	+2.7	+2.8	+2.8	+2.8	+16.5
O	−0.3	+1.5	+2.6	+2.8	+2.8	+2.9	+12.6
New function total:							
BA	28	30.8	27.5	27.5	27.4	27.4	140.6
O	26.8	27.0	27.4	27.4	27.3	27.5	136.6

Elementary and secondary education: Remove discretionary increases that compensate for inflation (BA −$322 million, outlays −$52 million in FY84). Increase funding above last year's level for Chapter I, compensatory education (BA +$100 million, outlays +$7 million in FY84); and vocational education (BA +$60 million, outlays +6 million in FY84). Establish a new program for science and math education (BA $230 million, outlays $+37 million in FY84; no increases in out-years). Added $0.2 billion of BA in FY84 to allow forward funding of Impact Aid.

Post-secondary education: Remove discretionary increases that compensate for inflation (BA −$180 million, outlays −$31 million in FY84). No savings are assumed for the guaranteed student loan program.

Job training: Remove discretionary increases that compensate for inflation (BA−$0.5 billion, outlays −$0.2 billion in FY84). Provide the full nine month advance funding for the Job Training Partnership Act. Increase funding for the displaced worker program (BA +0.2 billion, outlays +0.1 billion in FY84), no funds for inflation or new initiatives in job training for youth, disadvantaged.

Social Services: Remove discretionary increases that compensate for inflation (BA−$0.2 billion, outlays −$0.1 billion in FY 84). Fund the social services block grant (Title XX) and the foster care program at full entitlement levels.

All other: Remove discretionary increases that compensate for inflation (BA −$43 million, outlays (−$29 million in FY84).

Health: Functions 550 and 570

A provision of the recent social security bill required that medicare expenditures be shown as a separate budget function, which now is designated "Function 570." Medicaid and all discretionary health service and research programs remain in Function 550. Since the President's budget did not provide a separate function for medicare, comparison's with his budget are only available on a combined basis.

	Fiscal year—						5-year total
	1983	1984	1985	1986	1987	1988	
Change from baseline adopted:							
BA	3.7	0.3	0.3	0.2	−0.1	−0.8	−0.1
O	.2	−.6	−1.5	−4.3	−7.5	−9.2	−23.1
Change from President:							
BA	.2	1.2	3.2	4.5	5.6	7	21.5
O	.0	1.8	3.3	4.9	6.4	8.4	24.8
New function total:							
BA	71.2	93.2	104.4	116.9	128.3	139.5	582.3
O	82.7	92.1	102.8	112.8	125.8	140.4	573.9

The Committee recommendation was adopted on a 10 to 8 vote, after rejecting Democratic marks that required less savings in both medicare, medicaid, and discretionary programs.

FUNCTION 550: HEALTH

	Fiscal year—						5-year total
	1983	1984	1985	1986	1987	1988	
Change to baseline:							
Medicaid:[1]							
BA	−(1)	−0.1	−0.6	−0.6	−0.8	−0.8	−2.9
O	−(1)	−.1	−.6	−.6	−.8	−.8	−2.9
Discretionary:							
BA	+.3	+.1	+.1	+(1)	−(1)	−.1	+.1
O	+.2	+.2	+.1	+.1	+(1)	(1)	+.3
Change from President:[2]							
BA	+.1	+1.3	+2.7	+3.1	+3.8	+4.4	+15.3
O	+.1	+.7	+1.8	+2.5	+3.0	+3.5	+11.4
New Function 550 Total:							
BA	25.1	31.8	35.0	37.8	40.9	44.3	189.8
O	29.6	31.8	34.5	37.2	40.1	43.3	186.9

[1] Includes medicaid effects of already-passed legislation: +$35 million in fiscal year 1984 outlays, +$384 million over 5-year period.

[2] Change from President figures are preliminary Budget Committee minority staff estimates, based on President's April reestimates. The President's budget has not been adjusted yet by OMB or CBO to reflect the separation of medicare into a new Function 570.

Major program assumptions in mark adopted

Medicaid: Caps on Federal matching amounts enacted 2 years ago under the Omnibus Budget Reconciliation Act would continue through 1988 (−$0.5 billion in fiscal year 1985 outlays, —$2.0 billion over 5-year period). The President's proposed regulatory savings and legislative proposal to require other third-party payors to assume payment responsibility before medicare were also assumed (−$0.1 billion in fiscal year 1984 outlays, $0.8 billion over 5-year period). The President's proposal for mandatory co-payments was not assumed. Provision had not been made in the mark for either new medicaid coverage for low-income pregnant women, or a program of health insurance for the unemployed, as is provided for in the House budget resolution.

Discretionary programs: The mark includes a little under half of the jobs bill increases for health block grant programs (+$103 million) through fiscal year 1988, with small additional amounts for maternal and child health, Indian health, primary care, and preventive health programs. Research would be funded at current policy baseline levels, but all education and training and other programs would be frozen at fiscal year 1983 levels, as recommended by the President. Because of the jobs bill action already taken by Congress, under this mark all discretionary programs will, in effect, be cut in fiscal year 1984 and beyond.

FUNCTION 570: MEDICAL INSURANCE (MEDICARE)

	Fiscal year—						
	1983	1984	1985	1986	1987	1988	5-year total
Change to baseline:							
Already-enacted medicare savings:							
O	+0.1	+0.1	+(*)	−2.2	−4.2	−4.7	−11.0
New medicare savings:							
O	−(*)	−.8	−1.0	−1.6	−2.5	−3.6	−9.6
New function 570 total:							
BA	46.1	61.4	69.4	79.1	87.4	95.2	392.5
O	53.1	60.3	68.3	75.6	85.7	97.1	387.0

Major program assumptions in mark adopted

Physician fees would be frozen for 1 year for those not accepting assignment (−$0.7 billion in fiscal year 1984 outlays, −$4.9 billion over 5 years). Part B (outpatient and physician services) premiums would remain at 25 percent of program costs for all enrollees after 1985, when this increase which was enacted last year would be terminated under current law. Premiums for those enrollees with incomes above $25,000 a year ($32,000 for a couple) would increase to 40 percent of program costs in fiscal year 1984, however. (Net effect of two premium increase provisions: −$0.1 billion in fiscal year 1984 outlays, −$4.3 billion over 5 years). Already-enacted provisions from the social security bill are included in the mark (+$0.1 billion in fiscal year 1984 outlays, −$10.5 billion over 5 years). Additional savings are assumed from continued hospital utilization review and continuation of the recently enacted hospice benefit.

New medicare savings included in the mark, in addition to social security bill provisions, amount to $0.8 billion in fiscal year 1984, and $9.6 billion over 5 years. The total medicare savings are about half those proposed by the President. While they do not require the drastic beneficiary cost-sharing in the President's budget, they approach the borderline of what can be achieved by strong provider cost control. If the assumed linkage of Part B premiums to income were adopted, it would be the first time a means-test concept has been used in medicare. Reconciliation assumptions to the Finance Committee for medicare assume −$0.8 billion in fiscal year 1984 outlays, −$3.4 billion in cumulative outlays over the 3-year fiscal year 1984 to fiscal year 1986 period.

FUNCTION 600: INCOME SECURITY—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year—						5-yr. total
	1983	1984	1985	1986	1987	1988	
Change to baseline:							
BA	+23.4	+16.4	+15.2	+13.9	+16.2	+29.1	+90.8
O	+.8	−3.2	−3.8	−5.5	−5.4	−6.8	−24.7
Change from President:							
BA	+2.0	+11.7	+8.4	+2.9	−3.6	+.7	+20.1
O	−.1	+2.4	+3.0	+1.9	+3.0	+2.8	+13.1
Total mark:							
BA	305.8	300.9	322.2	342.4	362.2	396.8	1,724.5
O	277.8	281.2	293.9	309.4	325.8	344.1	1,554.4

The mark was accepted as a compromise. Other marks were put on the board but not voted on.

Major assumptions reflected in funding totals (5-year outlay changes in parentheses):

1. Changes resulting from Social Security Amendments (−18.3 billion).

2. Changes resulting from jobs bill (negligible).

3. No cuts were made in AFDC, Food Stamps or assistance to refugees and entrants. The president had proposed about $5 billion in Food Stamp cuts over 5 years and about $1.5 billion in AFDC cuts over the same period.

4. Increased funding for WIC and child nutrition programs, relative to the baseline, of $200 million and $100 million respectively (−1.5 billion). The President has proposed a freeze for WIC spending at FY83 levels, resulting in $250 million less each year than in the Committee-adopted Budget Resolution, and $1.3 billion less over 5 years. The President also has proposed cuts in Child Nutrition programs totalling $1.8 billion over 5 years; relative to the baseline.

5. A COLA delay for Civil Service, military and other retirees and disability benefit recipients to January of each fiscal year. The change first would occur in FY84 (−3.5 billion). The Committee rejected other drastic reforms proposed by the President.

6. A requirement for unemployment individuals to have worked 20 weeks or more before they qualify for unemployment benefits (−1.5 billion).

7. Provision of strong incentives for state program efficiency in the Child Support Enforcement program and a requirement to use several cost-effective collection procedures (−.6 billion). These changes were recommended by the President.

8. Achievement of sovency in the railroad retirement fund (−2.9 billion). The President had recommended the automatic benefit cuts that occur under current law whenever the trust fund is low. The Committee's Budget Resolution made no reductions in the Federal windfall subsidy.

9. A funding freeze at FY83 was assumed for all other discretionary programs. Providing full inflation adjustments for new and existing low-income housing programs and for Low Income Energy Assistance would have required increases of Budget Authority totalling $8.3 billion over five years. The Committee's freeze would also result in $2.0 billion in lower outlays for administrative expenses for the Social Security Administration (relative to the baseline).

10. The Committee's Budget Resolution repeats language from the previous two years which would allow the Agriculture Committee to achieve its reconciliation savings by making cuts in either entitlement programs or in programs subject to appropriation or both. Food Stamps is the largest program under the Committee's jurisdiction which is subject to appropriation. This year, the Budget Committee voted to make no further cuts in Food Stamps. For this reason, the repetition of the same language for the Agriculture Committee this year's resolution would be problematic. This problem needs to be corrected with a technical amendment on the Senate floor.

NOTE.—The recent Social Security bill requires spending for the Social Security Old Age, Survivors and Disability programs to appear as a separate function, and they appear as Function 650 in the Resolution and the Committee Report. Since the Committee recommended no funding changes other than those already enacted, we have not shown them separately.

FUNCTION 700: VETERANS BENEFITS—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year—						
	1983	1984	1985	1986	1987	1988	5-Year total
Change from baseline:							
BA	+0.3	−(*)	+0.8	+0.9	+1.1	+1.2	+4.0
O	+(*)	+.2	+.6	+.6	+.9	+.9	+3.2
Change from President:							
BA	+.3	−.2	+.5	+.4	+.4	+.3	+1.4
O	+.0	+.3	+.5	+.3	+.4	+.1	+1.6
New Function Total:							
BA	25.2	25.7	26.8	27.3	27.8	28.2	135.8
O	24.5	25.7	26.4	26.7	27.2	27.6	133.6

The mark is $0.3 billion in BA above the baseline for fiscal year 1983 and fiscal year 1984 combined, and $4.0 billion above the baseline in BA, and $3.2 billion above the baseline in outlays over the 5-year period. The mark is also above the President's (+$1.4 billion in BA over 5 years) and the House Budget Committee (+$0.9 billion in BA over 5 years).

Major assumptions

The mark moved was the Veteran's Affairs Committee recommendation with adjustments for the jobs bill (+$75 million in BA in fiscal year 1983), Social Security Bill, and an anticipated fiscal year 1983 supplemental request to transfer $0.3 billion in BA for medical construction from fiscal year 1984 to fiscal year 1983. (The medical construction increases were requested in the President's fiscal year 1984 budget.)

Pension COLA's were assumed to be delayed 6 months which was achieved in the Social Security bill. Compensation COLA's were assumed to be delayed 6 months in the first year (fiscal year 1984) but in order to put them on January to January schedule beginning in fiscal year 1985 they were delayed three months each year thereafter, roughly reducing the out-year savings by one-half. (The January to January schedule was incorporated into the mark.)

The mark rejected the President's proposal to base compensation COLA's in fiscal year 1985 and beyond on a sliding scale related to degree of disability.

The mark also included the Veterans Affairs Committee recommendation for $150 million additional in fiscal year 1984 BA and outlays for a readjustment initiative. This was not included in the House or the President's recommendations.

The President's requested increases in medical services and construction were approved, with two-thirds of the fiscal year 1984 BA increase of $440 million shifted to fiscal year 1983, as noted above.

FUNCTION 750: ADMINISTRATION OF JUSTICE—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year—						5-year total
	1983	1984	1985	1986	1987	1988	
Change from baseline:							
BA	+0.1	+0.6	+0.3	+0.3	+1.0	+0.7	+2.9
O	+(*)	+.6	+.4	+.3	+1.0	+.7	+3.0
Change from President:							
BA	+0	+.5	+.3	+.5	+1.2	+.8	+3.3
O	+0	+.5	+.4	+.3	+1.1	+.8	+3.1
New function total:							
BA	5.2	6.0	5.8	5.9	6.7	6.5	30.9
O	5.1	6.0	5.9	5.8	6.6	6.4	30.7

The mark assumes implementation of the emergency jobs bill as well as real growth increases for law enforcement programs beginning in fiscal year 1984. The mark would continue the Legal Services Corporation and the Office of Juvenile Justice Delinquency Prevention [OJJDP] at current law levels to insure they are not terminated, as was proposed by the President. The mark also includes funds for the anticipated passage of immigration reform legislation, and for criminal justice assistance and emergency aid to State and local governments. No other mark was offered during the Committee's debate on function 750.

FUNCTION 800: GENERAL GOVERNMENT—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year—						5-yr total
	1983	1984	1985	1986	1987	1988	
Change to baseline recommendation:							
BA	+0.1	+0.2	+0.2	+0.2	+0.1		+0.7
O		+.3	+.2	+.2	+.1		+.8
Change from President:							
BA	−.2	−.2	−.3	−.2	−.2	−0.3	−1.2
O	−.2	−.2	−.2	−.2	−.2	−.3	−1.1
New function total:							
BA	5.6	5.7	6.0	6.2	6.3	6.3	30.5
O	5.7	5.7	5.8	5.9	6.0	6.2	29.6

The mark assumes implementation of the emergency jobs bill in which $100 million in budget authority was provided for the repair and alteration of Federal buildings. The mark also includes the President's requested increases for the Internal Revenue Service (+0.2 billion BA, +0.2 billion outlays in fiscal year 1984) to enhance its tax collection, investigation and taxpayer services. The mark would fund the Federal buildings fund at baseline levels and would continue the rest of the programs in the function at current law levels through fiscal year 1988. During consideration of the proposal, a compromise was reached to include funds for the National Science and Technology Advancement Act of 1983 in this mark.

FUNCTION 850: GENERAL PURPOSE FISCAL ASSISTANCE—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal Year—						5-yr total
	1983	1984	1985	1986	1987	1988	
Change from baseline:							
BA							
O							
Change from President:							
BA		+0.3	+0.7	+0.9	+1.2	+1.4	+4.5
O		+.2	+.6	+.9	+1.1	+1.3	+4.1
Committee Recommendation:							
BA	6.4	7.1	7.2	7.5	7.9	8.2	37.9
O	6.4	7.0	7.1	7.5	7.8	8.1	37.5

On April 13, the Senate Budget Committee adopted baseline levels for the general purpose fiscal assistance function (850). The levels were agreed to without objection and no specific assumptions were made for either general revenue sharing or other programs in this function.

Under the President's proposal for this function, the general revenue sharing program would be continued at current law levels, which include several built-in increases; receipts from the Mineral Leasing Act would be transferred to fund the payment in lieu of taxes (PILT) program and the District of Columbia's borrowing requirements would be transferred to the tax-exempt private market. The President also recommended that all other programs in function 850 be funded at baseline levels through fiscal year 1988. Neither this nor any additional marks were offered during the committee's consideration of this function.

FUNCTION 900: NET INTEREST—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year—						5-yr total
	1983	1984	1985	1986	1987	1988	
Change from baseline:							
BA	+0.3	−0.7	−4.8	−10.4	−16.8	−24.1	−56.8
O	+.3	−.7	−4.8	−10.4	−16.8	−24.1	−56.8

FUNCTION 900: NET INTEREST—FILE REPORT—FIRST RESOLUTION MARKUP 1983—Continued

	Fiscal year—						5-yr total
	1983	1984	1985	1986	1987	1988	
Change from President:							
BA	0	−1.9	−4.5	−6.9	−8.7	−10.2	−32.2
O	0	−1.9	−4.5	−6.9	−8.7	−10.2	−32.2
New function:							
BA	87.6	95.3	102.1	104.3	106.8	107.6	516.1
O	87.6	95.3	102.1	104.3	106.8	107.6	516.1

Thus function contains the net effect of all spending and revenue changes consistent with the Committee's marks. There are no other policy implications associated with the changes. The large changes come from reducing the deficit and thereby reducing interest on the national debt. Had the Committee adopted the President's revenue levels, interest costs would have been $25.3 billion higher over the 5 years.

FUNCTION 920: ALLOWANCES—ACTION COMPLETED—WEDNESDAY, APRIL 13, 1983

	Fiscal year—						5-yr Total
	1983	1984	1985	1986	1987	1988	
Change from baseline adopted:							
BA		−1.0	−1.3	−1.7	−2.0	−2.5	−8.6
O		−1.1	−1.4	−1.8	−2.2	−2.6	−9.1
Change from President:							
BA	+.8	−.3	−2.0	−2.9	−3.6	−4.4	−13.2
O	+.9	−.4	−2.0	−2.9	−3.7	−4.5 −13.5	
New function total:							
BA	.8	.6	1.9	3.2	4.6	6.0	16.3
O	.9	.6	2.0	3.4	4.9	6.4	17.3

Major assumptions

Mark proposed a six-month pay freeze, and then a 4 percent increase in April 1984. The six-month delay would result in a permanent shift of the effective date of the pay increase from October to April. The Committee recommendation also assumes the President's fiscal year 1983 pay supplemental request. This requires 50 percent absorption of the costs associated with the October 1982 pay raise for agencies other than the Department of Defense. The President's request assumed no October 1983 pay raise for federal civilian employees. Annual pay raises would resume in October 1984.

FUNCTION 950: UNDISTRIBUTED OFFSETTING RECEIPTS—ACTION COMPLETED—FILE REPORT—FIRST RESOLUTION MARKUP 1983

	Fiscal year—						5 yr total
	1983	1984	1985	1986	1987	1988	
Change from baseline adopted:							
BA		−0.5	+0.1	+0.1	+0.2	+0.2	+0.1
O		−.5	+.1	+.1	+.2	+.2	+.1
Change from President:							
BA	+0.2	+1.0	+3.1	+3.2	+3.4	+3.5	+14.2
O	+.2	+1.0	+3.1	+3.2	+3.4	+3.5	+14.2
New function total:							
BA	−18.0	−17.9	−18.7	−23.5	−22.0	−22.2	−104.3
O	−18.0	−17.9	−18.7	−23.5	−22.0	−22.2	−104.3

The Senate Budget Committee mark has $14.2 billion less savings than the President in BA and outlays, FY 84 to 88. This function includes the so-called employer's share of employee retirement, and receipts (rents and royalties) from Outer Continental Shelf oil and natural gas leasing. The House recommendation is slightly above the CBO baseline level of receipts.

Major assumptions

The Committee adopted the CBO baseline estimates for BA and outlays with two slight modifications: first, $0.6 billion more receipts (rents and royalties) from OCS lease sales than the CBO estimate; and second, $0.1 billion fewer receipts because of reduced employer contributions to employee retirement funds caused by the pay recommendation for federal civilian employees, in Function 920.

Additional Views of Senator Lawton Chiles

We have reported a budget resolution.

It was a struggle. But it was a struggle of good will rather than bad faith, and accomplished within the framework of a maturing congressional budget process. With persistence, we believe we can convert this bipartisan agreement into a bicameral budget, a joint program of both parties and two Houses pursuing the one goal of a renewed American economy.

This resolution is reported just as economic recovery appears to have begun despite administration policy over the last few years. But, the recovery is an infant, new and fragile. High interest rates threaten it. Had we been unable to adopt a budget resolution, a strong signal would have been sent to the credit markets that deficits as usual were acceptable to this Congress. Growing deficits would have fueled a resurgence of interest rates and aborted the recovery.

If we are not firm in defending the work of the Committee to reduce the 1984 and 1985 deficits, a credit crunch could occur as private borrowing for houses, autos and business picks up in the coming years. Therefore, it is important that we keep in place the revenues this resolution will generate, not revenues born of new tax increases, but revenues reclaimed by avoiding further tax cuts.

While our economic problems remain severe, the congressional budget process had helped head-off "what might have been"—still higher deficits, substantial inequity, and an eventual slide into one-party executive budgeting. We believe that Democrats have helped prevent those things through active involvement in this year's budget process after two years of exclusion.

Democrats were successful this year in making two critical points prevail in the Budget Committee. First, there is simply no way we can continue paying for tax cuts with money we don't have. Those tax cut-dollars become deficit-dollars the instant they are approved.

This year, there was basic bipartisan agreement that we could not cut domestic programs any further than we already had without imperiling the well-being of millions of needy people. That left us with two ways to cut the deficit; restrain defense spending, and find more revenues. Democrats made it clear from the beginning we were determined to cut the deficit regardless of the administration's willingness to defend it. The Democratic position prevailed in the Senate Budget Committee. This budget resolution, therefore, is a step forward. But it is not without imperfections.

The most serious shortcoming is a Federal deficit that's still too high.

Under the terms of this resolution, the deficit in Fiscal 1984 will be $163.3 billion, almost $11 billion below the House-passed resolution. Yet, the President's budget contained a Fiscal 1984 budget deficit of $185 billion. The President's budget also included deficits of $179 billion in Fiscal 1985; $149 billion in Fiscal 1986; $161 billion in Fiscal 1987; and, $160 billion in Fiscal 1988.

The budget resolution reported by the Senate Budget Committee contains deficits of $147.0 billion in Fiscal 1985; $133.2 billion in Fiscal 1986; $135.1 billion in Fiscal 1987, and; $123.6 billion in Fiscal 1988.

The deficits in this resolution are still high, but lower than those projected by the White House, and on a definite downward slope in each succeeding year. In fact, the deficits in this resolution are lower in every year than those recommended by the President: $37.1 billion lower in Fiscal 1984; $32.1 billion lower in Fiscal 1985; $16.0 billion lower in Fiscal 1986; $25.9 billion lower in Fiscal 1987, and; $36.7 billion lower in 1988. That's $148 billion less in red ink over the next five years.

This is the resolution's key virtue. It should be a clear indication that this Committee and the Congress, generally, recognize that federal deficits which remain high will continue to push interest rates higher. And, as long as interest rates are high, they will tax the American worker every time he or she buys anything on credit. With that kind of drag on the national economy, we may have economic rebounds, but we will never achieve durable economic recovery. Thus, while we cannot excuse the size of the deficits, we believe their downward path is essential for the long-range health of the economy.

The following table illustrates as percentages of the Gross National Product, the impact of this resolution in the major areas of the budget. Even after restraining real growth to 5 percent, outlays for national defense will *rise* from 6.7 percent of GNP in Fiscal 1983 to 7.6 percent in Fiscal 1988. Outlays for nondefense discretionary spending *decline* from 4.6 of GNP in Fiscal 1983 to 3.6 percent of GNP in Fiscal 1988. Entitlement spending *declines* from 12.0 of GNP to 10.4 in Fiscal 1988. Since by 1988 each 1 percent of GNP equals about $50 billion, this is substantial restraint. The overall effect of this resolution is to dampen spending to the extent that outlays for interest on the national debt will be *reduced* by nearly $57 billion by 1988.

MAJOR COMPONENTS OF THE BUDGET AS A PERCENT OF GROSS NATIONAL PRODUCT

	Fiscal year—						Change
	1983	1984	1985	1986	1987	1988	
National defense:							
Outlays	6.7	6.9	7.1	7.2	7.4	7.6	+0.9
Nondefense discretionary:							
Outlays	4.6	4.5	4.2	3.9	3.8	3.6	−1.0+
Entitlements:							
Outlays	12.0	11.0	10.7	10.5	10.4	10.4	−1.6
Revenues	18.9	19.6	20.0	20.0	20.2	20.4	+1.5

DEFENSE

The First Concurrent Budget resolution approved by this Committee includes some major choices. It reflects, first of all, a pervasive bipartisan conviction that our national defense needs to be strengthened. It, therefore, provides for a real five percent growth in spending for our military. In Fiscal 1984, the budget resolution allows for $267.0 billion in budget authority, an increase of $22.9 billion over 1983 and enough to add new and needed muscle to our defense readiness capability.

The defense choices assumed by this Committee combine the notion that we need a strong defense with the view that we need an economy strong enough to build it. Every member of this Committee felt the pressure to increase defense spending to the higher level sought by the White House. Yet many of us were, and remain, skeptical about the capacity of American industry to absorb those larger annual outlays. Moreover, at a time when every sector of the economy has had to accept some measure of restraint, we believe immunizing the defense sector would have jeopardized public support for the necessary defense improvement.

The Democrats on the Senate Budget Committee believe, therefore, that the defense numbers in this resolution are consistent with a steady modernization of our armed forces, and a national belief that we must do what is reasonable in a troubled world to defend our country.

REVENUES

On the question of revenues, the choices before the Committee were no less difficult. Democrats found no wisdom in the arguments of those who insisted that we should cut taxes more in the teeth of huge Federal deficits. Virtually nobody argues that two years of massive tax cuts have prompted the current recovery. Recovery began as a result of last year's tax increase, coupled with a more accommodating monetary policy.

Through long days of budget discussion—in full Committee, and, informed by public hearings with the Nation's most noted economic experts—we sought revenues adequate to hold back the growth of deficits. At least five different proposals were put to a vote in Committee before we arrived at a revenue number that provides both equity and deficit reduction. The key was the last revenue vote taken when the Committee endorsed the Democratic proposal to head off another $148 billion deficit expansion between Fiscal 1984 and 1988. While the adopted revenue number seems large, it is less than a fifth of the amount by which tax cuts have exceeded spending cuts. The Committee agreement made it clear that deficits must be cut this year, and in each of the years ahead.

There can be no doubt that the structural deficit so often mentioned during this year's budget debate rises largely from earlier tax cut action. As the following table illustrates, previously enacted tax changes raised the Federal deficit by $859 billion between 1982 and 1988. The table also shows that previously enacted cuts in non-defense spending reduced the deficit by $387 billion. Democrats believed it was necessary to attack the deficit at its source. Since the largest source of the deficit was revenue policy, we adjusted that policy. Democrats proposed that approach and the Committee endorsed it by a margin of three to one.

The table below shows the situation that existed prior to adoption of the Budget Resolution by the Committee. As a result of the Committee's action, the revenue increases are only a fraction of the $757 billion by which the tax cuts exceed the spending cuts.

INCREASE IN THE DEFICIT ATTRIBUTABLE TO CONGRESSIONAL POLICY ACTION

[Fiscal years; billions of dollars]

	1982	1983	1984	1985	1986	1987	1988	Total
Tax reduction	38	68	93	121	154	178	207	+860
Defense spending increases	1	15	27	47	65	65	65	+285
Nondefense spending cuts	−42	−47	−56	−59	−61	−61	−61	−387
Net change in deficit due to policy action	−3	36	64	109	158	182	211	+757

Source: CBO baseline budget projections for fiscal years 1984 and to 1988.

If the size of the deficit generated by the tax cut concerned us—and it did—the lack of equity in tax policy under the Reagan administration concerned us just as much. That concern is graphically demonstrated by information supplied by the non-partisan Congressional Budget Office (CBO).

The CBO analysis found that households with less than $10,000 in annual income actually lost $320 as a result of the earlier tax cuts. For those with annual incomes between $20,000 and $40,000, the gain added up to just $710. However, households with annual incomes over $80,000 actually gained an average of $14,000. Moreover, the net

cost to the Treasury—the net increase in the deficit and net extra cost to the other taxpayers earning less than $80,000 annually—was nearly $21 billion a year.

While there are any number of ways to find necessary revenues under this budget resolution, Democrats believe that a spirit of equity requires a modification to protect low and middle income people.

DOMESTIC SPENDING

As much as Democrats are aware of the need to restore adequate revenues in the fight to shrink budget deficits, we also appreciate the need for continued restraint in domestic spending. While we acknowledge that restraint must go on, the nation is still faced with the need for long-term investments in programs like education and science training. We need a long-term commitment to the basic scientific research which feeds industrial technology. We need an increased commitment to our "domestic defense" to fight crime. And we see the necessity for extending the programs that defend the deeply needy from the pain of the recession.

For those reasons, this budget resolution accommodates the Social Security reform package approved with bipartisan backing by the full Senate. The resolution also makes room for an essential jobs program to aid those who have been out of work so long as a result of the recession.

Each addition represents a necessary expenditure focused on those who need help the most. We will state, candidly, we wish the amounts could have been higher because the need is indisputable. But, in an era of limits, we have done the best that could be done while still keeping an eye on the general benefit that will flow to the working force from an economy restored to an even feel. We hope that some of the necessary funds can be restored in the full Senate or in conference to help repair the cuts in Medicare, for example, which were too deep.

Overall, we believe some general conclusions can be drawn from this first concurrent budget resolution and the process that created it:

Recovery is occurring in spite of what administration policy has done to the economy in the last two years. Democrats believe we must take the prudent steps required to contain federal deficits as a means of sustaining the recovery.

It is the belief among the Democrats on the Budget Committee that the resolution affirms the worth of the Congressional Budget process. It underscores the need for bipartisan involvement in a budget process too often dominated by the executive branch. And, if the congressional budget process seems to have occupied an inordinate share of our time, it is only because the economy itself had demanded so much of our attention.

Democrats aren't completely satisfied with this budget resolution. Yet, Democratic actions in this year's process make it clear we stand for certain core beliefs, including: economic recovery and low interest rates through reduced federal deficits; a restrained fiscal policy coordinated with a less rigid monetary policy; equity, especially for those who have suffered the longest with the recession at its deepest; fairness, such that no sector of the economy is immune to the contribution necessary for strong recovery, and; jobs.

We reaffirm the need for modernization of the American defense force at a rate consistent with the overall economic health of the nation.

We reassert the belief that the Federal reserve must be an active partner in achieving economic growth.

Finally, Democrats recognize that the preliminaries are over. This budget resolution is only round one in a prudent and disciplined policy of economic restoration already delayed too long. There is much work to do. There may even be changes when this resolution reaches the floor of the Senate. Yet, one fundamental change has already been made, and that is the fact that both parties have, at last, had a voice in the budget process.

There should be no illusion about the conditions that produced this resolution. The Republican members of this committee were, by their own admission, deadlocked among themselves over revenue levels. Democrats on the Committee were united in the belief that federal deficits are so corrosive that adequate revenues—in addition to restraint of defense and domestic spending—were required to cut the deficits before they knocked the economy off its hinges.

It is to be expected that this resolution will be tested on the Senate floor by those who believe high federal deficits are tolerable. Nevertheless, Democrats are convinced that the deficit reduction measures in this resolution are essential, and we will continue to do all we can in the pursuit of a realistic and effective budget.

Mr. DOMENICI. Mr. President, I yield to the distinguished junior Senator from Washington (Mr. GORTON) as much time as he desires.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. I thank the Chair.

Mr. President, the opening statements by each of the previous speakers, the chairman and the ranking minority member of the Senate Committee on the Budget, have certainly outlined the difficult questions with which the Senate is going to have to struggle for the balance of this week. Perhaps in aid of shedding slightly more light on those difficult questions, it might be well to begin this discussion with the question of what a budget or a budget resolution actually does, what it is designed to accomplish.

First, of course, it outlines, at least in general terms, what we are going to devote to the national security of the United States not just for 1 year of the future but, to a certain extent, at least, for the next 5 years.

Second, it provides an outline of the scope of the social services which are going to be provided by the Government of the United States to and for the people of the United States. Some of these are a fundamental part of the national consensus on the role of the Federal Government in our lives. Others of those services, or course, are highly controversial and are not a part of any national consensus whatsoever.

The budget resolution results in a redistribution of income earned by some people in this society to other elements in the society, again based on a number of commonly accepted premises or perceptions of fairness in the conduct of our national lives together.

Next, the budget resolution outlines or determines what share of the gross national product or the produce of the entire American economy we wish to devote to the services provided by the Government of the United States.

Finally, of course, the budget resolution provides guidelines for what proportion of these services we wish to pay for directly, now, through the tax system, and how much of what we are buying today we intend to leave to our successors to pay, either directly or indirectly, through inflation. A reflection of that latter set of choices is that one of the two or three largest elements in the Federal budget which we are adopting this year is interest on the national debt, which, of course, represents the bill for goods and services purchased by our predecessors, but not paid for by them.

Because this resolution and these decisions are so central to the very purposes of the Government of the United States, it is surprising, not that there is so much disagreement over an appropriate course of action, but that there is a certain degree of fundamental agreement about the directions which we should be pursuing. The most fundamental element of that agreement, which is reflected eloquently in the statements of both the Senator from New Mexico and the Senator from Florida, is that all projections at the present time call for budget deficits which are far too large and which, somehow or other, should be reduced. That common perception was a thread which followed through all the deliberations of the Budget Committee in arriving at the resolution which is on the floor here today.

In comparison with my 2 previous years on the budget committee, there has been relatively little pressure for substantial increases in Federal spending programs. Everyone recognized that there had to be restraint in those programs, although our views of what programs to refrain are different. All recognized the necessity for some spending increases in national defense; but, almost without exception, all recognized that those increases should be smaller than those asked by the administration.

In a sense, this is a very encouraging element in this year's debate. It should not be allowed, however, to disguise disagreements—not only between the two major political parties represented in this body, but also within and among the individual Members of those political parties who are Members of the U.S. Senate.

All of us pay at least lipservice—and most of us very serious service—to the proposition that budget deficits should be lessened; but all of us have certain

caveats about just how those deficits are to be lowered. To many Members of this body, the preservation not simply of a social services safety net but also the preservation, for all practical purposes, of every existing social service program at its present level and growth rate, are more important than reductions in the deficit, at least in the short run.

Others have the same feeling about capital investment in the infrastructure of the United States. Still other Members, pointing out that the primary duty of any political entity is its own self-preservation, feel that no matter what the impact of expenditures for national defense on the deficit, this duty must be met to the fullest degree possible.

Finally, there are other Members of this body who, while they abhor budget deficits, abhor even more any necessity to raise taxes above their present levels.

When one adds up all these caveats about how to reduce budget deficits, perhaps it is not surprising that we face a deficit of close to $200 billion in fiscal year 1984 and, unfortunately, equally large deficits as far as the eye can see. This will occur unless a majority of us enter into some kind of compromise on these other priorities.

I suspect that we should also ask ourselves the question as to what the effect of budget deficits is.

I think that very few Members of the U.S. Senate would be overwhelmingly concerned even with these huge budget deficits if they felt that, somehow or other, they were consistent with strong economic recovery; if they felt that, somehow or other, we could have 4 to 6 percent real growth in the economy of the United States in spite of $200 billion deficits; if they felt that we could have that kind of growth with a relatively low rate of inflation—perhaps at its present level—or if they felt that, somehow or other, in spite of those huge deficits this year and in future years, we could persuade interest rates to continue to go down.

That is to say, if all the good things we hope result from responsible government and from an intelligent and hard-working citizenry—lack of inflation, predictability of our monetary system, and real growth and improved job opportunities for our citizens—if all these things could take place, faced with deficits we see under present spending and taxing programs, then we would be willing to accept those deficits. But if there is another subject on which almost every Member of the Senate is united, it would be that those large deficits and economic recovery are inconsistent.

The fact is that $200 billion deficits during the course of the next 5 years are not consistent with noninflationary economic growth spurred by relatively low interest rates. We may disagree on what the primary impact of those deficits will be. Will it be double-digit inflation within the next year or 2 years? Will it be a return to 20 or 21 percent prime interest rates? Or will it be simply a stagnation in our economy; no growth or very little growth, a growth rate too small to return the more than 10 percent of our work force which is now unemployed to constructive, worthy, and secure employment?

We may not all be able to predict which of those consequences will result from $200 billion deficits. But all of us are quite certain that at least one of those untoward consequences will result; and many of us fear that all of them will result at precisely the same time.

In summary, we seek lower budget deficits not as an end in themselves but as a means to another end—the goal of a healthy economy, which all of us share.

At the same time, I suppose we must all admit that we do not know as much about our economy or the international economy as we would like. We have seen substantial recovery in the course of the last 6 months in a number of areas in our country. We have seen only modest recovery in others, and we are very worried about the economic indicators in still other elements in our economy. So we must start this process with a certain degree of humility about our ability to predict the consequences of what we do.

I should like to point back to the very difficult process through which we went last year, a year in which we did end up providing some significant restraints on spending growth and some fairly substantial increases in taxes and other forms of revenue. Once our action was completed late in the summer, it was promptly followed by substantially lower interest rates and by at least the beginning of an economic recovery.

By the same token, we must admit that although impetus was gained by the action of last year, last year's action is not likely to have further positive effects unless we are able to make similar choices this year.

Having made that statement, I should also state that this year's budget resolution differs from those of at least the last 2 years in another respect, and that respect is a matter which reflects great credit on both the chairman of the Budget Committee and the ranking minority member. The willingness of members of the committee to work together, to share a common goal, even when they did not share views on means to that goal, was personally very rewarding to me and I think to other members of the committee as well.

Both the position of chairman and the position of ranking minority member on the Budget Committee are difficult and fraught with not only many challenges but many pulls in different directions at the same time. In some respects, as close as I am in friendship to the chairman, I think that it may be even more difficult for the ranking minority member to try to get his party's members to determine how much they are willing to cooperate with the majority, how far they can bury some of their own ideas and the ideas of other people and work toward a constructive solution, and how much they simply need to follow their own personal or collective philosophies. These are struggles to which there are no certain answers and perhaps not even any ultimately correct answers, but they are nonetheless very, very difficult.

With that, how does this resolution before us today measure up to these choices? It has come out of the committee with a bipartisan majority, but with a shifting majority. There were different majorities behind different elements within the resolution. What therefore is the resolution likely to accomplish as we look forward to the future of our economy?

Remarkably enough, all of the budget proposals which have been seriously considered do lower the budget deficits. As much as I dislike the House budget resolution, one can at least project somewhat lower deficits from it than would be the case if we did nothing at all.

Certainly, the Senate Budget Committee resolution has that attribute. So does the proposal which was made to us originally by the President, as well as that which represents a more recent view of the White House itself, so does the most conservative proposed resolution, with which we will deal during the next few days. How each of these resolutions would affect the economy, however, is likely to be very, very different.

Some depend on cutting way back on the growth in our national security apparatus, without providing the same degree of discipline in other spending programs. Others are more balanced from a spending interest point of view. Others are very conservative from a spending point of view and see the need for little if any new revenue, and some depend for their success in reducing deficits largely on increases in taxation.

In my view, the resolution which is before us right now takes an appropriate attitude toward the needs for a strong national defense. It does so in two ways. First, it calls for a reasonable increase in the percentage of our economy which goes to national defense. Second, it subjects the defense budget to responsible discipline. This means that we can continue any needed increase over an extended period of time, rather than vacillating

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between huge increases in a 1- or 2-year period, followed by a public reaction against the Defense Establishment, which results in no increases at all, or decreases, subsequently.

It is perhaps unfortunate that much of the debate over the national defense budget has revolved around percentage numbers. Are we going to increase the national defense budget by 10 percent in real dollars, by 7.5 percent, by 5 percent, by 2.5 percent, or whatever? Those who speak most eloquently for a national defense point out that we should indeed spend whatever is necessary to preserve and protect the security of the United States and of its allies. And that argument is hard to square with specific percentage numbers.

In my view, perhaps the strongest element supporting the resolution, as reported by the Budget Committee, is that it was not based on a specific percentage number, but rather on a certain perception of need put together by the staff of the Senate Budget Committee itself, a clear and cogent direction for the future of national defense.

We describe the resolution for shorthand purposes, as calling for a 5-percent real increase in each of the next 5 years, though in fact the actual percentage varies, above and below that line, and is based on a specific concept of a strong national defense.

The budget resolution itself, of course, cannot answer some of the more serious and fundamental questions about our national Defense Establishment. How do we divide limited amounts of money between new weapon systems and the readiness of our present forces? What number of men and women do we need in our armed services? How do we develop a better ability to predict what national defense is going to cost in the future? How do we establish better and more realistic contracting provisions? And so on.

I believe, however, that though the budget resolution cannot answer those questions, this resolution presents both the Department of Defense and the Armed Services Committees in the Senate and in the House of Representatives with a strong incentive not only to ask those questions but to come up with realistic and responsible answers to those questions.

It is not a resolution which is going to allow each of the members on those committees, and the Department of Defense itself, to do whatever it wishes to do, or perhaps even whatever it feels is necessary to do. It is going to require the setting of a number of priorities in this respect.

As all of us know, there may be a proposal to raise the dollar number for national defense in the course of this next week. For all I know, there may also be proposals to cut it somewhat. Because I feel that the proposal of the Senate Budget Committee is very, very close to where we should be at the end of the budget process, I may, with some reluctance, vote a somewhat higher figure as a part of an overall resolution. This would be in order ultimately to reach the spending figure the Senate Budget Committee has reached, after conference with the House. On the other hand, I think it equally responsible to vote precisely for the proposal of the Senate Budget Committee though, that may make it somewhat more difficult for those who feel that that is the appropriate spending level to carry the day in conference.

Next, we get to nondefense spending, both for the huge entitlement programs, and for discretionary domestic spending programs, which have taken a smaller and smaller share of the overall budget during the last several years. In the field of domestic spending this budget resolution is a more dramatic example of compromise among the members of the committee, and between the two parties, than is any other element in the budget resolution.

I must say that I would prefer a greater degree of spending restraint in a significant number of programs than is present in this budget resolution.

At the same time, this resolution represents, for many Members of this body, very difficult elements of restraint for which to vote.

It continues the process of reform—we hope constructive reform—of the medicare system. Medicare is very likely to run up huge deficits in the next few years, unless we take decisive action right now. This resolution does not, on the other hand, significantly reform many other entitlement programs which show very worrisome trends as we look at their future.

In the discretionary areas, this resolution provides certain modest increases in child nutrition spending and in the WIC program, and in other discretionary health service spending programs. It provides some modest increases in compensatory education and for vocational education. It allows for new initiatives in improving science and mathematics education, and thus enhances the ability of the U.S. economy to grow and prosper in an increasingly competitive world. It increases research and development in environmental fields and for basic research.

All in all, it represents a responsible, middle-of-the-road approach toward spending priorities.

It might be advisable for the Senate to adopt a somewhat more conservative domestic spending program, if only to try to reach the reasonable level of this Senate budget resolution in a conference with the House. The House has seen fit to cancel most of the domestic spending restraint initiatives of the past 2 years.

Finally, of course, we get to the approach of this budget resolution toward taxes and other revenues. Both the chairman and the ranking minority member have been widely quoted as stating that, in connection with taxes, this resolution represents the proposal of the distinguished Senator from Florida. This is an approach toward taxes which is not greatly different from that of the House of Representatives.

It represents a point of view with which the chairman and I, and other Republican members of the Budget Committee disagree, even though we voted for it in the Senate Budget Committee. We voted for the resolution as a vehicle by which we could transfer the debate over these policies from that committee to the floor of the U.S. Senate.

I find much which is appealing and persuasive in the statement of the distinguished Senator from Florida in this respect. I am convinced that, as we look down the road toward the necessity of lower budget deficits, we are almost certain to require a revenue base which is greater than that which the present Tax Code will supply.

I am also very much concerned about significant changes in those tax laws in a year which marks the beginning, and at this point still a rather delicate, not tremendously healthy beginning, of economic recovery. The third year of the individual tax cut is now so profoundly a part of economic expectations during the course of the next year that its cancellation at this late date would, in my view, be very likely to cause an economic relapse.

Perhaps the greatest disagreement I have with my friend from Florida, however, is not over the third year of the tax cut but over what we might call the fourth year of the tax cut, using that statement in its broadest possible sense. That is the indexing provisions which were included in the 1981 tax bill. Mr. President, I believe that those indexing provisions are even more vital to our long-term economic health, and to the fiscal responsibility of the Congress of the United States, than the third year of the tax cuts. Despite extended debate on this issue at the time of its original passage, even here in Congress there are a number of Members who do not appreciate the importance of indexing, not only for fairness, but also for the health of our economy itself.

When the tax-indexing provision was passed, the arguments most frequently advanced in its favor were that, first, it was a provision which benefited the most the low- and moderate-income taxpayers; and, second, that it was defensible on the ground of pure responsible policymaking.

That second argument is particularly important. Tax indexing avoids the kind of backdoor tax increases which occurred consistently in the 1960's and 1970's as inflation pushed people into ever-higher tax brackets without increasing the real value of their incomes.

Both reasons are still good reasons for supporting indexing. Indexing is of no value to those paying the highest tax rate. They are not subject to bracket creep no matter how high the rate of inflation. Indexing, on the other hand, protects those who are in lower tax brackets and those taxpayers who take a standard deduction rather than itemize deductions.

The repeal of indexing will certainly have the effect of shifting some of the tax burden from high-income persons to low- and moderate-income individuals and families. So those original reasons for supporting indexing remain valid. But there is a third reason for its retention. This third reason is less frequently advanced but, in my opinion, is of equal importance.

Mr. President, the elimination of the tax-indexing provisions would be a clear signal to financial markets, to the business and industrial community of the United States, that the Federal Government is not serious about fighting inflation. The termination of tax indexing produces additional revenues only if, and precisely to the extent that, the economy is subject to inflation. Why fight to eliminate tax indexing if you believe we are entering a noninflationary period of time?

Under those circumstances, no additional revenues will be raised. No changes will take place in tax rates or receipts. The only rationale for fighting to eliminate tax indexing is the belief that inflation will continue or will accelerate.

I must hasten to add that I do not believe that my colleagues who seek to repeal indexing do so as a part of a conscious plan to raise taxes systematically through the back door. Nor do I fear that the Treasury and Federal Reserve Board will conspire to produce more Government revenues, certainly not as long as Mr. Volcker or a similar successor sits as Chairman of the Federal Reserve Board. But I do fear that the expression of pessimism that repeal of indexing will send to the economy in general will be very, very serious. We all know the high price we have paid to stop inflation. It has been a costly battle. But now that inflation has subsided greatly, and with it there has been some reduction in interest rates, now that victory appears to be within our grasp, we should not throw it away.

If we vote for a budget resolution which is predicated upon a repeal of tax indexing, much less voting for an actual bill which does so, the financial community will read it as a sign that we, in Congress, are not serious about fighting inflation.

Financial and business analysts will point out, quite correctly, that Congress is planning on future revenues which can be realized only through inflation. And if Congress is planning on inflation, we will certainly get just exactly that.

As a consequence, Mr. President, I believe that the most responsible course of action at this time in connection with this budget resolution is to provide for modest increases at best in revenues for the next few years, increases which will largely be an indirect result of other choices designed toward other goals.

The President's revenue proposals in connection with taxation of medical insurance expenditures, while they will produce additional revenues, are primarily designed to lower the all-too-high rate of inflation in medical costs. Therefore, they will have not only the impact of slightly increasing revenues, but also of greatly reducing the impact of increases in the cost of medical services, both on the Federal budget itself and on the private sector individuals and businesses which are so greatly and so adversely affected by that particular form of inflation.

Personally, I would prefer that we sound a very certain trumpet for as long as 5 years in the future about just what we are going to do and are going to accomplish in the future. Realistically, however, we are a Congress, like all predecessor Congresses, with a limited mandate. Our mandate in this body ends at the end of 1984. New Members to the House of Representatives and to the Senate of the United States will be elected in 1984. We will have a Presidential election in that year, and in one sense, I suppose it is appropriate to say, "sufficient unto the day is the evil thereof." If we are able here, in the course of debating this budget resolution, to make responsible decisions in national defense spending, in the reform of entitlements, in discretionary spending, and in revenue loss, decisions which will nurture and help the economic recovery which has just begun, then we will have accomplished a great deal. More indeed, than many predecessor Congresses have accomplished.

The solution to all of these problems is going to be left to this Congress in 1984, and to Congresses which are elected hereafter. It is for that reason that I especially want to congratulate my very distinguished chairman, the Senator from New Mexico, on his devotion to the process, on his success in making the progress a success to this point in this debate, and for his constant and unflagging attempts to see to it that we gain two things out of this week: First, we must have a budget resolution which is responsible in and of itself, which will at the very least not harm our economic recovery and, I hope, will promote it. Second, we need a budget resolution with which we can go to conference with a very, very irresponsible resolution from the House. The House resolution is the kind of budget resolution which, in my view, gave us 12- to 14-percent inflation and 20-percent interest rates as recently as 2 or 3 years ago. We must be able to come out of conference with a thoughtful and middle-ground resolution. We need a resolution to which not only the chairman will contribute, but also to which the ranking minority member may contribute so much that he regards it, by the end of that conference, as that which he has been struggling for since he assumed his most significant position.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I wish to thank my good friend from Washington, Senator GORTON, for his very eloquent and precise, yet all-encompassing, remarks. His analysis of where we are, what the problems are, and the diverse views and the choices has, in my opinion, been one of the best I have heard, not only regarding the budget process but really the status of matters fiscal, matters that concern themselves with taxation, and the overall economic situation.

I compliment him for them and thank him for the kind remarks that he included in them with reference to the Senator from New Mexico.

Mr. CHILES. If the Senator will yield, I just wanted to join in his statement. I think the Senator from Washington has been one of the most valuable Members that we have had on the Budget Committee. I certainly appreciate the spirit in which he worked in the committee and I appreciated very much the kind remarks that he attributed both to the chairman and the ranking member on the floor.

I think that his statement today is the kind of debate I would like to see on this resolution; those kinds of items that sort of add light and not heat. I think it was a very thoughtful statement and I thank him for his participation.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum and suggest, unless the minority manager has any objection, that it be charged equally to both sides.

The PRESIDING OFFICER. The clerk will call the roll.

The acting assistant legislative clerk proceeded to call the roll.

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

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

RECORD OPEN UNTIL 5 P.M.

Mr. BAKER. Mr. President, it is 4:20 p.m. or a little past that. I do not think there are other Senators who wish to speak this afternoon. I am reluctant, however, to go out at this hour considering the fact that we have 50 hours to devote to this issue.

I wonder if the minority leader would be in a position to agree with a unanimous-consent request that I would put, which would charge the time equally to the two sides between now and 5 p.m. and further that the RECORD remain open until 5 p.m. for Senators to insert statements in respect to the budget resolution.

Mr. BYRD. I have no objection. I understand that is agreeable to the manager on this side, Mr. CHILES.

Mr. BAKER. Mr. President, I put that request.

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

Mr. BAKER. Mr. President, I thank the minority leader and all Senators.

ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I now ask unanimous consent that there be a period for the transaction of routine morning business to extend not past the hour of 4:30 p.m. in which Senators may speak.

Mr. BYRD. 4:25.

Mr. BAKER. Mr. President, I put the request for 1 minute of morning business.

The PRESIDING OFFICER. Without objection it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT—PM 43

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to Section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. Section 1703(c), I hereby report to the Congress with respect to developments between my last report of November 1, 1982, and mid-April, 1983, concerning the national emergency with respect to Iran that was declared in Executive Order No. 12170 of November 14, 1979.

1. The Iran-United States Claims Tribunal, established at The Hague pursuant to the Claims Settlement Agreement of January 19, 1981, is now making significant progress in arbitrating the 3,730 claims before it. Having resolved the initial interpretive disputes described in my last report, the Tribunal is giving primary attention to individual claims. As of April 1, it had held 84 prehearing conferences and 44 hearings on the merits and had rendered 35 decisions. Twenty-five of these decisions were awards in favor of American claimants. Of the awards, 17 approve and authorize the payment of settlements negotiated by the parties; eight were adjudicated. (Total payments to American claimants stood at just over $37 million, as of mid-April.) Of the remaining 10 decisions, seven dismissed claims for lack of jurisdiction, and three dismissed claims on the merits; all but one of the claims dismissed had been brought by Iran.

2. The Department of State, with the assistance of the Departments of the Treasury and Justice and other concerned government agencies, continues to coordinate the presentation of U.S. claims against Iran, as well as the U.S. response to claims brought by Iran. In the last six months, the United States has filed requests for clarification of the Tribunal's jurisdiction with respect to Iranian claims against U.S. nationals based on standby letters of credit and other bank claims. There remain pending 18 United States Government claims against Iran arising out of contracts for the provision of goods and services. Last October, Iran filed a major interpretive claim against the United States, alleging 18 separate violations of the Algiers Accords. On March 21, the United States filed the first in a series of responses to these allegations. It has also responded to all of the 60 official contract claims filed by Iran. While the Tribunal has now received pleadings from both sides in a large number of official claims, it does not appear to be close to deciding any of them on the merits.

3. Since my last report, the Tribunal has rendered a number of interlocutory decisions on jurisdictional and procedural matters which are significant for claimants generally. Last November, it decided that claims arising under contracts specifically designating Iranian courts as the sole forum dispute settlement were not within its jurisdiction. This decision was based on exclusionary language in the Claims Settlement Agreement and was contrary to the interpretation urged by the United States. Nevertheless, it leaves U.S. claimants having such contract clauses with the possibility of establishing Tribunal jurisdiction on non-contractual grounds not subject to the exclusion. Other decisions have set clear and workable standards for demonstrating United States nationality by corporations and precedents for the award of interest and attorneys' fees. The Tribunal has also found that its jurisdiction over matters assigned to it by the Claims Settlement Agreement is not exclusive, and that under some circumstances other bodies may hear disputes which could be brought before it. The practical effects of this decision cannot be assessed at the present time.

4. In the last six months, the Tribunal has taken steps to arbitrate the 2,742 claims for less than $250,000 each presented by the United States Government on behalf of U.S. nationals. All of these claims have been served on Iran, and the Tribunal has recently authorized the hiring of three additional staff members to help prepare the claims for arbitration.

5. The United States and Iran are presently engaged in seeking a successor to Judge Pierre Bellet, a third-party arbitrator who will be leaving the Tribunal on August 1. The Iranian and American arbitrators have met a number of times in the past several months in an effort to select a replacement, but no agreement has been forthcoming. As a result, on March 1, the United States asked the Appointing Authority previously selected by the two countries to name a successor to Judge Bellet. It is hoped that a candidate will soon emerge who will prove acceptable to both parties.

6. The January 19, 1981 agreements with Iran also provided for direct negotiations between U.S. banks and Bank Markazi concerning the payment of nonsyndicated debt claims of U.S. banks against Iran from the $1.418 billion escrow account presently held by the Bank of England. As of mid-April, 1983, eight settlements, totaling approximately $171 million, have been reached and paid to U.S. banks from the escrow account. Each bank settlement also provides for the settlement of Iran's claims, if any, for interest on any deposits held by that U.S. bank. Iran has filed claims against the United States in the Tribunal for interest and other damages in connection with the same deposits that are the subject of these settlements. The Department of the Treasury, in December 1982, amended the Iranian Assets Control Regulations. According to this amendment, if the Tribunal determines that a rate of in-

terest higher than the rate of interest agreed on between a U.S. bank and Iran should be paid to Iran under the January 1981 agreements, the higher rate will be the "commercially reasonable rate" which the bank is required to transfer under the Regulations. The *Federal Register* notice of this amendment dated January 4, 1983 is attached.

7. Also in December 1982, the Department of the Treasury extended for one year, through December 31, 1983, the revocation of any authorization for the permanent disposition, by means of a final judicial judgment or order, of interests of Iran in any standby letter of credit or similar instrument. The *Federal Register* notice of this extension dated December 10, 1982 is attached.

8. Several financial and diplomatic aspects of the relationship with Iran have not yet been resolved and continue to present an unusual challenge to the national security and foreign policy of the United States. I shall continue to exercise the powers at my disposal to deal with these problems and will continue to report periodically to the Congress on significant developments.

RONALD REAGAN.

THE WHITE HOUSE, *May 2, 1983.*

ANNUAL REPORT OF THE FEDERAL COUNCIL ON AGING—MESSAGE FROM THE PRESIDENT—PM 44

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Labor and Human Resources:

To the Congress of the United States:

In accordance with Section 204(f) of the Older Americans Act of 1965, as amended, I hereby transmit the Annual Report for 1982 of the Federal Council on the Aging. The report reflects the Council's views in its role of examining programs serving older Americans.

RONALD REAGAN.

THE WHITE HOUSE, *May 2, 1983.*

FISHERY AGREEMENT BETWEEN THE UNITED STATES AND THE GERMAN DEMOCRATIC REPUBLIC—MESSAGE FROM THE PRESIDENT—PM 45

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying papers; which, pursuant to Public Law 94-265 was referred jointly to the Committee on Commerce, Science, and Transportation and the Committee on Foreign Relations:

To the Congress of the United States:

In accordance with the Magnuson Fishery Conservation and Management Act of 1976 (Public Law 94-265; 16 USC 1801), I transmit herewith a governing international fishery agreement between the United States and the German Democratic Republic signed at Washington on April 13, 1983.

This agreement is one of a series to be renegotiated in accordance with that legislation to replace existing bilateral fishery agreements. I urge that the Congress give favorable consideration to this agreement at an early date.

RONALD REAGAN.

THE WHITE HOUSE, *May 2, 1983.*

MESSAGES FROM THE HOUSE

At 12:15 p.m., a message from the House of Representatives, delivered by Mr. Gregory, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 19. Concurrent resolution expressing the sense of the Congress on the occasion of the 150th anniversary of the opening of diplomatic relations between the United States and Thailand.

The message also announced that pursuant to the provisions of section 14(b) of Public Law 96-296, as amended, the Speaker appoints Mr. FEIGHAN as a member of the Motor Carrier Ratemaking Study Commission, vice Mr. SEIBERLING, resigned.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THURMOND, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 216. A bill to amend title 18, United States Code, to combat, deter, and punish individuals who adulterate or otherwise tamper with food, drug, cosmetic, and other products with intent to cause personal injury, death, or other harm (Rept. No. 98-69).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation:

James H. Burnley, IV, of North Carolina, to be General Counsel of the Department of Transportation.

(The above nomination was reported from the Committee on Commerce, Science, and Transportation with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. THURMOND, from the Committee on the Judiciary:

Edward S. G. Dennis, Jr., of Pennsylvania, to be U.S. attorney for the Eastern District of Pennsylvania for the term of 4 years.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. RUDMAN:

S. 1185. A bill to amend the Federal Election Campaign Act of 1971 relating to the limits on contributions and expenditures in congressional elections; to the Committee on Rules and Administration.

S. 1186. A bill to clear certain impediments to the licensing of the yacht *Dad's Pad* for employment in the coastwise trade; to the Committee on Commerce, Science, and Transportation.

By Mr. THURMOND (for himself and Mr. RANDOLPH):

S. 1187. A bill to amend title 38 of the United States Code to provide increased awards of service-connected compensation to certain blinded veterans who are suffering from additional hearing disabilities; to the Committee on Veterans' Affairs.

By Mr. THURMOND (for himself and Mr. SIMPSON):

S. 1188. A bill to relieve the General Accounting Office of duplicative audit requirements with respect to the Disabled American Veterans; to the Committee on Governmental Affairs.

By Mr. THURMOND (by request):

S. 1189. A bill to amend the Civil Rights Act of 1957 to extend the life of the Commission on Civil Rights, and for other purposes; to the Committee on the Judiciary.

By Mr. BAUCUS:

S. 1190. A bill to provide for payments in lieu of taxes to appropriate units of local government within the Federal Columbia River Power System; to the Committee on Energy and Natural Resources.

By Mr. THURMOND (for himself and Mr. BIDEN) (by request):

S. 1191. A bill to authorize the Department of Justice to conduct certain activities and make certain expenditures; to the Committee on the Judiciary.

S. 1192. A bill to authorize appropriations for the purpose of carrying out the activities of the Department of Justice for fiscal year 1984 and for other purposes; to the Committee on the Judiciary.

By Mr. THURMOND (for himself and Mr. GOLDWATER):

S.J. Res. 90. A joint resolution to provide for the erection of an appropriate statue or other memorial on the main approach to the Arlington National Cemetery to honor individuals who were combat glider pilots during World War II; to the Committee on Rules and Administration.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BAUCUS (for himself, Mr. BYRD, Mr. BENTSEN, Mr. BINGAMAN, Mr. BRADLEY, Mr. CHILES, Mr. EXON, Mr. GLENN, Mr. JOHNSTON, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LEVIN, Mr. MATSUNAGA, Mr. METZENBAUM,

Mr. MITCHELL, Mr. MOYNIHAN, and Mr. PRYOR):

S. Con. Res. 30. Concurrent resolution to reject the medicare cuts contained in the President's fiscal year 1984 budget; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. RUDMAN:

S. 1185. A bill to amend the Federal Election Campaign Act of 1971 relating to the limits on contributions and expenditures in congressional elections; to the Committee on Rules and Administration.

(The remarks of Mr. RUDMAN on this legislation appear earlier in today's RECORD.)

By Mr. THURMOND (for himself and Mr. RANDOLPH):

S. 1187. A bill to amend title 38 of the United States Code to provide awards of service-connected compensation to certain blinded veterans who are suffering from additional hearing disabilities; to the Committee on Veterans' Affairs.

AMENDMENT OF DISABILITY RATING SCHEDULE RELATING TO BLINDNESS IN COMBINATION WITH HEARING LOSS

Mr. THURMOND. Mr. President, today I am introducing legislation that would amend title 38 of the United States Code to increase the amount of compensation payable to certain blinded veterans who also suffer from hearing disabilities. I am pleased that Senator RANDOLPH has joined me in sponsoring this legislation.

Mr. President, this legislation addresses a serious shortcoming of the veterans' disability rating schedule. Because of this shortcoming, the hearing loss of a blinded veteran who is suffering from a 20 to 30 percent bilateral hearing loss is rated the same as a sighted veteran who is suffering from the identical hearing loss. It is clear, however, that the sense of hearing is a primary avenue of information for a blinded veteran and that any hearing loss represents a far greater disability to a blinded veteran than a sighted veteran. The veterans' disablility rating schedule fails to recognize these important factors.

Because of the severe difficulties that even a minor hearing loss presents to a blinded veteran in adjusting to his or her environment, I am introducing this legislation to provide that service-connected blinded veterans with a 20-percent or greater disabling hearing loss and blinded veterans who have total deafness in one ear receive the maximum compensation allowable under title 38.

Mr. President, by enacting this legislation, Congress can insure that the veterans' compensation rating schedule adequately recognizes that blindness in combination with hearing loss compounds the problems already encountered by blinded veterans in their daily living and vocational pursuits. I urge the support of my colleagues for this highly meritorious initiative.

By Mr. THURMOND (for himself and Mr. SIMPSON):

S. 1188. A bill to relieve the General Accounting Office of duplicative audit requirements with respect to the Disabled American Veterans; to the Committee on Governmental Affairs.

DISABLED AMERICAN VETERANS' AUDITS

Mr. THURMOND. Mr. President, I rise today to introduce legislation which would repeal section 90i(b) of title 36, United States Code, which requires the Comptroller General to conduct an annual audit of the Disabled American Veterans. I am pleased that Senator SIMPSON has joined me in sponsoring this legislation.

Currently, under section 1102 of title 36, United States Code, the accounts of all private corporations established under Federal law, including all federally chartered veterans' organizations, are required to be audited annually by independent certified public accountants. These audits are required to be submitted to Congress not later than 6 months following the close of the fiscal year for which the audit was made. As a matter of practice, these reports are forwarded by the House Committee on the Judiciary to the Government Accounting Office (GAO) for review to determine if they meet the requirements of law and the audit standards of the accounting profession.

In 1967, Public Law 90-208 amended title 36 by requiring GAO to conduct an annual audit of the accounts of the Disabled American Veterans at the DAV's expense. This law was codified in section 90i(b) of title 36, and is clearly duplicative of the provision in section 1102 of title 36. Public Law 90-208 was enacted at the request of the DAV, which desired to be relieved of the burden of having to comply with divergent State and local laws applicable to DAV's nationwide fund raising activities. The DAV, however, is no longer faced with this need and supports the termination of the requirements of section 90i(b). Additionally, GAO has also recommended to Congress on several occasions that this requirement be eliminated as duplicative and unnecessary.

Mr. President, I call upon my colleagues to support this legislation, and urge its early enactment.

By Mr. THURMOND (by request):

S. 1189. A bill to amend the Civil Rights Act of 1957 to extend the life of the Commission on Civil Rights, and for other purposes; to the Committee on the Judiciary.

COMMISSION ON CIVIL RIGHTS

Mr. THURMOND. Mr. President, the Civil Rights Commission was established in 1957 by the Civil Rights Act as an independent bipartisan agency with a specified purpose. The Commission is authorized to investigate allegations of fraud and discrimination. It, also, is mandated to "study and collect information concerning legal developments constituting discrimination or a denial of equal protection" and to "appraise" Federal policies relating thereto. Further, the Commission is to submit reports, findings, and recommendations to the President and the Congress. This specific jurisdiction has been clarified, not expanded, several times over the 16 year existence of the Commission.

The Civil Rights Act intended for the Commission to be an agency of limited duration. As the original and subsequent expiration dates approached, the act has been periodically amended to extend its life. Under the current law, the Commission will expire at the end of this fiscal year.

Today, at the request of the administration, I am introducing a bill to amend the Civil Rights Act of 1957 to extend the life of the Commission on Civil Rights for an additional 20-year period, through the fiscal year 2003. This legislation would also provide that future members be appointed for specified terms, a procedure followed by similar agencies. Finally, appropriations for fiscal year 1984 are being requested for the operation of the Commission.

I ask unanimous consent that a copy of the bill, the communication from the President to the Congress, and a section-by-section analysis be printed in the CONGRESSIONAL RECORD following my remarks.

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

S. 1189

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Civil Rights Commission Reauthorization Act of 1983".

ESTABLISHMENT OF TERMS FOR MEMBERS OF THE COMMISSION

SEC. 2. Section 101 of the Civil Rights Act of 1957 (42 U.S.C. 1975) is amended by adding at the end thereof the following new subsection:

"(f)(1) Upon vacancies in the Commission occurring after the date of enactment of this subsection, members of the Commission shall be appointed for a term of six years except—

"(A) for the members first appointed—

"(i) two of such members, not affiliated with the same political party, shall be appointed for a term of two years;

"(ii) two of such members, not affiliated with the same political party, shall be appointed for a term of four years; and

"(iii) two of such members, not affiliated with the same political party, shall be appointed for a term of six years; and

"(B) any member to fill a vacancy shall serve for the remainder of the term for which the member's predecessor was appointed.

EXTENDING THE LIFE OF THE COMMISSION

SEC. 3. Section 104(c) of the Civil Rights Act of 1957 (42 U.S.C. 1975c(c)) is amended by striking out "1983" and inserting in lieu thereof "2003".

AUTHORIZATION OF APPROPRIATIONS

SEC. 4. Section 106 of the Civil Rights Act of 1957 (42 U.S.C. 1975e) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 106. There are authorized to be appropriated $12,180,000 to carry out the provisions of this Act for the fiscal year 1984, and such sums as may be necessary for each of the succeeding fiscal years ending prior to October 1, 2003.".

To the Congress of the United States:

I am transmitting herewith the "Civil Rights Commission Reauthorization Act of 1983".

We Americans have come to share a vision of the Nation we want to be: A Nation in which sex, race, religion, color, national origin, age, or condition of disability do not determine an individual's worth. We can be justly proud both of the progress we have made toward realizing that ideal—and of our recognition that progress remains to be made.

In my State of the Union Address on January 25 of this year, I emphasized the important role the Commission can play in assuring that we, as a Nation, keep our statutory commitments to fairness and equity for all Americans—and the necessity that the Commission not be allowed to expire, as current law provides, at the end of 1983. In recognition of these goals, the legislation I am transmitting would continue the Commission's important work through 2003.

The twenty-year extension I propose today would be the longest in the Commission's history. I believe we must assure the continuity of the Commission's mission, while preserving the original Congressional intent that the Commission have a specified purpose and duration.

I am also proposing that future members of the Commission be appointed for specified terms, as is currently the case with the Equal Employment Opportunity Commission and similar agencies. This will assure that the Commission's membership is reviewed at specified intervals and provide for the introduction of new perspectives to the Commission's work.

Finally, I am proposing that the Commission's current authorities and procedures be continued intact. Since the Commission's founding, the existing statutory provisions have enabled the Commission to fulfill its unique function while avoiding duplication of activities performed by the EEOC, Department of Justice, and other line agencies.

I ask that this legislation be adopted quickly to avoid any uncertainty regarding the Commission's status and any resulting disruption in its important work.

Ronald Reagan.

THE WHITE HOUSE, *April 6, 1983.*

SECTION-BY-SECTION ANALYSIS

Section 1 gives the short title of the proposed legislation, "Civil Rights Commission Reauthorization Act of 1983".

ESTABLISHMENT OF TERMS FOR MEMBERS OF THE COMMISSION

Section 2 would further amend section 101 of the Civil Rights Act of 1957, as amended (42 U.S.C. 1975), to add a new subsection at the conclusion of the section. New subsection (f) would provide for staggered terms of six years for members of the Commission appointed upon vacancies occurring after the effective date of the subsection. To initiate the staggered terms, the first six appointments after the effective date of this subsection would be made in three pairs. One member pair would be appointed to two-year terms, another to four-year terms, and a third member pair to six-year terms. Each pair of appointments would be of persons "not affiliated with the same political party" (the Civil Rights Act of 1957 requires that no more than 3 members of the commission be members of the same political party). Thereafter, all appointments would be to six-year terms (or where an appointee is succeeding or replacing a member whose term has not expired, to the remainder of the term in question).

EXTENDING THE LIFE OF THE COMMISSION

Section 3 would extend the life of the commission by twenty years by further amending Section 104(c) of the Civil Rights Act of 1957, as amended (42 U.S.C. 1975c(c)), to provide that the Commission will submit its final report to Congress and the President in 2003 rather than 1983.

AUTHORIZATION OF APPROPRIATIONS

Section 4 would further amend Section 106 of the Civil Rights Act of 1957, as amended (42 U.S.C. 1975e.), to authorize the appropriation of $12,180,000 for fiscal year 1984 and such sums as may be necessary for each of the following nineteen fiscal years. This period coincides with the period of extension of the Commission's life in Section 3.

EFFECTIVE DATE

Section 5 states that the effective date of the subsection added by Section 2 of this Act shall be the date of enactment of this Act.

By Mr. BAUCUS:

S. 1190. A bill to provide for payments in lieu of taxes to appropriate units of local government within the Federal Columbia River Power System; to the Committee on Energy and Natural Resources.

FEDERAL COLUMBIA RIVER POWER SYSTEM

● Mr. BAUCUS. Mr. President, I am pleased to introduce today S. 1190, a bill to require the Bonneville Power Administration to make payments in lieu of taxes to local governments for major transmission facilities located within their jurisdictions.

This bill would require Bonneville to make annual payments to the counties through which it builds its transmission lines in an amount equal to the local property taxes that Bonneville would have to pay if it were a private company.

COLSTRIP POWER LINES IN WESTERN MONTANA

BPA is building powerlines through western Montana on behalf of, and for the benefit of, a consortium of private utilities. The powerlines are being built to carry power from Colstrip 3 and 4, two 700 megawatt coal-fired generating plants that are being constructed in eastern Montana by the consortium.

At the time the companies applied for State approval of the plants and the associated powerlines, the understanding was that these private companies would build the powerlines.

At that time, opposition to the powerlines was mollified by arguments that the counties through which the lines would pass would receive substantial property tax revenues from utilities.

In 1976, the Montana Board of Natural Resources gave the Colstrip consortium its approval of the project.

It was only after that approval was obtained that Bonneville made an agreement with the utilities to build the Colstrip powerlines for them from Townsend, Mont., west.

The Colstrip project was sold to Montanans with the understanding that the counties affected by the powerlines would be compensated by greatly increased tax revenues.

It is unfair for Bonneville, as a nontaxable Federal agency, to step in for the utilities and take away this revenue from the counties.

Moreover, the power these lines will carry is not needed in Montana. If the promised revenues are not paid to the counties, these people will receive no benefit whatsoever from the construction of these lines.

On the other hand, the damages they suffer will be great.

Many of the people of western Montana have chosen to live there because of its natural beauty. Bonneville's lines will cut through some of the wildest, most scenic territory in the region.

And these are no ordinary, unobtrusive powerlines. They are double-circuit 500 Kv lines supported by 175 foot steel towers that will be highly visible across the mountainsides. The lines will require four or five of these enormous towers for every mile. A 125-foot right-of-way and countless miles of access roads will be cut through the forests.

Payments to the local govenments cannot fully compensate for the loss of forests, agricultural land and unspoiled beauty. But it is the only compensation these Montanans can receive for these intrusive powerlines.

CURRENT LAW

Under the Regional Power Act as it is now written, Bonneville does have authority to grant impact aid payments to affected local governments. Unfortunately, the agency is asking for excessive documentation from the local governments, and it has interpreted its authority so narrowly that this provision of the Regional Act will provide little relief.

Because of BPA's approach to impact aid payments, I believe it is necessary to enact this legislation.

Bonneville has abused its discretion. It is not faithfully carrying out Congress intent in the Regional Act to adequately compensate the communities through which BPA's transmission facilities are built.

Adequate compensation, particularly in the case of the Colstrip lines, requires payments equivalent to the taxes that a private entity would have to pay.

It is for these reasons that I am introducing this legislation to remove Bonneville's discretion to make impact aid payments and to require it, instead, to make payments in lieu of taxes to local governments for transmission facilities constructed within their jurisdictions.

Mr. President, I request that the text of S. 1190 be made a part of the RECORD.

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

S. 1190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (m) of section 7 of the Pacific Northwest Electric Power Planning and Conservation Act (Public Law 96-501) is amended to read as follows:

"(m)(1) Beginning with the fiscal year after the date of enactment of this subsection, the Administrator shall make annual payments in lieu of taxes to each appropriate local government within the region, for major transmission facilities, as defined in section 3(c) of the Federal Columbia River Transmission Act, that are located with the jurisdictional boundary of such local government; such payments in lieu of taxes shall be in an amount equivalent to the amount of taxes that a private entity that owned and operated the transmission facilities would be required to pay to such local government;

"(2) Payments made pursuant to this subsection shall be made solely from the fund established by section 11 of the Federal Columbia River Transmission System Act. The provisions of section 13 of such Act, and any appropriations provided to the Administrator under any law, shall not be available for such payments. The authorization of payments under this subsection shall not be construed as an obligation of the United States.".●

By Mr. THURMOND (for himself and Mr. BIDEN) (by request):

S. 1191. A bill to authorize the Department of Justice to conduct certain activities and make certain expenditures; to the Committee on the Judiciary.

S. 1192. A bill to authorize appropriations for the purpose of carrying out the activities of the Department of Justice for fiscal year 1984, and for other purposes; to the Committee on the Judiciary.

DEPARTMENT OF JUSTICE AUTHORIZATION LEGISLATION

Mr. THURMOND. Mr. President, at the request of the administration, and on behalf of myself and the ranking minority member of the Judiciary Committee, Senator BIDEN, I am introducing today two bills relating to the activities of the Department of Justice. The first bill primarily authorizes appropriations for fiscal year 1984. The second would provide permanent authority for certain operations of the Department.

The bill authorizing appropriations for the Department reflects the Reagan administration's budget request for fiscal year 1984. Happily, it includes a substantial increase for Federal law enforcement activities, particularly in connection with the initiative of the administration against organized crime and drug trafficking. For the first time, authorized appropriations for the Federal Bureau of Investigation will exceed $1 billion. This request by the administration reflects the view firmly held by many of us in the Congress that our Federal law enforcement agencies must be adequately financed if they are to effectively provide for the internal security of this Nation.

The second bill would enact into the United States Code various authorities which traditionally have been part of the annual authorization bill, such as those relating to the purchase of vehicles and firearms, and some new provisions. The request by the administration for this change in approach stems from its serious concern that authorizing legislation for the Department has not been enacted since fiscal year 1980, except on a continuing basis. Last year, there was a period during which the continuing authorization provisions expired, with consequent confusion and disruption.

Mr. President, many of my colleagues and I share the consternation of the Department over the fact that, in recent years, its activities have not been authorized in a regular, orderly manner. For this reason, the Committee on the Judiciary will take a serious look at the proposal to extend the authorization for some or all of the activities of the Department to a period exceeding 1 fiscal year. It is our goal to appropriately balance the need for serious oversight of the activities and policies of the Department, with practical consideration for smooth and efficient operations.

The importance of this process cannot be underestimated. We have recently witnessed the passage of a first concurrent budget resolution by the other body which would divert sorely needed resources from our law enforcement agencies into other activities. Fortunately, in a bipartisan effort, the Budget Committee of this body endorsed funding levels which reflected the request of the administration and the recommendations of the Committee on the Judiciary in this area. I am hopeful that we will be able to successfully process authorization legislation along those same lines which will communicate our determination to preserve adequate Federal resources for fighting crime, terrorism, and illegal immigration.

Mr. President, I ask unanimous consent that a copy of each of the bills which I am introducing, the letter of transmittal from the Department of Justice, and section-by-section analysis of the second bill be printed in the RECORD following my remarks.

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

S. 1191

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Part II of title 28, United States Code, is amended by inserting after chapter 37 the following new chapter:

"CHAPTER 38—GENERAL AUTHORIZATIONS—DEPARTMENT OF JUSTICE

"Sec.
"576. General authorizations.
"577. Evaluations.

"§ 576. General authorizations

"(a) The Attorney General or his designee is authorized to make payments from Department of Justice appropriations for:

"(1) the hire of passenger motor vehicles;

"(2) miscellaneous and emergency expenses authorized or approved by the Attorney General, or the Deputy Attorney General, or the Associate Attorney General, or the Assistant Attorney General for Administration;

"(3) benefits authorized under section 901(3)(5)(6)(a)(8)(9) and section 904 of the Foreign Service Act of 1980 (22 U.S.C. 4081(3)(5)(6)(a)(8)(9) and 22 U.S.C. 4084), and under the regulations issued by the Secretary of State;

"(4) the purchase of insurance for motor vehicles and aircraft operated in official government business in foreign countries;

"(5) services as authorized by section 3109 of title 5 of the United States Code;

"(6) official reception and representation expenses in accordance with distributions, procedures, and regulations issued by the Attorney General;

"(7) per diem allowances for an employee who serves in a law enforcement capacity and/or transportation expenses for members of his immediate family in accordance with regulations prescribed under § 5707 of title 5, United States Code, by the Administrator of GSA or his designee, when necessarily occupying temporary living accommodations at or away from the employee's designated post of duty because of a threat to life or property or because law enforcement or investigative interests may be compromised;

"(8) attendance at meetings to be expended for such purposes in accordance with the regulations issued by the Attorney General;

"(9) anti-terrorism training for dependents of Department of Justice personnel who will be stationed abroad on the same basis as Department of State personnel;

"(10) the travel expenses of newly appointed Special Agents within the various

agencies of the Department of Justice and the transportation expense of their families and household goods and personal effects from place of residence at time of selection to first duty station to the extent authorized by section 5723 of title 5; and

"(11) assistance to individuals under section 501(c) of the Refugee Education Assistance Act (P.L. 96-422) who meet the definition of 'Cuban and Haitian entrant' under section 501(e) of said Act but for the application of paragraph (2)(B) thereof.

"(b) Travel advances issued to Special Agents of the Department of Justice engaged in undercover activities shall be deemed to be government funds within the meaning of 31 U.S.C. 3527.

"(c) The Offices, Divisions and subdivisions included in the General Legal Activities area of the annual appropriation of the Department of Justice are authorized to make payments from their appropriations for:

"(1) the hire of passenger motor vehicles;

"(2) miscellaneous and emergency expenses authorized or approved by the Attorney General, or the Deputy Attorney General, or the Associate Attorney General, or the Assistant Attorney General for Administration;

"(3) expenses for collecting evidence, to be expanded under the direction of the Attorney General and accounted for on the certificate of the Attorney General or the Deputy Attorney General;

"(4) advance of public moneys under section 3324 of title 31, United States Code;

"(5) necessary accommodations in the District of Columbia for conferences and training activities;

"(6) for necessary dues and expenses for the membership of the United States in the International Criminal Police Organization (INTERPOL), as authorized by title 22, United States Code, 263(a);

"(7) expenses necessary under section 501(c) of the Refugee Education Assistance Act of 1980 (P.L. 96-422).

"(d) The Fees and Witness activity of the annual appropriation of the Department of Justice is authorized to make payment from its appropriation for:

"(1) expenses, mileage, compensation, and per diem of witnesses in lieu of subsistance, as authorized by law;

"(2) contracting for expert witnesses according to the procedure similar to that authorized by section 904 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 544); and

"(3) advances of public moneys. No sums authorized to be appropriated shall be used to pay any witness more than one attendence fee for any one calendar day.

"(e) The Community Relations Service of the Department of Justice is authorized to make payments from its appropriation to pay for the hire of passenger motor vehicles and make payments in advance for grants, contracts, and reimbursable agreements and other expenses necessary under section 501(c) of the Refugee Education Assistance Act of 1980 (P.L. 96-422) for the processing, care, maintenance, security, transportation and reception and placement in the United States of Cuban and Haitian entrants to remain available until expended.

"§ 577. Evaluations

"(a) The Attorney General shall perform periodic evaluations of the overall efficiency and effectiveness of the Department of Justice programs and any supporting activities funded by appropriations authorized and annual specific program evaluations of selected subordinate organizations' programs, as determined by the priorities set by the Attorney General.

"(b) Subordinate Department of Justice organizations and their officials shall provide all the necessary assistance and cooperation in the conduct of evaluations, including full access to all information, documentation, and cognizant personnel, as required."

SEC. 2. Section 106 of the Act of March 14, 1980, 94 Stat. 97 (22 United States Code § 1622(f)) is amended to read as follows:

"§ 106. Administrative support and services to Foreign Claims Settlement Commission of the United States by the Attorney General.

"(a) The Attorney General shall provide necessary administrative support and services to the Commission. The Chairman shall prepare the budget requests, authorization documents, and legislative proposals for the Commission within the procedures established by the Department of Justice, and the Attorney General shall submit these items to the Director of the Office of Management and Budget as proposed by the Chairman.

"(b) The Commission is authorized to make payments from its appropriation for:

"(1) services as authorized by section 3109 of title 5, United States Code;

"(2) expenses of packing, shipping, and storing personal effects of personnel assigned abroad

"(3) rental or lease, for such periods as may be necessary, of office space and living quarters for personnel assigned abroad;

"(4) maintenance, improvement, and repair of properties rented or leased abroad, and furnishing fuel, water, and utilities for such properties;

"(5) advances of funds abroad;

"(6) advances or reimbursements to other Government agencies for use of their facilities and services in carrying out the functions of the Commission;

"(7) the hire of motor vehicles for field use only; and

"(8) the employment of aliens."

SEC. 3. (a) Section 568 of title 28, United States Code, is amended to read as follows:

"§ 568. General authorizations

"Appropriations for the United States Attorneys and Marshals are available for:

"(a) the purchase of firearms and ammunition and the attendance at firearms matches;

"(b) the lease and acquisition of law enforcement and passenger motor vehicles without regard to the general purchase price limitation for the current fiscal year including acquisition of vehicles seized and forfeited to the U.S. Government for official use;

"(c) the supervision of the United States prisoners in non-federal institutions;

"(d) the bringing to the United States from foreign countries persons charged with crime;

"(e) the acquisition, lease, maintenance, and operation of aircraft; and

"(f) the payment of rewards and the purchase of evidence and payments for information."

(b) Section 1921 of title 28, United States Code, is amended to read as follows:

"§ 1921. United States marshal's fees

"(a)(1) The United States marshals or deputies shall routinely collect, and a court may tax as costs, fees for the following:

"(A) serving a writ of possession, partition, execution, attachment in rem, or libel in admiralty, warrant, attachment, summons, capias, or any other writ, order or process in any case or proceeding;

"(B) serving a subpoena or summons for a witness or appraiser;

"(C) forwarding any writ order, or process to another judicial district for service;

"(D) the preparation of any notice of sale, proclamation in admiralty, or other public notice or bill of sale;

"(E) the keeping of attached property (including boats, vessels, or other property attached or libeled), actual expenses incurred, such as storage, moving, boat hire, or other special transportation, watchmen's or keepers' fees, insurance, and an hourly rate including overtime for each deputy marshal required for special services, such as guarding, inventorying, and moving;

"(F) copies of writs or other papers furnished at the request of any party;

"(G) necessary travel in serving or endeavoring to serve any process, writ, or order, except in the District of Columbia, with mileage to be computed from the place where service is returnable to the place of service or endeavor; and

"(H) overtime expenses incurred by deputy marshals in the course of serving or executing civil process.

"(2) The marshals shall collect, in advance, a deposit to cover the initial expenses for special services required under subparagraph (E), and periodically thereafter such amounts as may be necessary to pay such expenses until the litigation is concluded. This paragraph applies to all private litigants, including seamen proceeding pursuant to section 1916 of this title.

"(3) For purposes of subparagraph (G), if two or more services or endeavors, or if an endeavor and a service, are made in behalf of the same party in the same case on the same trip, mileage shall be computed to the place of service or endeavor which is most remote from the place where service is returnable, adding any additional mileage traveled in serving or endeavoring to serve in behalf of that party. If two or more writs of any kind, required to be served in behalf of the same party on the same person in the same case or proceeding, may be served at the same time, mileage on only one such writ shall be collected.

"(b) The Attorney General shall prescribe from time to time regulations for the fees to be collected and taxed under subsection (a).

"(c)(1) For seizing or levying on property (including seizures in admiralty), disposing of such property by sale, setoff, or otherwise and receiving and paying over money, the United States marshals or deputies shall collect commissions of 3 per centum of the first $1,000 collected and 1½ per centum on the excess of any sum over $1,000, except that the amount of the commission shall be within the range set by the Attorney General. If the property is not disposed of by marshal's sale, the commission shall be in such amount, within the range set by the Attorney General, as may be allowed by the court. In any case in which the vessel or other property is sold by a public auctioneer, or by some party other than the marshal or his deputy, the commission authorized under this subsection shall be reduced by the amount paid to such auctioneer or other party. This subsection applies to judicially ordered sales and execution sales, without regard to whether the judicial order of sale constitutes a seizure or levy within the meaning of State law.

"(2) The Attorney General shall prescribe from time to time regulations which estab-

lish a minimum and maximum amount for the commissions collected under paragraph (1).

"(d) The United States marshals may require a deposit to cover any of the fees and expenses prescribed under this section.

"(e) Without regard to the provisions of sections 3302 and 9701 of title 31 of the United States Code, the United States Marshals Service is authorized to credit amounts from fees and expenses collected (including amounts for overtime expenses) for the service of civil process, including complaints, summonses, subpoenas, and similar process performed by the Marshals to its current appropriation account for the purpose, only, of carrying out those activities."

(c) Section 569(b) of title 28, United States Code, is amended to read as follows:

"(b)(1) Except as provided in paragraph (2), the United States marshals shall execute all lawful writs, process and orders issued under authority of the United States, and command all necessary assistance to execute their duties.

"(2) Service of complaints, summonses, and subpoenas by a United States marshal may not be required by any party, other than the United States or an officer or agency of the United States, unless performed pursuant to—

"(A) section 1915 or 1916 of this title, or

"(B) an order issued by the court stating that service of a complaint, summons or a subpoena should be made by a United States marshal in order to properly effect service."

(d) Rule 45 of the Federal Rules of Civil Procedure is amended by inserting after the first sentence and before the second sentence of subsection (c) the following sentence: "A party other than the United States or an officer or agency of the United States, may not require service of a subpoena by a marshal, or his deputy, unless the service is (1) on behalf of a party authorized to proceed in forma pauperis pursuant to Title 28, U.S.C § 1915, or of a seaman authorized to proceed under Title 28, U.S.C. § 1916 or (2) pursuant to an order issued by the court stating that a marshal, or his deputy, is required to serve the subpoena in order that service is properly effected."

(e) Rule 4 of the Federal Rules of Civil Procedure is amended by—

(1) striking the last sentence in subsection (c)(2)(C)(ii) and inserting in lieu thereof the following sentence—

"Service of a summons and complaint pursuant to this subdivision of this rule is deemed complete on the date a written acknowledgment of receipt of summons is executed, if such acknowledgment is thereafter returned to the sender."

(2) by inserting immediately before the period at the end of subsection (c)(2)(D) the following: "mailed to such person pursuant to subdivision (c)(2)(C)(ii) of this rule.".

(f) Section 546 of title 28, United States Code, is amended to read as follows:

"§ 546. Vacancies

"(a) In the case of a vacancy in the office of United States attorney, the Attorney General may designate a United States attorney to serve until the end of the next session of the Senate of the United States, or until the person nominated by the President as United States attorney, or appointed by the President as United States attorney under a recess appointment under Article II, Section 2, Paragraph 3 of the Constitution of the United States, qualifies, whichever period is shorter.

"(b) The Attorney General may not designate the United States attorney a person whose nomination by the President to that office was rejected by the Senate. If the Senate rejects the nomination of a person designated by the Attorney General to serve as United States attorney, the person shall cease to serve as United States attorney upon such rejection.".

(g) Section 565 of title 28, United States Code, is amended to read as follows:

"§ 565. Vacancies

"(a) In the case of a vacancy in the office of United States marshal, the Attorney General may designate a United States marshal to serve until the end of the next session of the Senate of the United States, or until the person nominated by the President as United States marshal, or appointed by the President as United States marshal under a recess appointment under Article II, Section 2, Paragraph 3 of the Constitution of the United States, qualifies, whichever period is shorter.

"(b) The Attorney General may not designate as United States marshal a person whose nomination by the President to that office was rejected by the Senate. If the Senate rejects the nomination of a person designated by the Attorney General to serve as United States marshal, the person shall cease to serve as United States marshal upon such rejection.".

(h) Section 548 of title 28, United States Code, is amended to read as follows:

"§ 548. Salaries

"Subject to sections 5215-5317 of title 5, United States Code, the Attorney General shall fix the annual salaries of United States attorneys, assistant United States attorneys, and attorneys appointed under section 543 of this title at rates of compensation not in excess of the rate of basic compensation provided for Executive Level IV of the Executive Schedule set forth in section 5315 of title 5, United States Code."

SEC. 4. Chapter 301 of title 18, United States Code, is amended by inserting after section 4011 the following new section:

"§ 4012. Support for United States prisoners in non-federal institutions

"The Attorney General or his designee is authorized to make payments from the support for United States prisoners in non-federal institutions appropriation for:

"(a) the necessary clothing, medical aid, and payment of rewards;

"(b) entering into contracts or cooperative agreements for only the reasonable and actual cost to assist the government of any State, territory, or political subdivision thereof, for the necessary construction, physical renovation, and the acquisition of equipment, supplies, or materials, required to improve conditions of confinement and services of any facility which confines Federal detainees, in accordance with regulations to be issued by the Attorney General and which are comparable to the regulations issued under section 4006 of this chapter."

SEC. 5. Chapter 33 of title 28, United States Code, is amended by inserting after section 537 the following new sections:

"§ 538. General Authorizations

"The Federal Bureau of Investigation is authorized to make payments from its appropriation for:

"(a) expenses necessary for the detection and prosection of crimes against the United States;

"(b) protection of the person of the President of the United States and the person of the Attorney General;

"(c) acquisition, collection, classification and preservation of identification and other records and their exchange with, and for the official use of, the duly authorized officials of the Federal Government, of States, cities, and other institutions, such exchange to be subject to cancellation if dissemination is made outside the receiving departments or related agencies.

"(d) such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General;

"(e) purchase for police-type use without regard to the general purchase price limitation for a current fiscal year and the hire of passenger motor vehicles;

"(f) acquisition, lease, maintenance, and operation of aircraft;

"(g) purchase of firearms and ammunition and attendance at firearms matches;

"(h) payment of rewards;

"(i) expenses to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General and to be accounted for on the certificate of the Attorney General or the Deputy Attorney General;

"(j) payment of travel and related expenses for immediate family members of employees, including costs of expenses incurred for specialized training and orientation in connection with a transfer to Puerto Rico, other territories and possessions of the United States, and assignment in a legal attaché post outside the territory of the United States; and

"(k) classification of arson as a Part I crime in its Uniform Crime Reports.

None of the sums authorized to be appropriated for the Federal Bureau of Investigation shall be used to pay the compensation of any employee in the competitive service.

"§ 539. Fees for furnishing identification services

"The Federal Bureau of Investigation may establish and collect fees for the processing of noncriminal employment and licensing fingerprint cards. Such fee is to represent the cost of furnishing the service. The funds collected shall be credited to the appropriation of the Federal Bureau of Investigation without regard to other existing statutory limitations, e.g.; title 31, United States Code, sections 3302 and 9701; and may be used to pay for salaries and other expenses incurred in operating the FBI Identification Division, and such funds may be carried over from fiscal year to fiscal year for such purposes. There will be no fee assessed in connection with the processing of requests for criminal history records by criminal justice agencies for criminal justice purposes or for employment in criminal justice agencies. 'Criminal justice agency' is defined in title 28, Code of Federal Regulations, sections 20.3 (c) and (d)."

SEC. 6. Section 6 of the Act of July 28, 1950, 64 Stat. 380, (8 United States Code § 1555) is amended to read as follows:

"§ 6. Immigration and Naturalization Service general authorities

"The Immigration and Naturalization Service is authorized to make payments from its appropriation for:

"(a) advance of cash to aliens for meals and lodging while enroute;

"(b) payment of allowances to aliens, while held in custody under the immigration laws, for work performed;

"(c) payment of expenses and allowances incurred in tracking lost persons as required by public exigencies in aid of State or local law enforcement agencies;

"(d) payment of rewards and purchases of evidence and payments for information;

"(e) expenses to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General and accounted for on the certificate of the Attorney General or the Deputy Attorney General;

"(f) purchase for police-type use without regard to the general purchase price limitation for the current fiscal year and hire of passenger motor vehicles;

"(g) acqusition, lease, maintenance, and operation of aircraft;

"(h) payment for firearms and ammunition and attendance at firearms matches;

"(i) planning, acquisition of sites and construction of new facilities and construction, operation, maintenance, remodeling and repair of buildings and the purchase of equipment incident thereto and to remain available until expended;

"(j) refunds of maintenance bills, immigration fines and other items properly returnable except deposits of aliens who become public charges and deposits to secure payment of fines and passage money;

"(k) payment of interpreters and translators who are not citizens of the United States and distribution of citizenship textbooks to aliens without cost to such aliens;

"(l) acquisition of land as sites for enforcement fences, and construction incident to such fences;

"(m) research related to immigration enforcement which shall remain available until expended;

"(n) payment of expenses related to the purchase and/or lease of privately owned horses;

"(o) payment of expenses necessary under Section 501(c) of the Refugee Education Assistance Act of 1980, (Public Law 96-422) for the processing, care, maintenance, security, transportation and reception and placement in the United States of Cuban and Haitian entrants to remain available until expended; and

"(p) the emergency replacement of aircraft upon the certificate of the Attorney General.

SEC. 7. Authority for the Immigration and Naturalization Service to accept gifts, donations, or bequests:

(a) The Commission of the Immigration and Naturalization Service is authorized to accept unconditional gifts, donations or bequests of real, personal, or other property for use in the operations and functions of the Immigration and Naturalization Service and the Immigration and Naturalization Service is authorized to retain horses received as donations prior to January 1, 1982. For the purpose of Federal income, estate and gift taxes, property that is accepted under this section is considered as a gift or bequest, to or for the use of the United States.

(b) Notwithstanding the provisions of title 31, United States Code, section 1342, the Commissioner of the Immigration and Naturalization Service is authorized to accept voluntary and uncompensated services to assist the Service in information services to the public. Persons providing voluntary services shall not be used to displace any federal employee and shall not be considered federal employees for any purpose except for the purposes of chapter 81 of title 5, United States Code, (relating to compensation for injury) and sections 2671 through 2680 of title 28, United States Code, (relating to tort claims).

SEC. 8. Drug Enforcement Administration general authorizations:

The Drug Enforcement Administration is authorized to make payments from its appropriation for:

(a) the hire and acquisition of law enforcement and passenger motor vehicles without regard to the general purchase price limitation for the current fiscal year;

(b) payment in advance for special tests and studies by contract;

(c) payment in advance for expenses arising out of contractual and reimbursable agreements with State and local law enforcement and regulatory agencies while engaged in cooperative enforcement and regulatory activities in accordance with section 503a(2) of the Controlled Substances Act (21 U.S.C. 873(a)(2));

(d) expenses to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General, and to be accounted for on the certificate of the Attorney General or the Deputy Attorney General;

(e) payment of rewards, and the purchase of evidence and payment for information;

(f) publication of technical and informational material in professional and trade journals and purchase of chemicals, apparatus, and scientific equipment;

(g) necessary accommodations in the District of Columbia for conferences and training activities;

(h) acquisition, lease, maintenance, and operation of aircraft;

(i) contracting with individuals for personal services abroad, and such individuals shall be not regarded as employees of the United States Government for the purpose of any law administered by the Office of Personnel Management;

(j) payment for firearms and ammunition and attendance at firearms matches;

(k) payment for tort claims when such claims arise in Foreign Countries in connection with Drug Enforcement Administration operations abroad; and

(l) research related to enforcement and drug control to remain available until expended.

SEC. 9. (a) Without regard to the provisions of section 3302 of title 31 of the United States Code, the Drug Enforcement Administration is authorized to set aside 25 per centum of the net amount of money realized from the forfeiture of assets seized by it under any provision of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 801 et seq.), to be available in amounts as specified in appropriations Acts for obligation and expenditure only for the purpose of paying awards of compensation with respect to such forfeiture; and to pay, totally within its discretion, such awards to any entity not an agency or instrumentality of the United States, or to any person not an officer or employee of the United States or of any State or local government, that provides information or assistance which leads to a forfeiture referred to in subsection (a). Such awards can be made in any amount up to 25 per centum of the amount realized from the forfeiture, or $150,000, whichever is lesser, in any case, except that no awards shall be made based on the value of the contraband. The authority of the Administrator of the Drug Enforcement Administration to pay an award of $10,000 or more shall not be delegated.

(b) The amounts credited under this section shall be made available for obligations until September 30, 1985.

(c) The remaining 75 per centum of the net amount of money realized from the forfeitures referred to in subsection (a) shall be paid to the miscellaneous receipts of the Treasury.

Provided, that the authority furnished by this section shall remain available until September 30, 1985, at which time any amount of the unobligated balances remaining in this account, accumulated before September 30, 1984, shall be paid to the miscellaneous receipts of the Treasury: and provided further, that the Drug Enforcement Administration shall conduct detailed financial audits, semi-annually, of the expenditure of funds from this account and—

(1) report the results of each audit, in writing, to the Department of Justice; and

(2) report annually to Congress concerning these audits.

SEC. 10. Chapter 303 of title 18, United States Code, is amended by inserting after section 4042 the following new section:

"§ 4043. General authorizations

"The Bureau of Prisons is authorized to make payments from its appropriation for:

"(a) the administration, operation, and maintenance of Federal penal and correctional institutions, including supervision and support of United States prisoners in non-Federal institutions, and for inmate legal services within the system;

"(b) purchase and hire of law enforcement and passenger motor vehicles;

"(c) compilation of statistics relating to prisoners in Federal penal and correctional institutions;

"(d) assistance to State and local governments to improve their correctional systems;

"(e) purchase of firearms and ammunition and medals and other awards;

"(f) payment of rewards;

"(g) purchase and exchange of farm products and livestock;

"(h) construction of buildings at prison camps and acquisition of land as authorized by section 4010 of title 18 of the United States Code;

"(i) entering into contracts with governmental or private organizations or entities for the safekeeping, care and subsistence of persons held under any Congressional authority;

"(j) Federal Prison Industries, Incorporated, to make such expenditures, within the limits of funds and borrowing authority, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase and hire of passenger motor vehicles;

"(k) planning, acquisition of sites and construction of new facilities, and constructing, remodeling and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, to remain available until expended, and the labor of United States prisoners may be used for work performed with sums authorized to be appropriated by this subsection; and

"(l) carrying out the provisions of sections 4351 through 4353 of this title relating to a

National Institute of Corrections, to remain available until expended."

SEC. 11. Section 4204(b) of title 18, United States Code, is amended by adding at the end thereof the following new paragraph:

"(9) make payment from the appropriation for the Commission to hire passenger motor vehicles."

SEC. 12. Part II of title 28, United States Code, is amended by inserting after chapter 37 the following new chapter:

"CHAPTER 40—UNDERCOVER INVESTIGATIVE OPERATIONS

"Sec.
"599. Federal Bureau of Investigation undercover operations.".
"600. Drug Enforcement Administration undercover operations.".

"§599. Federal Bureau of Investigation undercover operations.

"(a) Notwithstanding any other provisions of law, the Federal Bureau of Investigation is authorized with respect to any undercover investigative operation which is necessary for the detection and prosecution of crimes against the United States or for the collection of foreign intelligence or counterintelligence:

"(1) to purchase property, buildings, or other facilities and to lease space within the United States, the District of Columbia, and the territories and possessions of the United States without regard to section 1341 of title 31, United States Code, section 3732(a) of the Revised Statutes (41 U.S.C. 11(a)), section 305 of the Act of June 30, 1949 (63 Stat. 396; 41 U.S.C. 255), the third undesignated paragraph under the heading "Miscellaneous" of the Act of March 3, 1877 (19 Stat. 370; 40 U.S.C. 34), section 3324 of title 31, United States Code, section 3741 of the Revised Statutes (41 U.S.C. 22), and subsections (a) and (c) of section 304 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 395; 41 U.S.C. 254(a) and (c));

"(2) to establish or to acquire proprietary corporations or business entities as part of an undercover operation, and to operate such corporations or business entities on a commercial basis, without regard to the provisions of section 9102 of title 31, United States Code;

"(3) to deposit appropriated funds and the proceeds from such undercover operations in banks or other financial institutions without regard to the provisions of section 648 of title 18 of the United States Code, and section 3302 of title 31, United States Code; and

"(4) to use proceeds from such undercover operations to offset necessary and reasonable expenses incurred in such operations without regard to the provisions of section 3302 of title 31, United States Code;

only upon the written certification of the Director of the Federal Bureau of Investigation or his designee with prompt notification to the Attorney General or his designee thereafter, that any action authorized by this section is necessary for the conduct of such investigative operation. Such certification shall continue for the duration of the undercover operation without regard to the fiscal years.

"(b) As soon as the net proceeds from an undercover investigative operation authorized under this section are no longer necessary for the conduct of such operation, such proceeds shall be deposited into the Treasury of the United States as miscellaneous receipts.

"(c) If a corporation or business entity established or acquired as part of an undercover operation under paragraph (2) of subsection (a) with a net value of over $150,000 is to be liquidated, sold, or otherwise disposed of, the Federal Bureau of Investigation, as much in advance as the Director or his designee determines is practicable, shall report the circumstances to the Attorney General and the Comptroller General. The proceeds of the liquidation, sale, or other disposition, after obligations are met, shall be deposited in the Treasury of the United States as miscellaneous receipts.

"(d)(1) Upon completion of an undercover investigative operation authorized by this section and as soon as practicable, the Federal Bureau of Investigation shall conduct detailed financial audits of these operations and—

"(A) report the results of each audit in writing to the Department of Justice, and

"(B) report annually to Congress concerning these audits.

"(2) For the purposes of paragraph (1), "undercover operation" means any undercover operation of the Federal Bureau of Investigation, other than a foreign counterintelligence undercover operation—

"(A) in which the gross receipts exceed $150,000; and

"(B) which is exempted from sections 3302 or 9102 of title 31, United States Code.

"§600. Drug Enforcement Administration undercover operations

"(a) Notwithstanding any other provisions of law, the Drug Enforcement Administration, with respect to any undercover investigative operation which is necessary to carry out its function, is authorized to:

"(1) Purchase property, buildings, or other facilities and to lease space within the United States, the District of Columbia, and the territories and possessions of the United States without regard to section 1341 of title 31, United States Code, section 3732(a) of the Revised Statutes (41 U.S.C. 11(a)), section 305 of the Act of June 30, 1949 (63 Stat. 396; 41 U.S.C. 255), the third undesignated paragraph under the heading "Miscellaneous" of the Act of March 3, 1877 (19 Stat. 370; 40 U.S.C. 34), section 3324 of title 31, United States Code, section 3741 of the Revised Statutes (41 U.S.C. 22), and subsections (a) and (c) of section 304 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 395; 41 U.S.C. 254 (a) and (c));

"(2) Establish or to acquire proprietary corporations or business entities as part of an undercover operation and to operate such corporations or business entities on a commercial basis, without regard to the provisions of section 9102 of title 31, United States Code;

"(3) To deposit appropriated funds and the proceeds from such undercover operations in banks or other financial institutions without regard to the provisions of section 648 of title 18 of the United States Code, and section 3302 of title 31, United States Code; and

"(4) To use proceeds from such undercover operations to offset necessary and reasonable expenses incurred in such operation without regard to the provisions of section 3302 of title 31, United States Code;

only upon the written certification of the Administrator of the Drug Enforcement Administration (or by a person designated to act for the Administrator in his absence) with prompt notification of the Attorney General or his designee thereafter, that any action authorized by this section is necessary for the conduct of such investigative operation. Such certification shall continue for the duration of the undercover operation without regard to the fiscal years.

"(b) As soon as the net proceeds from an undercover investigative operation authorized under this section are no longer necessary for the conduct of such operation, such proceeds shall be deposited into the Treasury as miscellaneous receipts.

"(c) If a corporation or business entity established or acquired as part of an undercover operation under paragraph (2) of subsection (a) with a net value over $150,000 is to be liquidated, sold or otherwise disposed of, the Administrator of the Drug Enforcement Administration, as much in advance as the Administrator or his designee determines is practicable, shall report the circumstances to the Attorney General and the Comptroller General. The proceeds of the liquidation, sale, or other disposition, after obligations are met, shall be deposited in the Treasury as miscellaneous receipts.

"(d)(1) Upon completion of an undercover investigative operation authorized by this section, the Administrator of the Drug Enforcement Administration shall conduct detailed financial audits of these operations, and—

"(A) report the results of each audit in writing to the Department of Justice; and

"(B) report annually to the Congress concerning these audits.

"(2) for the purposes of paragraph (1), 'undercover operation' means any undercover operation of the Drug Enforcement Administration—

"(A) in which the gross receipts exceed $150,000, and

"(B) which is exempted from sections 3302 or 9102 of title 31, United States Code."

TECHNICAL CONFORMING AMENDMENTS

SEC. 13. The table of chapters for part II of title 28, United States Code, is amended by inserting after the item relating to chapter 37 the following new item:

"38. General authorizations ..... 576.".

and by inserting after the item relating to chapter 39 the following new item:

"40. Undercover investigative operations ..... 599.".

SEC. 14. The table of sections for chapter 37 of title 28, United States Code, is amended by amending the item relating to section 568 to read as follows:

"§568. General authorizations.".

SEC. 15. The table of sections for chapter 301 of title 18, United States Code, is amended by inserting after the item relating to section 4011 the following new item:

"§4012. Support for United States prisoners in non-federal institutions.".

SEC. 16. The table of sections for chapter 33 of title 28, United States Code, is amended by inserting after the item relating to section 537 the following new items:

"§538. General authorizations.".
"§539. Fees for furnishing identification services.".

SEC. 17. The table of sections for chapter 303 of title 18, United States Code, is amended by inserting after the item relating to section 4042 the following new item:

"4043. General authorizations."

S. 1192

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

Act may be cited as the "Department of Justice Appropriation Authorization Act, Fiscal Year 1984."

SEC. 2. There are authorized to be appropriated for the fiscal year ending September 30, 1984, to carry out the activities of the Department of Justice (including any bureau, office, board, division, commission, or subdivision thereof) the following sums:

(1) For General Administration: $56,364,000 of which $797,000 shall remain available until expended for the Federal Justice Research program;

(2) For the United States Parole Commission: $7,836,000.

(3) For General Legal activities including not to exceed $50,000 which may be transferred from the "Alien Property Funds, World War II," for the general administrative expenses of alien property activities, including rent of private or Government owned space in the District of Columbia, and for the investigation and prosecution of denaturalization and deportation cases involving alleged Nazi War Criminals: $160,440,000.

(4) For the Foreign Claims Settlement Commission: $954,000.

(5) For the Antitrust Division: $45,791,000.

(6) For the United States Attorneys and Marshals: $362,707,000.

(7) For the Support of United States Prisoners in non-Federal institutions: $44,768,000: *Provided*, That amounts available will be available for the reimbursement to Saint Elizabeths Hospital and to other appropriate health care providers for the care, diagnosis and treatment of United States Prisoners and persons adjudicated in Federal courts as not guilty by reason of insanity at rates that in the aggregate do not exceed the full cost of the services: *Provided, further*, That amounts made available for constructing any local jail facility shall not exceed the cost of constructing space for the average Federal prisoner population for that facility as projected by the Attorney General: *Provided, further*, That following agreement on or completion of any federally assisted jail construction, the availability of such space shall be assured and the per diem rate charged for housing Federal prisoners at that facility shall not exceed direct operating costs for the period of time specified in the cooperative agreement.

(8) For Fees and Expenses of Witnesses: $38,266,000.

(9) For the Community Relations Service: $32,969,000 of which $26,655,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements and other expenses necessary under section 501(c), the Refugee Education Assistance Act of 1980, Public Law 96-422, for the processing, care, maintenance, security, transportation and reception and placement in the United States of Cuban and Haitian entrants.

(10) For Organized Crime Drug Enforcement for the detection, investigation, prosecution and incarceration of individuals involved in organized criminal drug trafficking not otherwise provided for: $89,949,000 of which $2,500,000 is for the Presidential Commission on Organized Crime are to remain available until expended and of which $14,000,000 for the purchase of automated data processing and telecommunications equipment and $9,619,000 for undercover operations shall remain available until September 30, 1985, and, notwithstanding any other provision in law, there is authorized payment in advance for expenses arising out of contractual and reimbursable agreements with State and local law enforcement and regulatory agencies while engaged in cooperative organized criminal drug enforcement and regulatory activities.

(11) For the Federal Bureau of Investigation: $1,055,690,000 of which not to exceed $52,000,000 for automated data processing and telecommunications and $1,000,000 for undercover operations and $10,000,000 for the relocation within the District of Columbia of the Washington field office shall remain available until September 30, 1985: *Provided*, That notwithstanding the provisions section 3302 and 9701 of title 31, United States Code the Director of the FBI may establish and collect fees to process fingerprint identification records for noncriminal employment and licensing purposes and credit not more than $13,500,000 of such fees to the FBI's appropriation to be used for salaries and other expenses incurred in providing these services.

(12) For the Drug Enforcement Administration: $275,623,000 of which not to exceed $1,200,000 for research shall remain available until expended and $1,700,000 for purchase of evidence and payments for information shall remain available until September 30, 1985. For the purpose of section 709(b) of the Controlled Substances Act (21 U.S.C. 904(b)), such sums shall be deemed to be authorized by section 709(a) of such Act for the fiscal year ending September 30, 1984."

(13) For the Immigration and Naturalization Service: $539,261,000 of which $400,000 shall remain available for research until expended and of which not to exceed $10,090,000 is authorized to be appropriated to establish a National Records Center and $11,134,000 is authorized to be appropriated to implement a long-range automated data processing plan, each amount to remain available until September 30, 1985.

(14) For the Federal Prison System: $481,070,000;

SEC. 3. Section 709(a) of the Controlled Substances Act (21 U.S.C. 904) is amended—

(1) by striking out "and" after "1982", and

(2) by inserting after "1983", the following: "and $275,623,000 for the fiscal year ending September 30, 1984."

SEC. 4. There are authorized to be appropriated for the fiscal year ending September 30, 1984, such sums as may be necessary for increases in salary, pay, retirement, and other employee benefits authorized by law, and for other nondiscretionary costs.

SEC. 5. Notwithstanding any other provision of law, funds appropriated to the Department of Justice may be expended for assistance to individuals under section 501(c) of the Refugee Education Assistance Act of 1980, Public Law 96-422 who meet the definition of "Cuban and Haitian entrant" under section 501(e) said Act but for the application of paragraph (2)(B) thereof.

SEC. 6. Section 261(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415, as amended by Public Law 94-503, Public Law 95-115, and Public Law 96-509) is amended by inserting "and" after "September 30, 1982," inserting a period after "1983", and striking "and September 1984".

A BILL TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO CONDUCT CERTAIN ACTIVITIES AND MAKE CERTAIN EXPENDITURES

SECTION-BY-SECTION ANALYSIS—S. 1191

Section I. This language amends title 28 United States Code by creating a new Chapter 38 which would provide general authorizations for the Department of Justice especially the General Administration area.

Proposed Section 576(a)(1) the hire of passenger motor vehicles.

This provision allows the Department of Justice to lease automobiles and general purpose vehicles from the General Services Administration for the purpose of providing necessary transportation for the Attorney General and other high level staff in the Washington, D.C. area.

Proposed Section 576(a)(2) miscellaneous and emergency expenses authorized or approved by the Attorney General, or the Deputy Attorney General, or the Associate Attorney General, or the Assistant Attorney General for Administration.

This provision allows the Attorney General to respond to unforeseen circumstances where a demonstrated need for action is clear but is not considered a normal cost of administration. Examples of these expenses include the Department's response to the Miami Civil disturbances, the Atlanta mass homicide situation, and the influx of the Cuban boatlift entrants. Another situation which required the use of this emergency authority was the Department's initial involvement at Wounded Knee, South Dakota.

Proposed Section 576(a)(3) benefits authorized under section 901 (3)(5)(6a)(8)(9) and section 904 of the Foreign Service Act of 1980 (22 U.S.C. 4081 (3)(5)(6a)(8)(9) and 22 U.S.C. 4084), and under the regulations issued by the Secretary of State.

The Foreign Service Act of 1946 was the basic statutory source for providing medical treatment and health care facilities for Department of Justice employees serving overseas. The Foreign Service Act of 1946 was replaced by the Foreign Service Act of 1980 (P.L. 96-465) on October 17, 1980. The new language conforms the FY 1984 Authorization bill with certain benefits included in the Foreign Service Act of 1980.

Proposed Section 576(a)(4) the purchase of insurance for motor vehicles and aircraft operated in official government business in foreign countries.

A number of overseas employees in the Department of Justice, in particular the Immigration and Naturalization Service, the Federal Bureau of Investigation, and the Drug Enforcement Administration are required to operate motor vehicles or aircraft in the scope of their employment. In addition, a number of offices stationed in the United States at points along the borders use automobiles to enter Canada and Mexico in the performance of their official duties. This provision authorizes the Department to pay the premiums or fees for contracts of indemnification or insurance of officers, employees and agents for their liability or that of the Untied States.

If an employee of the Department, while operating a motor vehicle or aircraft on official business in a foreign country becomes involved in a collision which causes personal injury or property damage, then this section provides a basis for payment of damages to a third party. Failure by the United States to assume responsibility for these third party claims conceivably could result in international incidents, especially in those countries with compulsory insurance laws. This provision protects employees and permits them to comply with the laws of countries where they operate vehicles and aircraft on official business and, at the same time, avoids embarrassment or unfavorable publicity for the United States.

Proposed Section 576(a)(5) services as authorized by section 3109 of title 5 of the United States Code.

This provision allows the Department flexibility in its hiring practices, and maximizes managerial efficiency. Section 3109 of Title 5 indicates the use of temporary or intermittent services must be authorized by an appropriation or other statute.

Proposed Section 576(a)(6) official reception and representation expenses in accordance with distributions, procedures, and regulations issued by the Attorney General.

This language authorizes the use of funds to cover the expenses of Department of Justice senior employees whose official positions entail the responsibilities for establishing and maintaining relationships of value to the Department.

Proposed Section 576(a)(17) per diem allowances for an employee who serves in a law enforcement capacity and/or transportation expenses for members of his immediate family in accordance with the regulations prescribed under Section 5707 of title 5, United States Code, by the Administrator of GSA or his designee when necessarily occupying temporary living accommodations at or away from the employee's designated post of duty because of a threat to life or property or because law enforcement or investigative interests may be compromised;

Authority is proposed to provide per diem allowances for law enforcement employees and transportation expenses for their families in emergency situations, primarily because of threat to life or property. Primarily, the adjustment amends the current travel regulations to permit temporary living accommodations.

Proposed Section 576(a)(8) attendance at meetings to be expended for such purposes in accordance with the regulations issued by the Attorney General;

This provision ensures that funds for attendance at meetings are expended in the legally required manner, thus reducing cost or deliberate abuse.

Proposed Section 576(a)(9) anti-terrorism training for dependents of Department of Justice personnel who will be stationed abroad on the same basis as Department of State personnel;

This would provide virtually identical training opportunities to dependents of the Department of Justice personnel assigned to foreign posts that are available to dependents of the U.S. Foreign Service authorized by Chapter 7 of the Foreign Service Act of 1980. The training provides classes primarily in safety precautions.

Proposed Section 576(a)(10) the travel expense of newly appointed Special Agents within the various agencies of the Department of Justice and the transportation expense of household goods and personal effects from place of residence at time of selection to first duty station to the extent authorized by section 5723 of title 5.

This provision would permit the payment of travel expenses of newly appointed Special Agents within the Department of Justice and the transportation expenses of their families and household goods and personal effects, from the place of residence at the time of selection to the first duty station following training. Such authorization would eliminate the need for new Special Agents to spend six months in the field office that recruited them and would give the Department of Justice the staffing flexibility needed to effectively and efficiently discharge the duties of Federal law enforcement.

Proposed Section 576(a)(11) assistance to individuals under section 501(c) of the Refugee Education Assistance Act (P.L. 96-422) who meet the definition of "Cuban and Haitian entrant" under section 501(e) of said Act but for the application of paragraph (2)(B) thereof.

Title V of the Refugee Education Assistance Act of 1980 (Public Law 96-422) was added primarily to provide federal reimbursement for State and local government expenditure for Cuban and Haitian entrants. However, because of the way 501(e) of the Act defines Cuban and Haitian entrants, funds provided for this program cannot be applied to Cuban and Haitian entrants who are under "final, nonappealable, and legally enforceable orders of deportation or exclusion." Since Cuba will not accept these individuals, this language will authorize the Department of Justice to carry out the processing, care and maintenance activities associated with Title V for all Cuban and Haitian entrants notwithstanding the restricting clause. This language was previously enacted by the FY 1983 Continuing Resolution on Appropriations P.L. 97-377.

Proposed Section 576(b) Travel advances issued to Special Agents of the Department of Justice engaged in undercover activities shall be deemed to be government funds within the meaning of 31 U.S.C. 3527.

This legislation would relieve the agents of liability for loss of travel advances when there is no fault or negligence of the agents in consonance with the standards set forth in 31 U.S.C. 3527.

The inherently dangerous nature of law enforcement should entitle DOJ agents, and their estates to be afforded some protection from the potential liability for non-negligent loss of travel advance funds.

Proposed Section 576. This section addresses authorization for those organizations, within the General Legal Activities area. The General Legal Activities includes the Office of the Solicitor General, the Tax Division, the Criminal Division, the Civil Division, the Land and Natural Resources Division, the Office of Legal Counsel, the Civil Rights Division and U.S. National Central Bureau—INTERPOL.

Proposed Section 576(c)(1) the hire of passenger motor vehicles.

The Department of Justice leases automobiles and general purpose vehicles for the purpose of providing necessary transportation for high level staff in the Washington, D.C. area.

Proposed Section 576(c)(2) miscellaneous and emergency expenses authorized or approved by the Attorney General, or the Deputy Attorney General, or the Associate Attorney General, or the Assistant Attorney General for Administration.

The language authorizes the use of funds for activities such as a special prosecutor or special counsel.

Proposed Section 576(c)(3) expenses for collecting evidence, to be expended under the direction of the Attorney General and accounted for on the certificate of the Attorney General or the Deputy Attorney General.

Funds authorized by this provision are used primarily by the Criminal Division to collect information.

Proposed Section 576(c)(4) advance of public moneys under section 3324 of Title 31 United States Code.

Occasional advances have been made to State and local governments when the latter cannot legally begin performance on a contract until it receives partial payment in advance. Section 529, Title 31, United States Code, prohibits the advance of public moneys unless authorized by the appropriation or other law.

Proposed Section 576(c)(5) necessary accommodations in the District of Columbia for conferences and training activities.

This language provides the authority to pay for accommodations and training facilities for Department attorneys.

Proposed Section 576(c)(6) for necessary dues and expenses for the membership of the United States in the International Criminal Police Organization (INTERPOL), as authorized by title 22, United States Code, 263(a).

This section would authorize the further payment of United States dues and expenses for U.S. membership in the International Criminal Police Organization (INTERPOL) from the funds of the INTERPOL appropriation.

Proposed Section 576(c)(7) expenses necessary under section 501(c) of the Refugee Education Assistance Act of 1980 (P.L. 96-422).

Executive Order 12341 dated January 29, 1982 transferred this program to the Department of Justice. The Criminal Division executes the duties and administration of the Attorney General's Review Panel which screens Cuban entrants currently housed in the Atlanta Federal penitentiary for possible parole.

Proposed Section 576(d) This section addresses certain authorizations for the Fees and Expenses of Witnesses area.

Proposed Section 576(d)(1) expenses, mileage, compensation, and per diem of witnesses in lieu of subsistence, as authorized by law.

The protection of witnesses activity provides financial security for government witnesses and potential government witnesses, and their families, in legal proceedings against persons alleged to be involved in organized criminal activity. Subsistence and relocation costs are paid from this appropriation.

Proposed Section 576(d)(2) contracting for expert witnesses according to the procedure similar to that authorized by section 904 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 544).

This language will permit the Department of Justice to award contracts for expert witnesses on a basis of demonstrated competence and qualifications at fair and reasonable prices but not based entirely on price competition. Current statute provides that expert witness services may be procured without regard to the bid advertising statutes. However, current law does not permit the selection of an expert witness purely on the basis of experience and qualifications. Under existing regulations expert witnesses should be procured through the traditional competitive negotiations. This requires that an incremental value analysis be done in order to justify the payment of a premium (the difference in price between the low acceptable witness and the superior witness) before awarding a contract to the superior witness. Selection of expert witnesses must be made primarily on a basis of technical merit; that is, qualification, experience, and professional reputation. The court opponent of the Department is not required to select witnesses based on price and other factors. The Department can thus be put at a decided disadvantage if not permitted to procure witnesses on the same basis as its opponent. A selection process not based entirely on the

lowest cost is a small price to pay when considering the economic consequences of losing important cases. Accordingly this language will provide authority to negotiate contracts for expert witness services on the basis of demonstrated competence and qualifications at fair and reasonable prices but not at prices based entirely on price competition.

Proposed Section 576(d)(3) advances of public moneys.

Advances of fees and expenses are often necessary to ensure appearance of those witnesses who could not otherwise afford to appear. Section 529 Title 31 United States Code prohibits the advance of public moneys unless authorized by the appropriation or otherwise.

Proposed Section 576(d). No sums authorized to be appropriated by this Act shall be used to pay any witness more than one attendance fee for any one calender day.

The limitation of one attendance fee reduces the possibility of excess payments to witnesses who testify more than once on any given calendar day.

Section 576(e). This section provides certain authority for the Community Relations Service of the Department of Justice.

Proposed Section 576(e) hire of passenger motor vehicles.

Automobiles are leased from the General Service Administration for the purpose of providing necessary transportation for key personnel in carrying out their proper assignments.

Proposed Section 576(e) and make payments in advance for grants, contracts, and reimbursable agreements and other expenses necessary under section 501(c) of the Refugee Education Assistance Act of 1980 (P.L. 96-422) for the processing, care, maintenance, security, transportation and reception and placement in the United States of Cuban and Haitian entrants to remain available until expended.

On January 21, 1982, the President, by Executive Order 12341, transferred from the Department of Health and Human Services (HHS) to the Department of Justice the responsibility and funding for the Cuban/Haitian entrant processing and care activities mandated by Section 501(c), Title V of the Refugee Education Assistance Act of 1980. This transfer of responsibility has been ratified by the Congress in past appropriation actions. The Department of Justice, with the concurrence of the Office of Management and Budget, has decided to consolidate the major activities related to the 501(c) program within the Community Relations Service (CRS). It was decided that since the President had vested the responsibility and the funding for this program in the Department of Justice, the personnel carrying out the program's principal activities would also be vested in the Department of Justice.

The consolidation of these activities required the transfer of personnel associated with the 501(c) Cuban/Haitian entrant related activities currently situated in the Office of Refugee Resettlement, HHS to CRS. Since a considerable portion of the activities within this program is conducted through funding of grants or entering into contracts with qualified Voluntary agencies or other qualified individuals to resettle or place Cuban Haitian entrants, appropriate statutory language is required for CRS. Furthermore, during the initial transfer of responsibility in January 1982, appropriation language authorizing the carryover of unobligated funds under Section 501(c) of the Act was inadvertently omitted. The appropriation language would rectify this error by authorizing the carryover to subsequent fiscal years of unobligated funds to cover expenses necessary under Section 501(c) of the Refugee Education Assistance Act of 1980, as was originally intended in that Act.

Proposed Section 577. This section includes a generic authority to conduct evaluations of Department programs.

Section 577(a). The Attorney General shall perform periodic evaluations of the overall efficiency and effectiveness of the Department of Justice programs and any supporting activities funded by appropriations authorized and annual specific program evaluations of selected subordinate organizations programs, as determined by priorities set by the Attorney General.

(b) Subordinate Department of Justice organizations and their officials shall provide all the necessary assistance and cooperation in the conduct of evaluations, including full access to all information, documentation, and cognizant personnel, as required.

A similar provision was included in most of the past Department of Justice Appropriation Authorization Acts. It was again proposed by the Department for fiscal year 1983 and is being reinitiated by the Department in an effort to continue to improve its management capabilities and to work with Congress to increase the overall efficiency and effectiveness of the Department's programs.

Proposed Section 2. This language amends Section 106 of title 22, United States Code, and provide certain authorizations for the Foreign Claims Settlement Commission.

Section 106(a). The Attorney General shall provide necessary administrative support and services to the Commission. The Chairman shall prepare the budget requests, authorization documents, and legislative proposals for the Commission within the procedures established by the Department of Justice, and the Attorney General shall submit these items to the Director of the Office of Management and Budget as proposed by the Chairman.

This language delineates certain responsibilities.

Proposed Section 106(b). The Commission is authorized to make payments from its appropriation for:

Proposed Section 106(b)(1) services as authorized by section 3109 of title 5, United States Code.

This provision permits the Commission to employ the services of experts, if necessary, to assist in its international claims work.

Proposed Section 106(b)(2) expenses of packing, shipping, and storing personal effects of personnel assigned abroad.

This provision facilitates the transfer of personnel to assignments abroad, while minimizing the financial burden on the individual employee. These benefits are consistent with those provided by other Federal agencies with personnel abroad.

Proposed Section 106(b)(3) rental or lease, for such periods as may be necessary, of office space and living quarters for personnel assigned abroad.

This provision authorizes the Commission to use funds to maintain necessary facilities in foreign countries. During previous programs the Commission has maintained field offices abroad. The Secretary of State has similar authority under 22 U.S.C. 2670(h).

Proposed Section 106(b)(4) maintenance, improvement, and repair of properties rented or leased abroad, and furnishing fuel, water, and utilities for such properties.

This provision authorizes the Commission to use funds to maintain necessary facilities in foreign countries. During previous programs the Commission has maintained field offices abroad. The Secretary of State has similar authority under 22 U.S.C. 2670(i).

Proposed Section 106(b)(5) advances of funds abroad.

There have been instances in previous programs where the Commission was required to advance funds to foreign governments as part of leasing arrangements or contracts abroad. Federal law prohibits the advance of funds unless authorized by the appropriation or other law.

Proposed Section 106(b)(6) advances or reimbursements to other Government agencies for use of their facilities and services in carrying out the functions of the Commission.

It is often more cost effective and efficient for the Commission to use the facilities and services of other Government agencies, rather than to arrange for lease or services on a separate basis. The Commission has had reimbursable agreements with other agencies during previous programs.

Proposed Section 106(b)(7) the hire of motor vehicles for field use only.

Motor vehicles are used from time to time for the field work of the Commission.

Proposed Section 106(b)(8) and the employment of aliens.

Aliens have been employed abroad during previous programs to assist the Commission in fulfilling its mission.

Section 3. This section amends Section 568 of Title 28, United States Code, to provide certain authorization for United States Attorneys and Marshals.

Proposed Section 568 Appropriations for the United States Attorneys and Marshals are available for.

Proposed Section 568(a) the purchase of firearms and ammunition and the attendance at firearms matches.

The marshals and their deputies perform hazardous law enforcement duties which require expertise in handling weapons. These duties range from providing personal protection to judges and witnesses, to arresting and transporting felons. Attendance at firearms matches increases the expertise in the use of firearms and is a significant factor in boosting agent morale. This authority is identical to the authority requested and previously enacted for other organizations in the Department.

Proposed Section 568(b) the lease and acquisition of law enforcement and passenger motor vehicles without regard to the general purchase price limitation for the current fiscal year including the acquisition of vehicles seized and forfeited to the United States Government for official use.

Personnel require passenger motor vehicles to perform their routine duties such as service of government process, movement of prisoners, and the transportation of protected witnesses. In addition, this language would allow the retention of seized vehicles for official use on a limited basis, primarily for undercover work in the warrants program where an unknown vehicle is required for surveillance. This authorization would mitigate the need for short term leases for such surveillance work.

Proposed Section 568(c) the supervision of United States prisoners in non-federal institutions.

This clause provides for the safekeeping of United States prisoners in non-federal institutions. Minimum standards for health and general welfare for the United States prisoners are required when contracting

with non-federal institutions for housing such prisoners.

Proposed Section 568(d) the bringing to the United States from foreign countries persons charged with crime.

Extradition involves the return of fugitives ordered surrendered by a foreign government pursuant to a request by the United States.

Proposed Section 568(e) the acquisition, lease, maintenance, and operation of aircraft.

Aircraft is used to transport United States prisoners in the custody of the U.S. Marshals Service. This authority will be utilized only if it will result in a cost savings. The U.S. Marshals Service does not intend to acquire a large number of aircraft.

Proposed Section 568(f) the payment of rewards and the purchase of evidence and payments for information.

This language provides for payments to informants or other persons aiding the Government in the arrest of suspects, federal law violators and their prosecution.

Subsection 3(b). This subsection would amend section 1921 of title 28, United States Code, as follows:

"(a)(1) The United States marshals or deputies shall routinely collect, and a court may tax as costs, the fees for the following:

"(A) Serving a writ of possession, partition, execution, attachment in rem, or libel in admiralty, warrant, attachments, summons, capias, or any other writ, order or process in any case or proceeding.

"(B) serving a subpoena or summons for a witness or appraiser;

"(C) forwarding any writ order, or process to another judicial district for service;

"(D) the preparation of any notice of sale, proclamation in admiralty, or other public notice or bill of sale;

"(E) the keeping of attached property (including boats, vessels, or other property attached or libeled), actual expenses incurred, such as storage, moving, boat hire, or other special transportation, watchmen's or keepers' fees, insurance, and an hourly rate including overtime for each deputy marshal required for special services, such as guarding, inventorying, and moving;

"(F) copies of writs or other papers furnished at the request of any party;

"(G) necessary travel in serving or endeavoring to serve any process, writ, or order, except in the District of Columbia, with mileage to be computed from the place where service is returnable to the place of service or endeavor; and

"(H) overtime expenses incurred by deputy marshals in the course of serving or executing civil process.

"(2) The marshals shall collect, in advance, a deposit to cover the initial expenses for special services required under subparagraph (E), and periodically thereafter such amounts as may be necessary to pay such expenses until the litigation is concluded. This paragraph applies to all private litigants, including seamen proceeding pursuant to section 1916 of this title.

"(3) For purposes of subparagraph (G), if two or more services or endeavors, or if an endeavor and a service, are made or endeavor which is most remote from the place where service is returnable, adding any additional mileage traveled in serving or endeavoring to serve in behalf of that party. If two or more writs of any kind, required to be served in behalf of the same party on the same person in the same case or proceeding, may be served at the same time, mileage on only one such writ shall be collected.

"(b) The Attorney General shall prescribe from time to time regulations for the fees to be collected and taxed under subsection (a).

"(c)(1) For seizing or levying on property (including seizures in admiralty), disposing of such property by sale, setoff, or otherwise and receiving and paying over money, the United States marshals or deputies shall collect commissions of 3 per centum of the first $1,000 collected and 1½ per centum on the excess of any sum over $1,000 except that the amount of the commission shall be within the range set by the Attorney General. If the property is not disposed of by marshal's sale, the commission shall be in such amount, within the range set by the Attorney General, as may be allowed by the court. In any case in which the vessel or other property is sold by a public auctioneer, or by some party other than the marshal or his deputy, the commission authorized under this subsection shall be reduced by the amount paid to such autioneer or other party. This subsection applies to judicially ordered sales and execution sales, without regard to whether the judicial order of sale constitutes a seizure or levy within the meaning of State law.

"(2) The Attorney General shall prescribe from time to time regulations which establish a minimum and maximum amount for the commissions collected under paragraph (1).

"(d) The United States marshals may require a deposit to cover any of the fees and expenses prescribed under this section.

"(e) Without regard to the provisions of section 3302 and 9701 of 31 U.S.C., the U.S. Marshals Service is authorized to credit amounts from fees and expenses collected (including amounts for overtime expenses) for the service of civil process, including complaints, summonses, subpoenas, and similar process performed by the marshals to its current appropriation account for the purpose, only, if carrying out those activities.

The language would permit the Attorney General to set fees for the service of process commensurate with the costs incurred to serve such process. The receipts from such fees are to be credited to the U.S. Marshals Service's appropriation. The language is included in the FY 1984 Authorization since there is no assurance that either the FY 1983 Authorization or the separate bill will be enacted.

Subsections 3(c)(d)(e). These subsections would amend section 569(b) of title 28, United States Code, to include certain technical adjustments required due to the enactment of P.L. 97-462, an Act amending the Federal Rules of Civil Procedure with respect to certain service of process by mail. The language is as follows:

"(b)(1) Except as provided in paragraph (2), the United States marshals shall execute all lawful writs, process and orders issued under authority of the United States, and command all necessary assistance to execute their duties.

"(2) Service of complaints, summonses, and subpoenas by a United States marshal may not be required by any party, other than the United States or an officer or agency of the United States, unless performed pursuant to—

"(A) section 1915 or 1916 of this title, or

"(B) an order issued by the court stating that service of a complaint, summons or a subpoena should be made by a United States marshal in order to properly effect service."

(d) Rule 45 of the Federal Rules of Civil Procedure is amended by inserting after the first sentence and before the second sentence of subsection (c) the following sentence: "A party, other than the United States or an officer or agency of the United States, may not require service of a subpoena by a marshal, or his deputy, unless the service is (1) on behalf of a party authorized to proceed in forma pauperis pursuant to Title 28, U.S.C. § 1915, or of a seaman authorized to proceed under Title 28, U.S.C. § 1916 or (2) pursuant to an order issued by the Court stating that a marshal, or his deputy, is required to serve the subpoena in order that service is properly effected."

(e) Rule 4 of the Federal Rules of Civil Procedure is amended by—

(1) striking the last sentence in subsection (c)(2)(C)(ii) and inserting in lieu thereof the following sentence: "Service of a summons and complaint pursuant to this subdivision of this rule is deemed complete on the date a written acknowledgment of receipt of summons is executed, if such acknowledgment is thereafter returned to the sender."

(2) by inserting immediately before the period at the end of subsection (c)(2)(D) the following: "mailed to such person pursuant to subdivision (c)(2)(C)(ii) of this rule.".

These are amendments flowing from the enactment of Public Law 97-462, an Act "to amend the Federal Rules of Civil Procedure with respect to certain service of process by mail, and for other purposes." P.L. 97-462 amended Rule 4(c) of the Federal Rules of Civil Procedure to relieve effectively the United States Marshals Service of the duty of routinely serving summonses and complaints for private parties in civil actions. There was no corresponding change in 28, United States Code, section 569(b), which requires the Marshals to serve civil process. As the later statutory enactment, the provisions of P.L. 97-462 take precedence. Nevertheless, conforming section 569(b) to Rule 4 would prevent unnecessary confusion. Accordingly, subsection 3(c) amends 28, United States Code, section 569(b) to conform to the provisions of Rule 4(c). In addition, subsection 3(d) amends Rule 45(c) of the Federal Rules of Civil Procedure, dealing with service of subpoenas, so as to conform that provision with Rule 4(c) and to clarify when the Marshals are required to serve subpoenas.

Subsection 3(e) contains proposed amendments to Rule 4 of the Federal Rules of Civil Procedure to eliminate potential questions arising under the language in Rule 4(c)(2)(C)(ii) as amended by P.L. 97-462 which states—

If no acknowledgment of service under this subdivision of this rule is *received* by the sender within 20 days after the date of mailing, service of such summons and complaint *shall* be made under subparagraph (A) or (B) of this paragraph in the manner prescribed by subdivision (d)(1) or (d)(3). (Emphasis supplied.)

If interpreted literally, this language would require a sender to make personal service whenever the acknowledgment form is received after the 20th day. Under a similar California statute, Cal. Code Civ. Proc. § 415.30, the service is complete on the date the acknowledgment is executed as long as it is eventually received by the sender. The sender has the option of waiting longer than 20 days for the acknowledgment, if desired, or can make service by delivery and request that the defendant be taxed with the costs of the delay.

The proposed language would make Rule 4(c)(2) closer to the California practice. Ad-

ditional technical amendments to (c)(2)(D) and (c)(2)(E) are also proposed.

Subsections 3 (f) and (g) would amend sections 546 and 565 of title 28, United States Code to include a provision for the Interim Appointment of U.S. Attorneys and U.S. Marshals. The amended sections read as follows:

"§ 546. Vacancies

"(a) In the case of a vacancy in the office of United States attorney, the Attorney General may designate a United States attorney to serve until the end of the next session of the Senate of the United States, or until the person nominated by the President as United States attorney, or appointed by the President as United States attorney under a recess appointment under Article II, Section 2, Paragraph 3 of the Constitution of the United States, qualified, whichever period is shorter.

"(b) The Attorney General may not designate as United States attorney a person whose nomination by the President to that office was rejected by the Senate. If the Senate rejects the nomination of a person designated by the Attorney General to serve as United States attorney, the person shall cease to serve as United States attorney upon such rejection.".

(g) Section 565 of title 28, United States Code, is amended to read as follows:

§ 565. Vacancies

"(a) In the case of a vacancy in the office of United States marshal, the Attorney General may designate a United States marshal to serve until the end of the next session of the Senate of the United States, or until the person nominated by the President as United States marshal, or appointed by the President as United States marshal under a recess appointment under Article II, Section 2, Paragraph 3 of the Constitution of the United States, qualifies, whichever period is shorter.

"(b) The Attorney General may not designate as United States marshal a person whose nomination by the President to that office was rejected by the Senate. If the Senate rejects the nomination of a person designated by the Attorney General to serve as United States marshal, the person shall cease to serve as United States marshal upon such rejection.".

The interim appointment authority which resides primarily in the District Court, pursuant to 28 U.S.C. 546 and 565, has created difficulties and delays in some instances, due to differences of opinion among members of the court and local political circumstances. United States attorneys and marshals are directly accountable to the Attorney General, and it is felt that the Attorney General should have the authority to fill vacancies on a short-term basis until the President's nominee can be confirmed.

Subsection 3(h), pertaining to United States Attorney and related salaries, would amend section 548 of title 28, United States Code, to read as follows:

"§ 548. Salaries

"Subject to sections 5315-5317 of title 5, United States Code, the Attorney General shall fix the annual salaries of United States attorneys, assistant United States attorneys, and attorneys appointed under section 543 of this title at rates of compensation not in excess of the rate of basic compensation provided for Executive Level IV of the Executive Schedule set forth in section 5315 of title 5, United States Code."

Subsection (h) would amend 28 U.S.C. 548 to raise the salaries for United States Attorneys, Assistant United States Attorneys (AUSAs) and attorneys appointed under 18 U.S.C. 543, to rates which are comparable to salary levels for members of the Senior Executive Service (SES). At the present time, approximately 68 supervisory AUSA positions in 30 United States Attorneys' offices are "equivalent positions" within the definition of the SES. However these positions have been indefinitely administratively exempted from the SES. Subsection (h) would provide pay comparability for United States Attorneys with non-career SES members. Section 548 of Title 28 U.S.C. presently limits United States Attorneys and AUSAs' salaries to the maximum rate allowable for a GS-18 of the General Schedule, as set forth in 5 U.S.C. 5332. Since the salary ceiling for SES members was recently lifted, United States Attorneys and senior AUSAs have been more adversely affected monetarily.

Section 4. This section would amend Chapter 301 of title 18, United States Code, by inserting a new section after section 4011 providing certain authorization for the Support of United States Prisoners appropriation.

Proposed Section 4012(a) the necessary clothing, medical aid.

The contracts with non-Federal institutions provide funds to these institutions to confine, clothe and provide medical care for certain unsentenced Federal inmates, for certain sentenced Federal prisoners awaiting transportation to permanent incarceration facilities, and for certain Federal prisoners called to non-Federal facilities for judicial purposes.

Proposed Section 4012(a) and payment of rewards.

This authority is required to allow the U.S. Marshals Service to pay rewards for the capture of escaped Federal prisoners who were in the custody of the U.S. Marshals Service at the time of escape.

(b) entering into contracts or cooperative agreements for only the reasonable and actual cost to assist the government of any State, territory or political subdivision thereof, for the necessary construction or physical renovation, and the acquisition of equipment, supplies, or materials required to improve conditions of confinement and services of any facility which confines Federal detainees, in accordance with regulations to be issued by the Attorney General, and which are comparable to regulations issued under section 4006 of title 18, United States Code.

This language would provide the Department with statutory authority to use the "Support of United States prisoners" appropriation for the purpose of improving local jail facilities and conditions.

Section 5. This section would amend Chapter 33 of title 28, United States Code, by adding a new section 538 which would authorize certain activities of the Federal Bureau of Investigation.

Proposed Section 538(a) expenses necessary for the detection and prosecution of crimes against the United States.

Authorization for appropriations for the detection and prosecution of crimes against the United States includes the expenses necessary for the FBI to conduct investigations of those violations of Federal law for which the FBI has responsibility. In addition to national priority areas of organized crime, foreign counterintelligence, terrorism, and white-collar crime, the FBI has primary jurisdiction over numerous other Federal statutes concentrating on such areas as interstate crimes, forcible crimes against banking institutions, civil rights, and fugitive investigations. Typical expenses include personnel compensation and benefits, travel and transportation of persons and property, rent, communications and utilities, capital and noncapital equipment, and supplies.

Proposed Section 538(b) protection of the person of the President of the United States and the person of the Attorney General.

Appropriations are utilized for the purposes of assuring the security of the President, and of the Attorney General, when so requested by the Department of Justice. Typical expenses include personnel compensation and travel costs.

Proposed Section 538(c) acquisition, collection, classification and preservation of identification and other records and their exchange with, and for the official use of, the duly authorized officials of the Federal Government, of States, cities, and other institutions, such exchange to be subject to cancellation if dissemination is made outside the receiving departments or related agencies.

Authorization for appropriations for the collection and preservation of identification and other records and their exchange with authorized officials includes expenses for the maintenance at FBI Headquarters of the Central Records System, consisting of over six million investigative, personnel, applicant, administrative, and general case files, and for the maintenance of fingerprint identification records submitted by over 20,000 authorized agencies. In addition, this authorization for appropriations includes expenses of providing information contained in FBI records to other Federal agencies in compliance with Executive Order 10450 and to authorized officials of States, cities, and other institutions.

Proposed Section 538(d) such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General.

This language would permit the expenditure of funds at the direction of the Attorney General for other investigations regarding official matters as determined by the Attorney General.

Proposed Section 538(e) purchase for police-type use without regard to the general purchase price limitation for the current fiscal year and hire of passenger motor vehicles.

Authorization for appropriations for motor vehicles includes the expenses associated with the purchase and hire of motor vehicles utilized by investigative and support personnel in the performance of their official duties.

Proposed Section 538(f) acquisition, lease, maintenance and operation of aircraft.

Authorization for appropriations for aircraft includes the expenses of acquisition, lease, maintenance and operation of aircraft strategically located in various field offices of the Federal Bureau of Investigation.

Proposed Section 538(g) purchase of firearms and ammunition and attendance at firearms matches.

Authorization for appropriations for firearms and ammunitions includes the expenses of acquisition and maintenance of firearms and implementation of FBI firearm training programs utilized by employees in the performance of their official duties.

A provision has been added to allow FBI agents to also attend certain organized firearms matches. Participation in competitive

matches with other law enforcement agencies improves firearms proficiency and improves the morale of the agents. Other entities in the Department of Justice currently have authority to permit their agents to attend firearms matches.

Proposed Section 538(h) payment of rewards.

Authorization for appropriations for payment of rewards is utilized on a selective basis for information which results in the identification and apprehension of individuals being sought by the Federal Bureau of Investigation.

Proposed Section 538(i) expenses to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General and to be accounted for on the certificate of the Attorney General or the Deputy Attorney General.

The word "solely" has been dropped from the phrase "solely on the certification of the Attorney General." The word "solely" restricts the certification process by providing that only the Attorney General is permitted to approve the use of funds for such purposes. Removing the word "solely" and adding the Deputy Attorney General permits expeditious certification by either the Attorney General or the Deputy Attorney General.

Proposed Section 538(j) payment of travel and related expenses for immediate family members of employees, including costs of expenses incurred for specialized training and orientation in connection with a transfer to Puerto Rico, other territories and possessions of the United States, and assignment in a legal attache post outside the territory of the United States; and.

This provision would allow family members of agents under transfer to Puerto Rico, other territories and possessions of the United States and legal attache posts outside U.S. territories, travel and per diem allowances. These expenses would be incurred when receiving orientation training prior to the agent's departure to a new assignment. Family success in adjusting to life in a new environment depends largely upon language ability, attitude and cultural awareness prior to arrival. Training and orientation will be coordinated by the FBI Academy and the State Department's Foreign Service Institute.

Proposed Section 538(k) classification of arson as a Part I crime in its Uniform Crime Reports.

The Director of the Federal Bureau of Investigation is authorized and directed to classify the offense of arson as a Part I crime in its Uniform Crime Reports. In addition, the Director of the Federal Bureau of Investigation is authorized and directed to develop and prepare a special statistical report in cooperation with the National Fire Data Center for the crime of arson, and shall make public the results of that report.

Proposed Section 538 none of the sums authorized to be appropriated by this Act for the Federal Bureau of Investigation shall be used to pay the compensation of any employee in the competitive service.

All positions in the Federal Bureau of Investigation are excepted from the competitive service and the incumbents of such positions occupy positions in the excepted service.

Proposed Section 539 this section would authorize the setting of fees for services rendered by the FBI's identification division. It reads:

The Federal Bureau of Investigation may establish and collect fees for the processing of noncriminal employment and licensing fingerprint cards. Such fee is to represent the cost of furnishing the service. The funds collected shall be credited to the appropriation of the Federal Bureau of Investigation without regard to other existing statutory limitations, e.g., title 31, United States Code, section 3302 and section 9701; and may be used to pay for salaries and other expenses incurred in operating the FBI Identification Division, and such funds may be carried over from fiscal year to fiscal year for such purposes. There will be no fee assessed in connection with the processing of requests for criminal history records by criminal justice agencies for criminal justice purposes or for employment in criminal justice agencies.

This language allows the FBI to set fees for services rendered by the Identification Division permits the receipts from these fees to be utilized in paying for the operation of the FBI's Identification Division.

Section 6. This section would amend title 8 United States Code, Section 1555 to provide authorization for certain activities for the Immigration and Naturalization Service.

Proposed Section 6(a)(b) advance of cash to aliens for meals and lodging while enroute and payment of allowances to aliens, while held in custody under the immigration laws, for work performed.

Payment of allowances to aliens held in custody is for work such as serving meals and cleaning. Such expenses are incurred by the Detention and Deportation function. Title 31 United States Code Section 529 prohibits the advances of public moneys unless authorized by appropriation or other law.

Proposed Section 6(c) payment of expenses and allowances incurred in tracking lost persons as required by public exigencies in aid of State or local law enforcement agencies.

Local law enforcement agencies often request Border Patrol agents to participate in searches for lost persons. Without the proposed language, there is no authority to pay officers while on a regular tour of duty or on an overtime basis. This authorization is also necessary to clarify employee rights to benefits if killed or injured while conducting searches.

Proposed Section 6(d) payment of rewards and purchases of evidence and payments for information.

Such expenses are incurred by the border and interior enforcement program activities of the Service. Payment of rewards is used for purposes of a confidential nature such as informant development, infiltration, and information or evidence in civil or criminal prosecution.

Authority is included also for the Immigration and Naturalization Service (INS) to use funds for the purchase of evidence and to make payments for information. The nature of investigative operations carried out by INS requires the use of certain amounts of money for the purchase of evidence and for the payment for information. This provision would permit the use of appropriated funds for these purposes. The use of these funds is particularly critical to the anti-smuggling program.

Proposed Section 6(e) expenses to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General and accounted for on the certificate of the Attorney General or the Deputy Attorney General.

These expenses are often necessary to protect the identity of informants.

The word "solely" has been dropped from the phrase "solely on the certificate of the Attorney General." The provision permits the expenditure of funds for the collection of evidence and information of a confidential nature. The word "solely" restricts the certification process by providing that only the Attorney General is permitted to approve the use of funds for such purposes. Removing the word "solely" and adding the Deputy Attorney General permits expeditious certification by either the Attorney General or the Deputy Attorney General.

Proposed Section 6(f) purchase for police-type use without regard to the general purchase price limitation for the current fiscal year and hire passenger motor vehicles.

Motor vehicles are a necessary enforcement tool of the Service for pursuit of individuals in violation of the immigration laws, transportation of aliens in custody, travel status situations, and case investigation.

Proposed Section 6(g) acquisition, lease, maintenance, and operation of aircraft.

Aircraft are used in the Service by the Border and Interior Enforcement Program Activities. These aircraft are an effective method of detecting the presence of persons attempting or completing unlawful entry into the United States, while providing further assistance in the containment and apprehension of these individuals.

Proposed Section 6(h) payment for firearms and ammunition and attendance at firearms matches.

Firearms and ammunition are provided primarily to Border Patrol and Investigative Agents of the Service for use in emergency situations only. Firearms matches are conducted to develop the expertise and safe use of these weapons.

Proposed Section 6(i) planning, acquisition of sites and construction of new facilities and construction, operation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto and to remain available until expended.

These buildings and associated equipment are used primarily for purposes of alien detention, inspections and border patrol facilities and in some cases, living quarters for officers assigned to remote locations.

Language has been added to refine the authority INS has to construct facilities. INS believes that additional language for planning, site acquisition and construction is required to clarify INS' authority to construct facilities.

Proposed Section 6(j) refunds of maintenance bills, immigration fines, and other items properly returnable except deposits of aliens who become public charges and deposits to secure payment of fines and passage money.

Occasionally it is necessary to refund immigration fines collected from carrier when it is determined, through adjudication, that such fines were improperly imposed and other items properly refundable.

Proposed Section 6(k) payment of interpreters and translators who are not citizens of the United States and distribution of citizenship textbooks to aliens without cost to such aliens.

Translators and interpreters are necessary to facilitate communications between Service personnel and persons not speaking or writing the English language. While protecting the interests of the non-English speaking people, translators and interpreters are primarily used during deportation proceedings and other legal hearings. The textbooks provide clear instruction in citizenship responsibilities to applicants for naturalization.

Proposed Section 6(1) acquisition of land as sites for enforcement fences, and construction incident to such fences.

Enforcement fences are utilized by the Service in certain border areas as part of its prevention strategy, and are useful for the purposes of controlling the flow of unlawful entrants into areas where apprehension is most assured.

Proposed Section 6(m) research related to immigration enforcement which shall remain available until expended.

This research included the evaluaion of new technology for its applicability to Service programs, such as communications systems and detection services. Research and development projects have, for example, been directed toward new capabilities in wide area surveillance through infrared and radar devices, in automatic inspections of large vehicles and rooms through heartbeat detector techniques, and in selected enforcement and public service acitivites through satellite and digital communications techniques.

Proposed Section 6(n) payment of expenses related to the purchase and/or lease of privately owned horses.

This language would allow INS to use horses in its routine activities under the Border Patrol program. Remote areas accessible by motor vehicle require the use of such horses to accomplish routine patrol.

Proposed Section 6(o) payment of expenses necessary under Section 501(c) of the Refugee Education Assistance Act of 1980 (P.L. 96-422) for the processing, care, maintenance, security, transportation and reception and placement in the United States of Cuban and Haitian entrants to remain available until expended.

Authority is included to expend funds commensurate with the transfer of functions to process, care, maintain, secure, transport and resettle Cubans and Haitians from the Department of Health and Human Services to the Department of Justice.

Proposed Section 6(p) the emergency replacement of aircraft upon the certificate of the Attorney General.

This language authorizes the Immigration and Naturalization Service to quickly replace aircraft, on an emergency basis, in order to avoid an undue interruption of the enforcement function.

Proposed Section 7. This section would provide authority for the Immigration and Naturalization Service to accept gifts, donations and bequests.

(a) the Commissioner of the Immigration and Naturalization Service is authorized to accept unconditional gifts, donations or bequests of real, personal, or other property for use in the operations and functions of the Immigration and Naturalization Service and Immigration and Naturalization Service is authorized to retain horses received as donations prior to January 1, 1982. For the purposes of Federal income, estate and gift taxes, property that is accepted under this section is considered as a gift or bequest, to or for the use of the United States.

(b) Notwithstanding the provisions of Title 31, United States Code Section 1342, the Commissioner of the Immigration and Naturalization Service is authorized to accept voluntary and uncompensated services to assist the Service in information services to the public. Persons providing voluntary services shall not be used to displace any federal employee and shall not be considered a federal employee for any purpose except for the purpose of Chapter 81 of Title 5 United States Code, (relating to the compensation for injury) and sections 2671 through 2680 of title 28, United States Code, (relating to tort Claims).

This language would authorize the Commissioner of INS to accept gifts, donations or bequests, which would assist in the operation of INS and accept voluntary services to assist in the information services activities of INS. The need for the former was raised recently by a donation to INS, in 1981, of eight Morgan horses. Since then, additional offers to donate horses to INS have been made. The general gift authority is similar to that of other agencies (Administrative Conference of the United States, 5 U.S.C. 575; Treasury Department, 31 U.S.C. 901; the Smithsonian Institution, 20 U.S.C. 55; the Commerce Department, 15 U.S.C. 1522). The authority to use voluntary services without compensation in the information service function of INS would remove the restriction in 31 U.S.C. 1342 for the acceptance of such services. This provision will enable voluntary agencies to operate "ask immigration" tape libraries in conjunction with INS and to maintain roving information representatives in INS' waiting rooms.

Section 8. This section would provide authority for certain of the Drug Enforcement Administration's activities.

Proposed Section 8(a) the hire and acquisition of law enforcement and passenger motor vehicles without regard to the general purchase price limitation for the current fiscal year.

This provision authorizes passenger motor vehicles to give special agents the capability to operate in a clandestine mode to carry out surveillance and other enforcement techniques in enforcing the drug abuse laws. The vehicles must appear to be the same as those found in the environment in which the agents carry out their mission, with no identification to indicate that the vehicles are government-owned. Vehicles purchased for law enforcement use typically cost more than fleet-type vehicles.

DEA's operations, such as special investigative matters and regulatory and training activities, are most effectively and, from a cost basis, most efficiently carried out through use of passenger motor vehicles hired or leased from private organizations and from GSA.

Proposed Section 8(b) payment in advance for special tests and studies by contract.

This section provides for payment in advance for research contracts and projects. Advance payment is the most efficient financing mechanism. These projects maximize the effectiveness of DEA's operations by development of new or improved techniques and procedures and increase the quantity and quality of investigative evidence. Federal statute prohibits advance payments unless specifically authorized by the appropriation or other law.

Proposed Section 8(c) payment in advance for expenses arising out of contractual and reimbursable agreements with State and local law enforcement and regulatory agencies while engaged in cooperative enforcement and regulatory activities in accordance with section 503a(2) of the Controlled Substances Act (21 U.S.C. 873(a)(2)).

This section provides for the funding of contracts, cooperative or reimbursable agreements, executed for the purpose of supporting cooperative law enforcement activities with State and local law enforcement, and with controlled substances regulatory agencies. These agreements aid in suppressing the abuse of controlled substances through the institution and prosecution of cases in courts and before licensing boards. It is often necessary to advance funds to accomplish this activity.

Section 8(d) expenses to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General, and to be accounted for on the certificate of the Attorney General or the Deputy Attorney General.

These expenses are necessary for the purchase or procurement of information or evidence from individuals whose identity must be protected and remain confidential, to meet emergency situations threatening the personal safety of Government agents, informants, or their families, and for emergency situations in which disclosure of the expenditures would jeopardize investigative operations. The above language was included previously in the appropriation for DEA since 1974. It has also been included in the appropriation of predecessor agencies from 1966.

The word "solely" has been dropped from the phrase "solely on the certificate of the Attorney General." The provision permits the expenditure of funds for the collection of evidence and information of a confidential nature. The word "solely" restricts the certification process by providing that only the Attorney General is permitted to approve the use of funds for such purposes. Removing the word "solely" and adding the Deputy Attorney General permits expeditious certification by either the Attorney General or the Deputy Attorney General.

Section 8(e) payment of rewards.

This language provides for payments to informants or other persons aiding the Government in the arrest of suspects, seizure of drugs, or prosecution of violators.

Section 8(e) and the purchase of evidence and payment for information (PE/PI).

PE/PI funds are used to purchase drugs and controlled substances in undercover operations, and to pay informants. The nature of these transactions is such that the PE/PI accounts are unique—expenditures are not predictable and controllable in the customary sense. Under a one year authority and appropriation medium and long-range operations must often be terminated at the end of a fiscal year and started again after the new year. Many operations must come to a temporary halt at the beginning of the year because of the time it takes to distribute PE/PI allowances to the field. The use of PE/PI in large amounts must be curtailed at the end of the year because, if the funds cannot be recovered, there are no funds in reserve to make up the loss—putting the agency in a deficiency position.

Section 8(f) publication of technical and informational material in professional and trade journals, and purchase of chemicals, apparatus, and scientific equipment.

This section provides for the publication of materials which help to develop an awareness of Federal drug enforcement and drug industry regulatory activities. The DEA laboratories perform analyses of drug evidence and provide expert scientific testimony for prosecutorial purposes. In-depth ballistics examinations are performed to help determine sources of drugs. Research capability is maintained in the areas of forensic science and advanced technological development.

Section 8(g) necessary accommodations in the District of Columbia for conferences and training activities.

This language provides authority to house basic and advanced trainees in quarters

close to the National Training Institute classrooms in Washington, D.C. This capability to conduct conferences pertaining to enforcement, regulatory and technical programs gives DEA greater flexibility in its management affairs.

Section 8(h) acquisition, lease, maintenance, and operation of aircraft.

This provision authorizes aviation support for DEA operations. Aircraft is needed by DEA to detect and interdict narcotics traffic primarily through air to ground surveillance, overwater surveillance, and undercover operations. The use of aircraft by drug traffickers is well documented. The use of aircraft for surveillance activities can often replace complex or impossible ground surveillance.

Section 8(i) contracting with individuals for personal services abroad, and such individuals shall not be regarded as employees of the United States Government for the purpose of any law administered by the Office of Personnel Management;

The authority to employ aliens and U.S. Citizens, by contract, abroad, is necesary to hire investigative assistants, translators, clerical and other personnel in foreign offices. Staffing clerical positions with personnel hired in the U.S. is difficult in many foreign offices and impossible in others due to remote locations and adverse living conditions. Recruitment of personnel from the U.S., even if successful, is generally met with extended delays in the selectee's actual arrival at post. Hence, without this authority, the office will be without clerical assistance for extended periods of time.

There are dependents of State Department Foreign Service Officers, U.S. Military personnel and other U.S. citizens at all posts where DEA has an office who are available for temporary employment.

Section 8(j) payment for firearms and ammunition and attendance at firearms matches.

This section provides authorization for appropriations for firearms and ammunition including the expense of acquisition and maintenance of firearms utilized by employees in the performance of their official duties. These duties include participating in firearms matches to develop the expertise and safe use of weapons.

Section 8(k) payment for tort claims when such claims arise in Foreign Countries in connection with Drug Enforcement Administration operations abroad; and

This authority provides for payment by the United States Government to persons injured in a foreign country as a result of actions of DEA employees acting within the scope of their employment.

Section 8(1) research related to enforcement and drug control to remain available until expended.

This language provides for a Research and Engineering program covering the following elements: search and surveillance; communications; command and control; regulatory support; forensic sciences; operational support; and special studies.

Section 9. This section would provide discretionary authority to make certain award payments.

Without regard to the provisions of section 3302 of title 31 of the United States Code, the Drug Enforcement Administration is authorized to set aside 25 per centum of the net amount of money realized from the forfeiture of assets seized by it under any provision of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 801 et seq.), to be available in amounts as specified in appropriation acts for obligation and expenditure only for the purpose of paying awards of compensation with respect to such forfeiture; and to pay, totally within its discretion, such awards to any entity not an agency or instrumentality of the United States, or to any person not an officer or employee of the United States or of any State or local government, that provides information or assistance with leads to a forfeiture referred to in subsection (a). Such awards can be made in any amount up to 25 per centum of the amount realized from the forfeiture, or $150,000, whichever is lesser, in any case, except that no awards shall be made based on the value of the contraband. The authority of the Administrator of the Drug Enforcement Administration to pay on award of $10,000 or more shall not be delegated.

(b) the amounts credited under this section shall be made available for obligations until September 30, 1985; and

(c) the remaining 75 per centum of the net amount of money realized from the forfeitures referred to in subsection (a) shall be paid to the miscellaneous receipts of the Treasury.

Provided, that the authority furnished by this section shall remain available until September 30, 1985, at which time any amount of the unobligated balances remaining in this account, accumulated before September 30, 1984, shall be paid to the miscellaneous receipts of the Treasury: and provided further, that the Drug Enforcement Administration shall conduct detailed financial audits, semi-annually, or the expenditures of funds from this account and—

(1) report the results of each audit, in writing, to the Department of Justice; and

(2) report annually to Congress concerning these audits.

The proposed authority provides discretionary authority to make award payments of up to 25 percent of the net value of seized assets. Section 9 of the 1982 Authorization Act (S-951) contained a request for authority to make moiety payments to informants in narcotic cases. Section 9 of S-2567, the 1983 DOJ Authorization Act, contained language similar to this proposed revision as a refinement of that authority and reflects the need for a more flexible and effective enforcement mechanism that would be provided by the moiety authority. In addition this language is a necessary and logical reaction to the recent trend of drug traffickers to utilize large amounts of currency and assets, expensive aircraft, vessels, and vehicles to facilitate their drug trafficking. In November of 1978, Congress saw fit to make assets of drug traffickers used in exchange for drugs or to facilitate drug activities forfeitable. The proposed provisions give DEA the practical tool of being able to pay informants meaningful rewards from the assets and property of the drug traffickers.

Section 10. This section would amend Chapter 303 of title 18 United States Code by inserting a new section 4043 authorizing certain activities by the Bureau of Prisons.

Proposed Section 4043(a) the administration, operation, and maintenance of Federal penal and correctional institutions, including supervision and support of United States Prisoners in non-federal institutions, not to exceed $100,000 for inmate legal services within the system.

The Bureau locates and contracts with appropriate non-Federal agencies for facilities to board certain types of Federal offenders and detainees. These facilities are used for the following reasons:

(1) to relieve overcrowding in Federal institutions,

(2) to offer protection to Federal offenders who would be in danger in Federal institutions,

(3) to help keep inmates near to their home communities,

(4) to provide programs not generally available in Federal institutions, and

(5) to place juvenile offenders in residential facilities.

Provision is also made to make available certain funds for inmate legal services, such as assisting programs where law students represent inmates on selected matters.

Proposed Section 4043(b) purchase and hire of law enforcement and passenger motor vehicles.

Hire of passenger motor vehicles are often necessary for personnel in travel status. Law enforcement and passenger vehicles are used for transporting offenders and for routine functions in the daily operations of Bureau of Prison facilities.

Proposed Section 4043(c) compilation of statistics relating to prisoners in Federal penal and correctional institutions.

Administrative services perform up-to-the-minute locator and status information on all individuals in the custody of the Attorney General; population counts and statistics; and inter-agency, inter-facility and intra-institution population movement schedules, notices, statistics, and computation and update of sentences.

Proposed Section 4043(d) assistance to State and local governments to improve their correctional systems.

Technical assistance to State and local governments is provided by a variety of means such as staff training and education, facility inspection, and consultation for manual writing. Prior to contracts with non-Federal facilities, the Bureau ensures that the contracting facilities meet the Bureau standards for the housing and care of offenders. Contracts are monitored throughout the contract period to ensure compliance.

Proposed Section 4043(e) purchase of firearms and ammunition and medals and other awards.

Expenses are incurred for the purchase of firearms and ammunition necessary to ensure the security of Bureau facilities and to respond to emergency situations. Correctional officers must undergo weapons familiarization as a routine part of their training activities. Medals and other awards are offered to staff personnel for recognition of superior service.

Proposed Section 4043(f) payment of rewards.

Rewards are offered for information leading to the capture of those who escape from Federal penal or correctional institutions.

Proposed Section 4043(g) purchase and exchange of farm products and livestock.

The farm program uses available land resources to produce food products that will be used by Federal Correctional Institutions. Farm productivity provides a primary hedge against inflation and spiraling food costs. The effective use of equipment, supplies, and manpower is used to achieve maximum use of the available land resources.

Proposed Section 4043(h) construction of buildings at prison camps.

Projects of $100,000 or less may be charged to the Salaries and Expenses appropriation of the Bureau of Prisons. Projects in excess of $100,000 are funded from the Buildings and Facilities appropriation with the specific line items being approved by

Congress. The nature of construction at prison camps involves housing and administrative facilities for staff and inmates at the prison camp.

Proposed Section 4043(h) and acquisition of land as authorized by section 4010 of title 18, of the United States Code.

Acquisition of land relates primarily to perimeter security and camp expansions. As correctional programs expand, the necessity for renovation or expansion of existing facilities often requires the acquisition of additional acreage. Section 4010 of 18 U.S.C. indicates the Attorney General may acquire land, if authorized by law.

Proposed Section 4043(i) entering into contracts with governmental or private organizations or entities for the safekeeping, care and subsistence of persons held under any Congressional authority; and.

The Bureau of Prisons has general authority, 18 U.S.C. 4042, to "provide for the safekeeping, care, and subsistence of all persons charged with or convicted of offenses against the United States, or held as witnesses or otherwise." A place of confinement may be "any available, suitable, and appropriate institution, whether maintained by the Federal government or otherwise" (18 U.S.C. 4082). With expanding prison populations, and special needs for some offenders, this authorization recognizes the desirability of looking to a variety of agencies, public and private, for the custody and care of federal offenders and others who are in lawful federal custody. It provides specific authority to enter contracts, wherever the appropriate contract source may be found, for the care of such persons. This concept of contractural placement of offenders in the facilities of another jurisdiction or agency is recognized in 18 U.S.C. 4002 (placing federal offenders in state institutions), and in 18 U.S.C. 5003 (contracting to receive state offenders in federal institutions).

Proposed Section 4043(j) provides authorization language for the Federal Prison Industries, Incorporated.

Federal Prison Industries, Incorporated, to make such expenditures, within the limits of funds and borrowing authority, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation.

Federal Prison Industries, Inc. (FPI) was created by Congress in 1934 and is a wholly-owned Government corporation. Its mission is to employ and train Federal inmates through a diversified program providing products with a minimum of competition to private industry and labor. Employment provides inmates with work, develops occupational knowledge and skills, and earns money for personal expenses and family assistance.

Proposed Section 4043(j) including purchase and hire of passenger motor vehicles.

Passenger motor vehicles are often necessary for personnel in travel status. Purchase of passenger motor vehicles is required for routine functions in the day-to-day operation of the factories at Bureau facilities.

Proposed Section 4043(k). This language provides authority for the Buildings and Facilities activities of the Bureau of Prisons.

Proposed Section 4043(k) for planning, acquisition of sites and construction of new facilities and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account.

This language authorizes appropriations for planning, acquisition of sites, constructing, remodeling, equipping of penal and correctional institutions. The purposes of the site acquisition and planning process are to identify and locate suitable sites for construction of new correctional facilities, and to design these facilities in a manner consistent with security, program requirements, and architectural innovation. Construction is completed within a specific timetable, within budgeted costs, and with the highest degree of quality. Rehabilitation and renovation of buildings is made to effect repairs at existing facilities and make modifications to accommodate new correctional programs.

Proposed Section 4043(k) to remain available until expended.

A no-year appropriation allows for the efficient and effective implementation of construction funds. Construction schedules are approximately two years for the warmer climates and two and a half years for the colder climates.

Proposed Section 4043(k) and the labor of United States prisoners may be used for work performed with sums authorized to be appropriated by this subsection and,

The use of inmate labor contributes to lower construction costs and provides inmates with vocational training opportunites.

Proposed Section 4043(m) For carrying out the provisions of sections 4351 through 4353 of title 18 United States Code, relating to a National Institute of Corrections, to remain available until expended.

This provision authorizes appropriations for the National Institute of Corrections. It also removes the limitation for the fiscal year. This language has been enacted in numerous authorization and appropriation bills in the past.

Proposed Section 11. This section would amend Section 4204(b) of the title 18 United States Code by adding a new paragraph at the end for United States Parole Commission.

Proposed Section 4204(b)(9) make payment from the appropriation for the Commission to hire passenger motor vehicles.

Passenger motor vehicles are necessary for transporting hearing examiners to hearing locations. This language would authorize the hire of such vehicles.

Proposed Section 12. This section would amend Part II of Title 28, United States Code by inserting a new chapter 40 which would provide authorization for certain activities of the FBI.

Proposed Section 599(a) Notwithstanding any other provisions of law, the Federal Bureau of Investigation is authorized with respect to any undercover investigative operation which is necessary for the detection and prosecution of crimes against the United States or for the collection of foreign intelligence or counterintelligence:

(1) to puchase property, buildings, or other facilities and to lease space within the United States, the District of Columbia, and the territories and possessions of the United States without regard to section 1341 of title 31, United States Code, section 3732(a) of the Revised Statutes (41 U.S.C. 11(a)), section 305 of the Act of June 30, 1949 (63 U.S.C. 396; 41 U.S.C. 255), the third undesignated paragraph under the heading "Miscellaneous" of the Act of March 3, 1877 (19 Stat. 370; 40 U.S.C. 34), section 3324 of title 31, United States Code, section 3741 of the Revised Statutes (41 U.S.C. 22), and subsections (a) and (c) of section 304 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 395; 41 U.S.C. 254(a) and (c));

(2) to establish or to acquire proprietary corporations or business entities as part of an undercover operation and to operate such corporations or business entities on a commercial basis, without regard to the provisions of section 9102 of title 31, United States Code;

(3) to deposit appropriated funds and the proceeds from such undercover operations in banks or other financial institutions without regard to the provisions of section 648 of title 18 of the United States Code, and section 3302 of title 31, United States Code; and

(4) to use proceeds from such undercover operations to offset necessary and reasonable expenses incurred in such operations without regard to the provisions of section 3302 of title 31, United States Code;

only upon the written certification of the Director of the Federal Bureau of Investigation or his designee with prompt notification to the Attorney General or his designee thereafter, that any action authorized by this section is necessary for the conduct of such investigative operation. Such certification shall continue for the duration of the undercover operation without regard to the fiscal years.

(b) as soon as the net proceeds from an undercover investigative operation authorized under this section are no longer necessary for the conduct of such operation, such proceeds shall be deposited into the Treasury of the United States as miscellaneous receipts.

(c) if a corporation or business entity established or acquired as part of a undercover operation under paragraph (2) of subsection (a) with a net value of over $150,000 is to be liquidated, sold, or otherwise disposed of, the Federal Bureau of Investigation, as much in advance as the Director or his designee determines is practicable, shall report the circumstances to the Attorney General and the Comptroller General. The proceeds of the liquidation, sale, or other disposition, after obligations are met, shall be deposited in the Treasury of the United States as miscellaneous receipts.

(d)(1) upon completion of an undercover investigative operation authorized by this section and as soon as practicable, the Federal Bureau of Investigation shall conduct detailed financial audits of these operations and—

(A) report the results of each audit in writing to the Department of Justice, and

(B) report annually to Congress concerning these audits.

(2) For the purposes of paragraph (1), "undercover operation" means any undercover operation of the Federal Bureau of Investigation, other than a foreign counterintelligence undercover operation—

(A) in which the gross receipts exceed $150,000; and

(B) which is exempted from sections 3302 or 9102 of title 31, United States Code.

This language addresses certain problems faced by the Department of Justice and the Federal Bureau of Investigation in connection with the utilization and implementation of the undercover technique in all areas of investigative responsibilities. This provision contains certain legislative exemptions which would authorize the conduct of undercover operations in an efficient and ef-

fective manner. The proposal also includes numerous safeguards to be certain that these undercover operations do not exceed their proper and intended purposes.

The funding provisions for the FBI's undercover activities have been adjusted. Primarily, the citations have been changed since some of the revised statutes that were referenced in the section have been codified recently. In addition, the notification process has been simplified to reflect "prompt" notification of the Attorney General "or his designee" that such action is required. Previously, simultaneous approval by both the Director of the FBI and the Attorney General was necessary. Also, notification on completed audits will be to the "Department of Justice" rather to the "Attorney General." This will permit more readily the delegation of the audit review responsibility to other appropriate senior Department of Justice officials. Both of these items were approved for the FY 1983 authorization cycle but Congress did not enact them.

Proposed Section 600(a): Notwithstanding any other provisions of law, the Drug Enforcement Administration, with respect to any undercover investigative operation which is necessary to carry out its function, is authorized to—

(1) purchase property, buildings, or other facilities and to lease space within the United States, the District of Columbia, and the territories and possessions of the United States without regard to section 1341 of title 31, United States Code, section 3732(a) of the Revised Statutes (41 U.S.C. 11(a)), section 305 of the Act of June 30, 1949 (63 Stat. 396; 41 U.S.C. 255), the third undesignated paragraph under the heading "Miscellaneous" of the Act of March 3, 1877 (19 Stat. 370; 40 U.S.C. 34), section 3324 of title 31, United States Code, section 3741 of the Revised Statutes (41 U.S.C. 22), and subsections (a) and (c) of section 304 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 395; 41 U.S.C. 254 (a) and (c));

(2) establish or to acquire proprietary corporations or business entities as part of an undercover operation and to operate such corporations or business entities on a commercial basis, without regard to the provisions of section 9102 of title 31, United States Code;

(3) to deposit appropriated funds and the proceeds from such undercover operations in banks or other financial institutions without regard to the provisions of section 648 of title 18 of the United States Code, and section 3302 of title 31, United States Code; and

(4) to use proceeds from such undercover operations to offset necessary and reasonable expenses incurred in such operation without regard to the provisions of section 3302 of title 31, United States Code;

only upon the written certification of the Administrator of the Drug Enforcement Administration (or by a person designated to act for the Administrator in his absence) with prompt notification of the Attorney General or his designee thereafter, that any action authorized by this section is necessary for the conduct of such investigative operation. Such certification shall continue for the duration of the undercover operation without regard to the fiscal years.

(b) As soon as the net proceeds from an undercover investigative operation authorized under this section are no longer necessary for the conduct of such operation, such proceeds shall be deposited into the Treasury as miscellaneous receipts.

(c) If a corporation or business entity established or acquired as part of an undercover operation under paragraph (2) of subsection (a) with a net value over $150,000 is to be liquidated, sold or otherwise disposed of, the Administrator of the Drug Enforcement Administration, as much in advance as the Administrator or his designee determines is practicable, shall report the circumstances to the Attorney General and the Comptroller General. The proceeds of the liquidation, sale, or other disposition, after obligations are met, shall be deposited in the Treasury as miscellaneous receipts.

(d)(1) Upon completion of an undercover investigative operation authorized by this section, the Administrator of the Drug Enforcement Administration shall conduct detailed financial audits of these operations, and—

(A) report the results of each audit in writing to the Department of Justice; and

(B) report annually to the Congress concerning these audits.

(2) For the purposes of paragraph (1), "undercover operation" means any undercover operation of the Drug Enforcement Administration—

(A) in which the gross receipts exceed $150,000, and

(B) which is exempted from sections 3302 or 9102 of title 31, United States Code.

This section creates new authority which will provide for DEA's proprietary undercover operations and excepts these operations from the general statutory restrictions on the use of Government funds and property. These are identical to the exceptions now in effect for the FBI's proprietary operations and their passage will greatly facilitate the use of "sting"-type drug investigations which have proven so effective over the past several years by DEA, although they were used sparingly because of the statutory restriction from which DEA now seeks relief.

DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, D.C., April 11, 1983.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: There are transmitted herewith two legislative proposals to meet the requirements of the Fiscal Year 1984 appropriations authorization process for the Department of Justice. One proposal would incorporate much of the general authorization language previously contained in this Department's annual appropriations authorization bill within Title 28 and other Titles of the United States Code. (See Tab A.) This would take most of the funding related authorities out of the annual authorization cycle. The second proposal is drafted to satisfy the statutory requirement of submitting to the Congress an annual funding level authorization request for the Department. (See Tab B.) The second proposal addresses only very specific funding levels.

We have taken the approach of drafting two separate legislative proposals because of our serious concern regarding the current authorization process. The Department's 1981, 1982 and 1983 authorization bills were not passed and action on continuing our authorities seems to always be in doubt.

It is critical that this Department be provided a reasonable expectation of continuity for its basic programs. The current authorization process does not provide this expectation. On the contrary, it has created an environment which makes planning and program implementation most difficult; hence, the need for legislation which would take many basic, noncontroversial authorities out of the annual authorization cycle.

The annual authorization bill requests resource levels identical with the President's FY 1984 appropriation request. The "permanent" authorization version requests most of the same general provisions the Department included in its FY 1983 authorization, e.g., an undercover provision for the Federal Bureau of Investigation (FBI), authority to use confidential funds, authority to pay rewards.

However, both authorization bills do include some changes. The most pertinent changes in the permanent authorization version are as follows:

"In proposed section 576(a)(9) (p. 2) language has been added to provide training opportunities to dependents of Department personnel assigned to foreign posts. Virtually identical opportunities are currently available to dependents of U.S. Foreign Service personnel. The training concentrates on safety precautions to combat terrorist situations.

"Proposed section 576(a)(10) (p. 2) would authorize the payment of travel expenses of newly appointed Special Agents within the Department and the transportation expenses of household goods and personal effects from the place of residence at the time of selection to the first duty station. Such authorization is necessary to provide adequate staffing flexibility.

"Proposed section 576(b) (p. 3) would relieve Special Agents of the Department of Justice of liability for the loss of travel advances when there is no fault or negligence of the agents in consonance with the standards set forth in 31 U.S.C. 3527. The inherently dangerous nature of undercover enforcement operations should provide some protection for our agents and their estates from the potential liability for non-negligent loss of travel advance funds.

In proposed section 576(c)(3) (p. 3) the word "solely" has been dropped from the phrase "solely on the certificate of the Attorney General." The provision permits the expenditure of funds for the collection of evidence and information of a confidential nature. The word "solely" restricts the certification process by providing that only the Attorney General is permitted to approve the use of funds for such purposes. Removing the word "solely" and adding the Deputy Attorney General permits expeditious certification by either the Attorney General or the Deputy Attorney General. Identical changes have been made to this provision within the FBI (section 5 proposed section 538(i) (p. 14)), the Drug Enforcement Administration (DEA) (section 8(d) (p. 20)) and the Immigration and Naturalization Service (section 6(e) (p. 18)) portions of the bill.

"Proposed section 576(c)(6) (p. 3) would provide authorization for the timely payment of dues and expenses for U.S. membership in the International Criminal Police Organization from the funds of the U.S. National Central Bureau—INTERPOL.

"Proposed section 576(c)(7) (p. 3) allows the Criminal Division to pay for the expenses related to the Attorney General's Panel Review process associated with the Cuban/Haitian entrant program.

"Proposed section 576(e) (p. 4) adds language to permit the Community Relations Service (CRS) to administer the Cuban/Haitian entrant function. The administration of

that function was recently transferred from the Department of Health and Human Services to the Department of Justice. The transfer is consistent with the President's Executive Order 12341, dated January 21, 1982, which earlier had transferred the responsibility for the Cuban/Haitian entrant program to the Department of Justice.

"In proposed subsections 568(a)(b) and (f) (p. 6) several new items have been added to permit the U.S. Marshals Service to function more effectively. The U.S. Marshals will be allowed to attend firearms matches as do other agents in the Department of Justice. Also, the Marshals will be permitted to retain seized vehicles for official use, primarily, for undercover work in the warrants program when an unobtrusive vehicle is required for surveillance. In addition, language has been provided that allows for payments to informants or other persons aiding the U.S. Marshals in their law enforcement activities.

"The interim appointment authority which resides primarily in the District Court, pursuant to 28 U.S.C. 546 and 565, has created difficulties and delays in some instances, due to differences of opinion among members of the court and local political circumstances. United States attorneys and marshals are directly accountable to the Attorney General, and it is felt that the Attorney General should have the authority to fill vacancies on a short-term basis until the President's nominee can be confirmed. Legislation to effect this reform is set forth in subsection 3(f) and (g) (p. 11-12).

"Subsection 3(h) (p. 12-13) would amend 28 U.S.C. 548 to raise the salaries for United States Attorneys, Assistant United States Attorneys (AUSAs) and attorneys appointed under 18 U.S.C. 543, to rates which are comparable to salary levels for members of the Senior Executive Service (SES). At the present time, approximately 68 supervisory AUSA positions in 30 United States Attorneys' offices are "equivalent positions" within the definition of the SES. However, these positions have been indefinitely administratively exempted from the SES. Subsection (h) would provide pay comparability for United States Attorneys with noncareer SES members. Section 548 of Title 28 U.S.C. presently limits United States Attorneys and AUSAs' salaries to the maximum rate allowable for a GS-18 of the General Schedule, as set forth in 5 U.S.C. 5332. Since the salary ceiling for SES members was recently lifted, United States Attorneys and senior AUSAs have been more adversely effected monetarily.

"In proposed section 538(g) (p. 14) a provision has been added to allow FBI agents to also attend certain organized firearms matches. As in the case of the U.S. Marshals, participation in competitive matches with other law enforcement agencies improves firearms proficiency and improves the morale of the agents.

"In section 6(d) of the draft bill (p. 15) authority is included for the Immigration and Naturalization Service (INS) to use funds for the purchase of evidence and to make payments for information. The nature of investigative operations carried out by the INS requires the use of certain amounts of money for the purchase of evidence and for the payment for information. This provision would permit the use of appropriated funds for these purposes. The authority is identical to that requested for other organizations within the Department such as DEA and the U.S. Marshals Service.

"Section 6(i) of the draft bill (p. 16) adds language to refine the authority the INS has to construct facilities. Additional language for planning, site acquisition and construction is required to clarify the INS' authority to construct facilities.

"Section 7 of the draft bill (p. 17-18) would authorize the Commissioner of the INS to accept gifts, donations or bequests, which would assist in the operation of the INS and accept voluntary services to assist in the information services activities of the INS. The need for the former was raised recently by a donation to the INS, in 1981, of eight Morgan horses. Since then, additional offers to donate horses to the INS have been made. The general gift authority is similar to that of other agencies (Administrative Conference of the United States, 5 U.S.C. 575; Treasury Department, 31 U.S.C. 901; the Smithsonian Institution, 20 U.S.C. 55; the Commerce Department, 15 U.S.C. 1522). The authority to use voluntary services without compensation in the information service function of INS would remove the restriction in 31 U.S.C. 1342 for the acceptance of such services. This provision will enable voluntary agencies to operate "ask immigration" tape libraries in conjunction with INS and to maintain roving information representatives in the INS' waiting rooms.

"Proposed section 599(a)(1)(3)(4) (p. 22-23) and (d)(1) (p. 24-25) adjusts the funding provisions for the FBI's undercover activities. Primarily, the citations have been changed since some of the revised statutes that were referenced in the section have been codified recently. In addition, the notification process has been simplified to reflect "prompt" notification of the Attorney General "or his designee" that such action is required. Previously, simultaneous approval by both the Director of the FBI and the Attorney General was necessary. Also, notification on completed audits will be to the "Department of Justice" rather than to the "Attorney General." This will permit more readily the delegation of the audit review responsibility to other appropriate senior Department of Justice officials.

"Proposed section 600 (p. 25-27) provides the DEA with exceptions from certain general statutory restrictions on the use of government funds and the use of property in pursuit of undercover operations. The exemptions are identical to those now in effect for the FBI and their passage will facilitate greatly such undercover drug investigations which have proven effective, although they were used sparingly by DEA because of the current statutory restrictions."

In the annual authorization version the most pertinent change is in section 2(10) which contains language to accommodate the new anti-organized criminal drug trafficking activities. Also, language is included to permit the advance of funds to State and local law enforcement entities which engage in cooperative enforcement efforts within this program.

We are confident the overall approach contained in the two attached legislative proposals will adequately address the needs of the Congress to carry out its legislative mandate and its oversight function while, at the same time, providing for the Department's continuity needs.

The Office of Management and Budget has advised that there is no objection from the standpoint of the Administration's program to the presentation of these legislative proposals to the Congress and that their enactment would be in accord with the program of the President.

Sincerely,

ROBERT A. MCCONNELL,
Assistant Attorney General.

By Mr. THURMOND (for himself and Mr. GOLDWATER):

S.J. Res. 90. Joint resolution to provide for the erection of an appropriate statute or other memorial on the main approach to the Arlington National Cemetery to honor individuals who were combat glider pilots during World War II; to the Committee on Rules and Administration.

WORLD WAR II COMBAT GLIDER PILOTS

Mr. THURMOND. I rise to introduce a joint resolution to provide for the erection of an appropriate statue or other memorial outside Arlington National Cemetery to honor individuals who were combat glider pilots during World War II. I am pleased that Senator GOLDWATER has joined me in sponsoring this legislation.

Mr. President, today there are approximately 1,500 survivors of the 6,000 combat glider pilots trained for action during World War II. Gliders were used to land men and material behind enemy lines during the airborne invasions of Sicily, Burma, Normandy, southern France, Holland, Luzon, and Wessel, Germany. Gliders were also used to resupply the surrounded 101st Airborne Division during that division's gallant defense of Bastogne. The casualty rate among these glider pilots was approximately 35 percent. The use of gliders in the Bastogne operation was one of the best kept secrets of World War II.

Therefore, I think it is appropriate that a memorial of some type be established along the approach of the Arlington National Cemetery. The memorial need not be an expensive one, but merely one which pays proper tribute to these pilots and to the contributions and sacrifices they made for our Nation.

Under the provisions of this bill, the design, plans, and location of the statue or other memorial authorized shall be subject to the approval of the American Battle Monuments Commission and the National Commission on Fine Arts. The maintenance and care of the memorial erected under the provisions of this joint resolution, would be the responsibility of the Secretary of the Interior.

Mr. President, I urge that the Senate give this resolution early consideration.

ADDITIONAL COSPONSORS

S. 117

At the request of Mr. CHILES, the name of the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor of S. 117, a bill to improve the ef-

fectiveness and efficiency of Federal law enforcement efforts.

S. 137

At the request of Mr. ROTH, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 137, a bill to amend the Internal Revenue Code of 1954 to continue to allow mortgage bonds to be issued.

S. 216

At the request of Mr. THURMOND, the name of the Senator from California (Mr. WILSON) was added as a cosponsor of S. 216, a bill to amend title 18, United States Code, to combat, deter, and punish individuals who adulterate or otherwise tamper with food, drug, cosmetic, and other products with intent to cause personal injury, death, or other harm.

S. 499

At the request of Mr. WEICKER, the name of the Senator from Louisiana (Mr. JOHNSTON) was added as a cosponsor of S. 499, a bill to require the usage of tax-exempt financing in connection with the Small Business Administration section 503 loan program.

S. 530

At the request of Mr. PELL, the name of the Senator from Arizona (Mr. DECONCINI) was added as a cosponsor of S. 530, a bill to provide for a program of financial assistance to States in order to strengthen instruction in mathematics, science, computer education, foreign languages, and vocational education, and for other purposes.

S. 744

At the request of Mr. NUNN, the name of the Senator from Pennsylvania (Mr. HEINZ) was added as a cosponsor of S. 744, A bill to amend the Small Business Act to increase the program level for funding 301(d) small business investment companies, and for other purposes.

S. 772

At the request of Mr. HATCH, the name of the Senator from Pennsylvania (Mr. HEINZ) was added as a cosponsor of S. 772, A bill to promote public health by improving public awareness of the health consequences of smoking and to increase the effectiveness of Federal health officials in investigating and communicating to the public necessary health information, and for other purposes.

S. 948

At the request of Mr. BIDEN, the name of the Senator from Florida (Mr. CHILES), the Senator from Massachusetts (Mr. KENNEDY), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Florida (Mrs. HAWKINS), the Senator from North Dakota (Mr. ANDREWS), the Senator from Utah (Mr. GARN), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Pennsylvania (Mr. HEINZ) were added as cosponsors of S. 948, A bill to reform Federal criminal and civil forfeiture.

S. 971

At the request of Mr. MOYNIHAN, the name of the Senator from New York (Mr. D'AMATO) was added as a cosponsor of S. 971, A bill to authorize the Secretary of Health and Human Services to expedite research on a disease or disorder which constitutes a public health emergency.

S. 1120

At the request of Mr. GARN, the name of the Senator from Wisconsin (Mr. PROXMIRE) was added as a cosponsor of S. 1120, a bill to authorize printing of the back side of U.S. paper money of the denomination of $1 by a method other than the intaglio process.

S. 1144

At the request of Mr. HEINZ, the names of the Senator from Illinois (Mr. DIXON), and the Senator from Rhode Island (Mr. PELL) were added as cosponsors of S. 1144, a bill to suspend periodic reviews of disability beneficiaries having mental impairments pending regulatory reform of the disability determination process.

SENATE JOINT RESOLUTION 3

At the request of Mr. HATCH, the names of the Senator from Louisiana (Mr. JOHNSTON) and the Senator from Louisiana (Mr. LONG) were added as cosponsors of Senate Joint Resolution 3, a joint resolution to amend the Constitution to establish legislative authority in Congress and the States with respect to abortion.

SENATE JOINT RESOLUTION 75

At the request of Mr. SYMMS, the names of the Senator from Alabama (Mr. HEFLIN), the Senator from Idaho (Mr. MCCLURE), the Senator from Illinois (Mr. DIXON), the Senator from Iowa (Mr. JEPSEN), and the Senator from Arizona (Mr. GOLDWATER) were added as cosponsors of Senate Joint Resolution 75, a joint resolution to provide for the designation of June 12 through June 18, 1983, as "National Scleroderma Week".

SENATE JOINT RESOLUTION 85

At the request of Mr. THURMOND, the names of the Senator from Georgia (Mr. MATTINGLY), the Senator from Ohio (Mr. GLENN), the Senator from Georgia (Mr. NUNN), the Senator from New York (Mr. D'AMATO), the Senator from Colorado (Mr. HART), the Senator from Louisiana (Mr. LONG), the Senator from Pennsylvania (Mr. HEINZ), and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of Senate Joint Resolution 85, a joint resolution to designate September 21, 1983, as "National Historically Black Colleges Day".

SENATE CONCURRENT RESOLUTION 14

At the request of Mr. LUGAR, the names of the Senator from Missouri (Mr. DANFORTH), and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of Senate Concurrent Resolution 14, a concurrent resolution in commemoration of the bicentennial of the birth of Simon Bolivar, hero of the independence of the Americas.

SENATE CONCURRENT RESOLUTION 24

At the request of Mrs. HAWKINS, the name of the Senator from New York (Mr. D'AMATO) was added as a cosponsor of Senate Concurrent Resolution 24, a concurrent resolution expressing the sense of the Congress that the people of the United States should observe the month of May 1983 as Older Americans Month.

SENATE RESOLUTION 66

At the request of Mr. BAKER, the names of the Senator from Washington (Mr. GORTON), the Senator from Virginia (Mr. TRIBLE), and the Senator from California (Mr. WILSON) were added as cosponsors of Senate Resolution 66, a resolution to establish regulations to implement television and radio coverage of proceedings of the Senate.

SENATE CONCURRENT RESOLUTION 30—REJECTING THE MEDICARE CUTS IN THE PRESIDENT'S FISCAL YEAR 1984 BUDGET

Mr. BAUCUS (for himself, Mr. BYRD, Mr. BENTSEN, Mr. BINGAMAN, Mr. BRADLEY, Mr. CHILES, Mr. EXON, Mr. GLENN, Mr. JOHNSTON, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LEVIN, Mr. MATSUNAGA, Mr. METZENBAUM, Mr. MITCHELL, Mr. MOYNIHAN, and Mr. PRYOR) submitted the following concurrent resolution, which was referred to the Committee on Finance:

S. CON. RES. 30

Whereas, the Medicare program is a fundamental component of the Social Security system, and represents a commitment by the government to meeting the medical care needs of the nation's elderly and disabled citizens; it currently provides benefits to more than 26 million elderly and 3 million disabled Americans;

Whereas, President Reagan's 1984 Budget calls for $1.8 billion in Medicare cuts in Fiscal Year 1984 alone, and for $37.9 billion in Medicare cuts cumulatively for Fiscal Years 1984 through 1988;

Whereas, approximately 75 percent of these projected savings in Fiscal Year 1984 will be realized by shifting the burden to Medicare beneficiaries;

Whereas, these new proposed cuts come on top of the $800 million in Medicare reductions in fiscal year 1983 made by the Reconciliation Act of 1981, 84 percent of which was taken from the pockets of Medicare beneficiaries;

Whereas, Medicare now covers only 45 percent of the medical expenses of elderly and disabled beneficiaries;

Whereas, the serious problems facing Medicare's Hospital Insurance Trust Fund are not caused by inadequate contributions by elderly and disabled beneficiaries, but are caused principally by the inexorable escalation of health care costs, which are in-

creasing at an annual average rate of 15.2 percent, far beyond the rate of inflation in the remainder of the economy;

Whereas, consequently, any solution to the Trust Fund's problems must address the root problem of skyrocketing medical care costs;

Whereas, in order to be acceptable, any solution to the problem of increasing Medicare costs and restoring the Medicare Trust Fund must be fair, workable, and lasting;

Whereas, cutting Medicare benefits further before Congress can consider a solution that will provide long-term stability for the program will not solve Medicare's problems, but may harm beneficiaries needlessly, erode public confidence in the program, and circumscribe options for long-term solution that are available to the Congress: Now, therefore, be it

Resolved, That the Congress rejects President Reagan's proposals for Medicare cuts contained in his 1984 Budget because they put an unfair burden on beneficiaries, and be it further

Resolved, That the committees with purview in both the Senate and the House of Representatives should study and make recommendations to the Congress concerning how the long-term solvency and strength of the Medicare program can be assured by constraining escalating medical care costs and making other fair and balanced changes affecting the program.

UNFAIR MEDICARE CUTS

Mr. BAUCUS. Mr. President, I am introducing a resolution today that expresses the sense of the Senate that the Congress should reject President Reagan's proposals for medicare cuts contained in his 1984 budget because they put an unfair burden on beneficiaries. The resolution also calls on the committees with purview in both Houses to study and make recommendations concerning how the long-term solvency and strength of the medicare program can be assured by constraining escalating medical care costs and making other fair and balanced changes affecting the program.

I am joined by the following Senators in offering this resolution: Senators BYRD, BENTSEN, BINGAMAN, BRADLEY, CHILES, EXON, GLENN, JOHNSTON, KENNEDY, LAUTENBERG, LEVIN, MATSUNAGA, METZENBAUM, MITCHELL, MOYNIHAN, and PRYOR.

We believe President Reagan's proposals are unfair to America's elderly and disabled.

We believe these proposals will not solve the fundamental problem facing medicare in this decade: the enormous cost of getting sick.

We believe these proposals would profoundly alter the availability and cost of health care for Americans.

Today, we are spending more for health care and getting less. In the last 12 months, the Consumer Price Index tumbled from 13 percent to 5 percent. Meanwhile, in 1982, hospital costs went up three times the inflation rate. The cost of medicare rose 21.5 percent last year.

All of us agree on the problem: Health care cost inflation threatens to bankrupt medicare. But we disagree on the solution.

The administration's solution is to put the burden on the backs of the elderly. If you're a social security beneficiary and get sick, you will pay more.

The Reagan administration budget calls for some $2 billion in cuts in fiscal year 1984. Between 1984 and 1986, the total cuts will add up to $12.25 billion.

Three-quarters of that total will come from the elderly. This comes on top of the 1981 Reconciliation Act in which 84 percent of the cuts came from the elderly.

President Reagan says he is protecting medicare. But he doesn't say he is doing it by taking more out of the pockets of the elderly who rely on medicare to pay for their health care.

The biggest cost-saver in the President's budget is catastrophic insurance for elderly in hospitals. All of us are afraid of being bankrupted by high cost hospital care.

But the administration would have us pay a high price for such protection. Only one-half of 1 percent of medicare patients would receive any benefit from the castastrophic plan.

The other 99.5 percent would pay $2.2 billion more than they do now.

The administration would have seniors pay more for doctor bills as well. These are just several examples of the unfairness of the plan.

We do not believe that beneficiaries should shoulder an unfair burden in our effort to make medicare financially sound.

PRESIDENT REAGAN'S MEDICARE CUTS IN BENEFITS TO BENEFICIARIES MUST BE REJECTED

Mr. BYRD. Mr. President, in his 1981 budget, President Reagan called for drastic and precipitous slashing of social security benefits for elderly and disabled recipients. On May 19 of that year, the Senate Democratic caucus unanimously adopted a resolution rejecting the President's proposals. The Senator from New York (Senator MOYNIHAN) and I introduced the resolution in the Senate the following day, where, after slight modifications by the Senator from Kansas (Senator DOLE), it passed by a vote of 96 to 0.

It was passage of that resolution—making clear that the Congress would not accept any so-called solution to the problems of social security which so unfairly penalized the Nation's elderly and disabled citizens—which set in motion the development of an acceptable, bipartisan solution to the problems facing the social security system. Ultimately, of course, this resulted in passage of compromise legislation based on the recommendations of the National Commission on Social Security Reform.

This year, President Reagan has returned with another proposal that will have a similarly harmful effect on the elderly and disabled of this Nation. His 1984 budget calls for $37.9 billion in new cuts in the medicare program over the next 5 years. The vast majority of those cuts would come directly out of the pockets of elderly and disabled beneficiaries.

On Tuesday of last week (April 26), the Senate Democratic Conference agreed unanimously to a resolution by Senator BAUCUS to reject President Reagan's proposals, and to fight any efforts to enact piecemeal reductions in medicare benefits until a proposal that would fairly distribute the burden of producing long term stability in the medicare program can be developed and considered by the Congress.

We hope that by this action we can once again start down a road that will lead to a lasting bipartisan solution, just as our similar action nearly 2 years ago led to such a solution for social security.

Let us be clear about the facts. It is true that the medicare hospital insurance trust fund faces serious difficulties in the latter part of this decade. But these problems are not the result of medicare participants paying too little out of their pockets for their medical care. On the contrary, medicare now pays only approximately 45 percent of the medical expenses of the elderly. And that percentage is likely to erode significantly unless we do something to control skyrocketing medical care costs.

And that is precisely the fundamental problem with which we must grapple: Medical care costs are out of control. This is true not just for medicare participants, but also for all Americans. Last year, those costs increased at the astounding annual rate of 15.2 percent—far beyond the rate of inflation in the economy as a whole. And this was not a 1-year aberration. Medical care cost consistently have escalated at a rate far above the rate of general inflation.

We cannot solve the problems facing medicare and its hospital insurance trust fund by continuing to slash away at benefits. We will only find ourselves the next year, and the year after that, facing the same impossible budget situation while medical care costs soar. If we embark upon that path, we will be cutting benefits left and right every year, until there is no medicare program left.

The resolution being introduced today by the Senator from Montana (Senator BAUCUS), which I am pleased to cosponsor, states clearly that we intended to do what we can to prevent that from happening. Medicare is a basic program upon which the elderly and disabled of this Nation have come to depend. We must protect medicare, and we must resist firmly any attempts to reduce its benefits or shift costs it now bears to elderly or dis-

abled beneficiaries. We have made a commitment to those who have labored through their lives and to those whom fate has left unable to provide for themselves—and we must defend that commitment.

There is only one way in which we can fairly resolve the problem of increasing medicare costs. We must devise a long-term solution which has as its principal component a means of controlling runaway medical care costs for all our citizens—and which encompasses and addresses not just medicare beneficiaries but also all significant actors in the medical care system.

I am pleased to be a principal cosponsor of this resolution. I urge all Senators of both parties who care for the elderly and disabled of this Nation, and who support the Nation's commitment through medicare to share their burden for medical care expenses, to join in supporting this resolution and resisting President Reagan's proposed precipitous medicare cuts in benefits to beneficiaries.

● Mr. GLENN. Mr. President, I am pleased to join other Senate Democrats in cosponsoring and supporting the medicare resolution being introduced today.

The resolution rejects the medicare benefit cuts contained in the President's fiscal year 1984 budget. Since the average stay in a hospital for someone over age 65 is about 11 days, enactment of the President's budget cuts would almost double the out-of-pocket payments of the average medicare beneficiary hospitalized next year. Under current law, the 11-day stay would cost an older person $350, while under the Reagan plan it would rise to $630.

Simply requiring larger out-of-pocket payments from medicare beneficiaries is not a promising solution to the financing problems of the medicare program and it is not an appropriate response to those problems. In rejecting the President's proposed budget cuts, the resolution states that health care cost inflation is a major factor behind medicare's financing problems. It states that any solvency solution for medicare must address this root issue of medical care inflation.

Before we act to increase revenue into the medicare program through changes in the benefit structure or other measures, we clearly want to explore all options for reducing escalating medical cost inflation. At the same time, we must exercise caution against concentrating all our national health care cost-containment goals on medicare alone.

In exploring solutions to health care cost-inflation, we must also remember that the elderly and disabled Americans served by the medicare program represent an unusually vulnerable group of citizens. A large majority live on fixed incomes and a disproportionate number suffer from chronic diseases. These Americans are not typical in their health care needs, resources, or concerns.

Mr. President, I urge other Senators to cosponsor the resolution being introduced today.●

● Mr. BINGAMAN. Mr. President, I would like to compliment my distinguished colleagues, Senator BAUCUS and Senator BYRD, for their efforts to lift some of the financial burdens of medical costs from the shoulders of our senior citizens. I am referring to their resolution which would reject the medicare cuts contained in the President's fiscal year 1984 budget and ask committees with purview in both Houses of Congress to study and make recommendations to the Congress on the long-term solvency and strength of the medicare program. I would like to join my colleagues in a cosponsorship of that resolution.

Statistics tell us that the cost of health care is rising faster than the national debt in this country. Last year, Americans paid out an amount equal to 10 percent of the national debt for medical bills—older Americans paid a substantial portion of those medical bills. It has been said that senior citizens now pay proportionately as much of their own income for health care as they did in 1965 when medicare was enacted. Over 29 million people rely on medicare for their health care needs. The Reagan administration would propose that they pay more out-of-the-pocket funds.

Clearly, older Americans already are being asked to sacrifice this year. The social security reform package will delay the cost-of-living benefits to the elderly at a cost of $4.2 billion in benefits in fiscal year 1984. Older Americans will be taxed on social security benefits they receive to the tune of $1.1 billion in 1984. The Reagan administration proposes that they give more.

In 1981, the administration cut medicare by almost $3 billion over 3 years; over 80 percent of these cuts were borne by medicare recipients. The Reagan administration proposed cutting medicare by almost $2 billion in 1983, but Congress has thus far rejected the Reagan plan and moderated the beneficiary cuts. For the 1984 budget, the Reagan administration proposes another $2 billion cut in medicare with 75 percent of these cuts to be shouldered by medicare recipients—and under the plan, by 1986, older Americans will be contributing an even greater percentage into medicare.

In my opinion, the administration has consistently advocated taking action which would seriously undermine the medicare health insurance policy. Two big cost-savers for medicare proposed this year are: first, to link catastrophic insurance to additional benficiary cost-sharing for hospital benefits (saving $710 million in fiscal year 1984). This catastrophic protection, however, gives protection to only one-half to 1 percent of the medicare beneficiaries. The other 99½ percent of the beneficiaries would be required to pay $2.2 billion more than under the current law; and second, to freeze physicals' fees for 1 year (saving $700 million in fiscal year 1984). One-half of the savings affects physicians and one-half affects beneficiaries. This means that beneficiaries will have to pay an additional $350 million for their physicians health insurance policy (medicare part B). This assumes that current physician "assignment rates" would not deteriorate further (currently 50 percent of claims are assigned).

Mr. President, all Americans are being asked to give more and more to reduce the growing Federal deficit, yet older Americans, many on fixed incomes are being asked to shoulder more than their share. Cuts in any one program may not be significant, but when you add all the little pieces together, the elderly as a group have been affected unfairly and disproportionately. They have been left confused from the 2 years of budget battles at siege at every juncture. They are wondering where the administration will look to cut more, not knowing how they will survive. The chaff is gone. Any additional cuts would be dealing with the wheat. They know that the idea that saving from their medicare programs would help reduce the deficit is "absurd." It would be a blueprint for disaster.

Old age is a time when individuals look for and plan for stability. Yet due to prolonged high inflation, cuts in programs, and a general insensitivity to the problems of advancing age, senior citizens have been inundated with unrealistic cuts in the very programs they look to for survival. We have to begin to focus on the problems experienced by the elderly, particularly the effect of recent budgets cuts. Congress needs to review these issues with these points in mind. I believe the Baucus/Byrd resolution is a good beginning.

I am most pleased to join with my distinguished colleagues, the minority leader, and the Senator from Montana who have both provided much leadership in this area in consponsoring this truly needed resolution.●

NOTICES OF HEARINGS

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. ROTH. Mr. President, the Senate Committee on Governmental Affairs will hold a budget hearing on the Federal Budget Reform Act on Thursday, May 5, at 10 a.m. in room

SD 342 of the Dirksen Senate Office Building. For further information, please contact Ms. Mary Lewis at 224-4751.

Mr. President, the Senate Committee on Governmental Affairs will hold a continuation of hearings on trade reorganization on Wednesday, May 11, at 10 a.m. in room SD 342 of the Dirksen Senate Office Building and on Thursday, May 12, at 10 a.m. in room 342 of the Dirksen Senate Office Building. For further information, please contact Mr. Michael Mitchell at 224-4751.

SUBCOMMITTEE ON WATER RESOURCES

Mr ABDNOR. Mr. President, the Subcommittee on Water Resources has scheduled a hearing for 2 p.m. on May 17, 1983. That hearing will focus on a variety of bills, many of them noncontroversial, that could be included in an omnibus water resources bill.

Mr. President, this list is quite long. The subcommittee will try to accommodate all requests to provide oral testimony at the hearing, but appearances may have to be quite limited in time in an effort to accommodate everyone. I would urge my colleagues to contact the committee as soon as possible if they would like to testify, or if they have constituents who would like to testify on these proposals.

The committee will accept written testimony for the record until May 27, 1983. Such written testimony will, of course, be reviewed fully and carefully by the committee.

The list of bills for the May 17 hearing is as follows:

S. 196—Kalihi Channel at Honolulu Harbor Hawaii Deauthorization.

S. 207—Trust Territory of the Pacific and Northern Mariana Islands Studies.

S. 433—Christina River, Delaware dredge disposal site relocation.

S. 455—Lynnhaven Inlet, Virginia.

S. 456—Chesapeake Bay Erosion Control Projects.

S. 635—River Ice Control Measures.

S. 674—Milton, Pennsylvania.

S. 812—Albuquerque, New Mexico Flood Control.

S. 850—Coosa River Erosion Control, Alabama.

S. 878—Moundville, Alabama Erosion Control.

S. 912—Richard B. Russell Dam project modifications.

S. 987—Corps of Engineers Recreation Fees.

S. 1028—Cowlitz River, Washington Navigation and Flood Control.

S. 1073—Aquatic Plant Control.

S. 1075—Abiquiu Dam, New Mexico.

S. 1112—Tacoma Harbor, Washington.

S. 1131—Cross-Florida Barge Canal Deauthorization.

Mr. President, the subcommittee will also meet on May 18 to discuss issues relating to cost-sharing on water resource development, as previously announced.

SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER

Mr. WALLOP. Mr. President, I would like to announce for the information of the Senate and the public the scheduling of public hearings before the Subcommittee on Public Lands and Reserved Water. On Monday, May 9, beginning at 3 p.m. in room SD-366 of the Dirksen Senate Office Building, the subcommittee will receive testimony on S. 916 and S. 848, to provide for the orderly termination, extension, or modification of certain contracts for the sale of Federal timber, and for other purposes. The number of witnesses will be limited and those testifying will be arranged in panels. Witnesses are requested to limit their oral testimony to 5 minutes.

On Tuesday, May 17, beginning at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building, the subcommittee will receive testimony on S. 285, to designate the Bisti Badlands Wilderness in the State of New Mexico; S. 626, to designate the Aravaipa Canyon Wilderness in the State of Arizona; S. 862, to amend the act of May 31, 1962 (76 Stat. 89); and S. 1042, to convey certain lands in Lane County, Oreg.

Those wishing to testify or who wish to submit written statements for the hearing record should write to the Subcommittee on Public Lands and Reserved Water, Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510.

For further information regarding these hearings you may wish to contract Mr. Tony Bevinetto of the subcommittee staff at 224-5161.

In addition, public hearings have been scheduled before the subcommittee to consider S. 837, to designate certain national forest system lands in the State of Washington for inclusion in the national wilderness preservation system, and for other purposes. The first day of hearings will be held on Thursday, June 2, beginning at 8 a.m. in the Spokane City Council Chambers located at W. 808 Spokane Falls Boulevard, Spokane, Wash.; the second day of hearings will be held on Friday, June 3, beginning at 9 a.m. in the new Federal Building, South Auditorium, 4th floor, 915 Second Avenue, Seattle, Wash.

Oral testimony will be limited to no more than 5 minutes and possibly less, depending on the number of witnesses wishing to testify. Witnesses will be placed in panels. Those wishing to testify must sign up in advance—no later than Wednesday, May 25—as follows: For the June 2 hearing—office of Senator JACKSON, room 576, U.S. Courthouse, W. 920 Riverside, Spokane, Wash., 99201, telephone: 509-456-4530. For the June 3 hearing—office of Senator GORTON, 2988 Federal Building, 915 Second Avenue, Seattle, Wash., 98174, telephone: 206-442-5545. Because of the number of witnesses expected to testify, individuals are requested to choose which day of hearings they would like to present their testimony.

For further information regarding these hearings please contract Senator JACKSON's or Senator GORTON's office at the above-listed numbers or Mr. Tony Bevinetto of the subcommittee staff at 202-224-5161.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON STRATEGIC AND THEATER NUCLEAR FORCES

Mr. BAKER. Mr. President, I ask unanimous consent that the Subcommittee on Strategic and Theater Nuclear Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on Monday, May 2, at 2 p.m., to hold a hearing on Space Defense.

The PRESIDING OFFICER. Without objection it is so ordered.

FOREIGN RELATIONS

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Monday, May 2, at 4:30 p.m., to hold an executive session briefing on Center for Strategic and International Studies, Georgetown University (CSIS) Soviet project.

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, May 4, in order to receive testimony concerning the nomination of Mr. Moody R. Tidwell III, of Virginia, to be a judge of the U.S. Claims Court.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. BAKER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, May 3, at 2 p.m. to complete markup of the 1984 Intelligence Authorization.

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

ADDITIONAL STATEMENTS

THE EVER WORSENING PLIGHT OF JEWS IN THE SOVIET UNION

● Mr. D'AMATO. Mr. President, I rise today to call attention to the ever worsening plight of Jews in the Soviet Union. Despite the rights enumerated in the Soviet Constitution, the U.N.

Universal Declaration on Human Rights and the Helsinki accords, there has been an increase in the systematic harassment of Jews, coupled with emigration restrictions which eliminate the possiblity of leaving the Soviet Union for most members of the Jewish community. In 1982, only 2,670 Jews were allowed to emigrate, compared with 51,000 only 3 years prior. The projected figures for 1983 are even more distressing—less than 1,000 Jews will be allowed to emigrate this year if the current trend continues. The recent Soviet campaign to harass "refusenik" leaders and Hebrew teachers has resulted in prohibition of Jewish self-education and holiday celebrations.

With the assistance of the student Coalition for Soviet Jewry, I have "adopted" two Soviet refuseniks—Yuli Mikhailovich Kosharovsky and Boris Dekhovich. Boris Dekhovich is a construction engineer who worked at the Vinnitsa radia tube plant prior to his application to emigrate. Fired from the plant because of his desire to emigrate he now works from time to time at menial jobs. He has been threatened with criminal charges of "parasitism." When he complained before the labor committee about losing his job at the plant, he was told that he forefeited his right to work as an engineer when he applied for a visa. Boris complained to the Procurator and was told that he should not be regarded as a parasite, however, he is still being threatened by the police.

In August 1975, his parents and two sisters finally received permission to leave for Israel, but Boris was denied a visa, because of "alleged" access to secret material while in the Red army. Boris' father is an invalid, and his parents are very anxious to be reunited with him. In a letter dated June 26, 1976, his mother writes:

> Our family consists of us, the parents, our son, and two daughters, who submitted an application to leave for Israel on March 13, 1975. Having waited for three and one-half months and having sold our apartment in anticipation of getting visas, we were refused on June 27, 1975. We tried to find out the reason for our refusal, but we heard only "regime." Shortly before this we both left our jobs and our oldest daughter voluntarily stopped her studies at the technical school. Only our son continued to work, and he had to bear the persecution of the authorities and the people with whom he worked. Our family had no way out—neither an apartment or means of subsistence. We regularly appealed to different organizations, including the government, and each time they reviewed our case we were refused. At last we found out why we were refused—our son's army service, but he did not have any secrets and he did not sign any documents about his refusing to leave. At the beginning of August all of us received permission except our son, but only if we promised to do nothing for his departure from the U.S.S.R. We had no other way out and agreed to accept their conditions. On August 11, 1975, we left.

Boris continues to try to secure permission to emigrate but only gets refusals without any promise of a visa or estimate of waiting time.

A recent tourist to Vinnitsa explains that Boris is the central figure in the Vinnitsa refusenik community. He is very humble and unassuming, and is well liked and respected. His knowledge of Israel and Judaism is amazing for a man who lives in an isolated Soviet community. He thirsts for Jewish knowledge, and is not only interested in Israel, but in Judaism as well.

Boris wants mail desperately, and is very anxious to have contacts and support in the West. Our pressure can surely help Boris win his dreamed of freedom.

The most recent incidents of harassment directed against Boris consist of:

On December 5, 1979, Boris was called in by the KGB and warned that his meetings with foreigners could cause him a great deal of trouble, even though the only information available to him were those publications openly available in stores or libraries. He was told that he should not expect a visa for some time.

In May 1981, recently, a few Americans visited Boris after being cut off from any visitors for 2½ years. They reported that he looked pale, tired, and sick. Having very little time to spend with the visitors, Boris managed to say, "Tell the world what you saw here. Tell them."

In January 1982, Boris protested to the Procurator General of the Vinnitsa region that Mikhail Furman, who served with him in the same unit, was allowed to leave while he had to remain. Again, no result.

Yuli Kosharovsky is a radio electronics engineer originally from Sverdlovsk, a town in the Urals located 1,200 miles from Moscow. As one of the early leaders of the Soviet Jewry movement, he made his way to Moscow, where he now lives and where he continues to speak out for freedom of emigration. The KGB has threatened, harassed, and arrested him many times since 1970. In 1976, he was imprisoned for 15 days. This arrest occurred during the widespread arrests and beatings in Moscow when a number of Jews staged sit-ins at the Supreme Soviet. Despite all the harassment, Yuli persisted in hosting scientific seminars for unemployed refusenik scientists for more than 4 years. In addition, he was one of the 250 Soviet Jews who signed an appeal to the Knesset and all Jewish communities throughout the world, describing the situation for Jews in the Soviet Union. Yuli is denied the right to work in his field, so he spends his time teaching Hebrew. However, he is constantly under threat of arrest for "parasitism," since the Soviets refuse to recognize the teaching of Hebrew as an official job.

In January 1977, Yuli's name and address were flashed on an anti-Semitic television documentary aired in Moscow, "Traders of Souls." He pressed for legal charges about this slander, along with Vladimir Slepak, Yosef Begun, and Anatoly Shcharansky, basing his complaints on article 7 of the Soviet civil code, but the suit was rejected. In December 1977, Yuli was placed under house arrest and deprived of needed medical care, in order to keep him from the refusenik-organized symposium on Jewish culture.

On November 5, 1979 at 9 in the evening, when Yuli was not at home, a divisional inspector of police, accompanied by two volunteer special police in civilian clothing, called at Yuli's apartment. His wife, baby, and mother were there. The policemen stated that they had received complaints from the neighbors that drunken orgies were taking place there, and people, including foreign visitors, were disturbing them. The police inspector said that he was obliged to take measures to stop this. On November 11, in reply to a summons, Inna and Yuli went to the inspectors office. Yuli complained about the intimidation of his wife, and the inspector smilingly said that he had come only for the purpose of getting acquainted.

The Kosharovskys want only to move to Israel and to continue their lives there. As Yuli, an accomplished Hebrew speaker, told friends in 1980:

> I already live an Israeli life. I conduct half of my life in Hebrew. I wish that I could conduct my entire life in Hebrew, but I still am forced to use some Russian. I want to go to Israel and proceed with my life. I feel as if I am stagnating here.

Yuli serves as one of the leading Hebrew teachers in Moscow. He himself has about 50 Hebrew students, and he also organizes weekly seminars for the Moscow Hebrew teachers. He helps to disseminate educational materials and to train new teachers. His interest in Hebrew has led him to begin to research linguistic issues related to Hebrew and Russian, and to work on a paper about the teaching of the Hebrew language in the U.S.S.R. Besides Hebrew, which Yuli speaks with an Israeli accent, he also knows English and Arabic.

The most recent incidents of harassment against Yuli consist of:

In June 1980, the Kosharovsky's were again refused exit visas. Although Yuli's "security" classification has finally been lifted, the family was refused on the grounds that its invitation from Israel was not from a "first-degree" relative.

In September 1980, about 100 (unofficial) Hebrew teachers gathered in a small Crimean coastal town for an unofficial seminar. Native inhabitants of

the town were warned "to be careful of holiday makers of Jewish origin." Attempts of intimidation and night assaults soon began. On September 15, Yuli was jogging on the beach when a man broke into a run, heading toward Yuli, and dropped a bottle of wine. The bottle broke. Howling, "Damned Jewish mug!" the man attacked Yuli. The beach was empty, but two "witnesses" came into sight from nowhere. Yuli was detained and taken to a prison cell 40 miles from where he was staying. After a short trial, he was sentenced to 13 days imprisonment for "violation of public order." This meant that he was forced to spend Yom Kippur in prison, as well as to miss the remainder of the teachers' seminar.

It seems clear that Yuli was "framed" in this way because he is an organizer and leader of the Hebrew teachers. In the past, he has been imprisoned for 15-day periods on similar charges and on "hooliganism" charges.

In January 1981, the KGB disrupted Yuli's Hebrew classes and warned him that he may face arrest if he continues to teach Hebrew.

On March 13, 1981, Yuli was among the few refuseniks who were warned by the KGB not to give Hebrew classes, or to attend scientific seminars. He has also been receiving threatening anonymous telephone calls. When asked why the KGB were focusing their attention on the teaching of Hebrew, the KGB did not give a direct answer. Says Yuli:

> They seemed certain that if they picked off a few leading Hebrew teachers, the whole movement for aliyah would soon collapse.

On March 27, 1981, Yuli was summoned by the KGB and was told to stop teaching Hebrew, and to cooperate by writing a confession admitting that his past activities were "improper behavior." He was warned that if he refused to follow their advice, "his fate would be similar to Brailovsky's." Yuli has stopped teaching one of his Hebrew classes. The second one is attended by only half of his regular students.

In December 1981, Yuli was again refused for emigration. Also, he has been interviewed several times by the KGB in connection with the Sverdlovsk case. Instead of being treated like a witness, he has been treated as a codefendant.

In January 1982, the apartments of Yuli and two other Hebrew teachers were searched. Confiscated were not only Hebrew and English-Jewish cultural materials, which had already passed postal inspection, but also tape recorders, radios, and books.

The treatment of these individuals contravenes the U.N. Charter, the Universal Declaration for Human Rights, and the Helsinki Final Act, to which the Soviet Union is a signatory. I urge my colleagues to keep these repeated blatant violations in mind when considering legislation pertaining to the Soviet Union.●

THE 75TH ANNIVERSARY OF THE AMERICAN FEED MANUFACTURERS ASSOCIATION

● Mr. DOLE. Mr. President, the American Feed Manufacturers Association is celebrating its 75th anniversary convention this week with a diamond jubilee meeting in Kansas City. The feed manufacturer is a vital—though sometimes forgotten—link in that complex chain of getting food from our Nation's farms to the consumers' tables. AFMA deserves recognition for serving as the national trade association for an industry that has made incredible progress applying state-of-the-art scientific developments to the manufacture of nutritious, healthful animal feed products.

AFMA began in 1909 as a handful of companies doing business locally. Today, membership in AFMA is nearly 700 companies doing business in every State in the Union, and represents over 70 percent of the primary formula feed fed to livestock and poultry in the United States. The feed industry represents a potent economic force, generating nearly $17 billion a year in primary feed products, purchasing up to $14 billion in feed ingredients, mostly agricultural products and byproducts, and employing 125,000 Americans in all phases of the industy. Of the ingredients purchased by the feed industry, many are byproducts of other industries, such as cotton, rice, flour milling, meat packing, alcohol production, to name a few. A substantial number of these would have little if any value if they were not used for animal feed manufacturing. Some would create significant environmental problems were it not for the processing technology that allows the feed industry to use them safely as animal feed components.

Feed represents 50 to 75 percent of the cost of producing meat, milk, and eggs at the farm level. It is not difficult to imagine that without an efficient feed manufacturing industry, the supply of meat, milk, and eggs available to consumers would be greatly reduced and at substantially higher prices than today. Animal health problems would be increased without the feed industry's technical advancement and applications, resulting in less nutritious food products for consumers.

NUTRITION AWARDS

Nutrition is the backbone of the U.S. feed manufacturing industry. AFMA sponsors four annual nutrition research awards through its nutrition council. These cash awards are presented to the American Society of Animal Science, the American Dairy Science Association, the Poultry Science Association, and the American Veterinary Medical Association, which in turn choose the individual recipients of each award.

A LINK BETWEEN SCIENCE AND PRODUCTION

Economical, nutritionally balanced animal feeds are important in the efficient production of high quality food products of animal origin. The feed manufacturing industry provides the animal feeder with such products by translating all available pertinent information into practical animal feeds. The industry serves as a bridge between the scientific research community and the feeder. The feed manufacturing industry is an integral part of the food chain and makes a significant contribution to the Nation's standard of living.●

LIMITING PAC CONTRIBUTIONS

● Mr. CHILES. Mr. President, recently I introduced legislation (S. 911) that addresses the growing influence of political action committees on the electoral and legislative process. Senators PROXMIRE, INOUYE, and MATSUNAGA have joined in sponsoring this measure. S. 911 responds to the mounting concern about PAC money while recognizing the complex issues involved in campaign finance reform and the lack of consensus in the Congress on how best to approach this problem. Passage of this bill would put the Congress on record as supporting a limit on the role of PAC's in financing Federal elections and establish a short-term statutory commission to develop recommendations for achieving that goal.

The underlying rationale for this proposal is a recognition that there is a mood for reform in the Congress but no clear sentiment for the direction that reform should take. I believe this assessment is borne out by the results of a recent survey by the Center for Responsive Politics, an organization concerned with improving public confidence in the legislative branch.

Based on responses from 140 Members of the House and Senate, this survey indicated that over three-fourths of the respondents found current campaign finance laws to be unsatisfactory and two-thirds favored limiting total PAC contributions. However, opinion was less clear cut on the questions of capping campaign expenditures, raising individual contribution limits, and Federal financing of congressional elections. In short, the Congress is concerned with the present system of financing elections but unresolved on the most appropriate means for improving the situation.

The message I take from the survey is that this Congress wants change and we shall miss an important opportunity if we fail to promptly set in motion a process toward reform.

Mr. President, I ask that the survey results and an article from the New York Times be included at this point in the RECORD.

The material follows:

CENTER FOR RESPONSIVE POLITICS SURVEY ON CAMPAIGN FINANCE

1. Campaign Finance Laws: 29 satisfactory (21%), 107 change needed (76%), 4 no opinion (3%).
2. Increasing Contributions from Political Parties: 93 favor, (66%), 39 oppose, (28%), 8 no opinion, (6%).
3. Limit on PAC Contributions: 92 favor, (66%), 44 oppose, (31%), 4 no opinion, (3%).
4. Set a Cap on Campaign Expenditures: 82 favor, (59%), 54 oppose, (39%), 4 no opinion, (3%).
5. Raise the Limit on Individual Contributions: 81 favor, (58%), 51 oppose, (36%), 8 no opinion, (6%).
6. Some Form of Federal Financing of Congressional Elections: 71 favor, (51%), 60 oppose, (43%), 9 no opinion, (6%).
7. Free Time to Targets of Independent Expenditures: 84 favor, (60%), 40 oppose, (29%), 16 no opinion, (11%).

PAC LIMITS BACKED

Members of Congress tend to favor further limits on the amount of money that political action committees can invest in their campaigns but are uncertain whether Federal financing of those campaigns is a good idea, according to a survey by the Center for Responsive Politics.

The center, a new bipartisan group aimed at raising public confidence in Congress, has compiled answers from a quarter of the members of the Senate and House to a preliminary questionnaire on campaign finance. The responses show that 78 percent want the present campaign law changed compared with 20 percent who are satisfied, but the kind of reform the first group supports is less clear at this point.

The sample of lawmakers voted, 66 to 31 percent, in favor of limiting contributions from political action committees, known as PAC's, but divided, 49 to 45 percent, in support of providing Federal subsidies for Senate and House races like those now in effect for Presidential candidates. They favored, 67 to 27 percent, raising the various ceilings imposed on state and national party contributions to candidates, but were less enthusiastic, 59 to 35 percent, about increasing the $2,000 limit on contributions by individuals.

PHIL GAILEY.
WARREN WEAVER, Jr.●

THE SUFFERING OF THE ARMENIAN PEOPLE

● Mr. LUGAR. Mr. President, several weeks ago, I introduced a resolution expressing the Senate's concern about Vietnamese policy on the Thai-Cambodian border. In introducing this resolution, which passed the Senate on April 21, 1983, I likened the recent history of Cambodia to the Holocaust experienced by European Jews during the Second World War.

Since that time, the U.S. Government has officially dedicated a new Holocaust memorial in Washington, D.C. We have done so because remembrance is a vital aspect of America's long-standing support for human rights and freedoms around the world. It is offered as a principle that we should never forget events of the magnitude of the Holocaust. I subscribe to that principle.

I would like to take this occasion to call to mind the suffering which the Armenian people experienced in the early part of this century. Regrettably, they have been but the first of many victims throughout this century, ranging from the heart of Europe to Southeast Asia.

Mr. President, I offer these thoughts in the certainty that reflection on the tragic events of Armenian history early in this century will be constructive and will deepen our positive commitment to defend and support human rights throughout the world.●

ICM DIRECTOR ON WORLD MIGRATION ISSUES

● Mr. KENNEDY. Mr. President, a few days ago, the distinguished Director of the Intergovernmental Committee for Migration, James Carlin, delivered an important address to the Sixth Annual National Conference on Immigration and Refugee Policy sponsored by the Center for Migration Studies.

As director of the leading international organization responsible for migration issues, Mr. Carlin spoke from a special vantage point and with an important understanding of the complex migration issues developing around the world. As he noted at the outset of his address:

> The world's economic and political situation are producing massive flows of asylum-seekers, refugees, overstayers, and undocumented aliens. While distinctions and definitions become more and more difficult to make, both developed and developing countries are confronted with the human suffering and socio-economic disruptions caused by such influxes and are finding it difficult to come to satisfactory solutions.

Recently, ICM sponsored the first international symposium on the problems of undocumented aliens—called at the request of several Latin American members of ICM. This underscores once again, as Jim Carlin noted in his address, that the problem of undocumented aliens is not an American problem alone. This and other migration issues are confronting countries around the world, both developed and developing alike.

Mr. President, Mr. Carlin's address also underscores the point I raised last week during the Senate debate on the pending immigration bill—that migration problems, which are growing around the world, will require far greater international action in the future than they have been given in the past.

Every day is becomes clearer that economic and developmental problems in neighboring countries, or even in countries far away, will have more impact upon migration to the United States than any combination of domestic laws or policies, such as those contained in the pending immigration bill. And violence and conflict can produce a flow of people that no single nation can handle—that only concerted and coordinated international action can cope with.

Mr. President, I commend to the Senate the thoughtful address of ICM's Director, Jim Carlin, and ask that it be printed at this point in the RECORD.

The statement follows:

STATEMENT BY ICM DIRECTOR JAMES L. CARLIN

At the outset, I wish to say that it is both a privilege and pleasure for me to participate in CMS' Annual Conference on Immigration and Refugee Policy.

Since we are in a period of great change with respect to attitudes, both public and private, on refugee resettlement and migration issues, the timing of your Conference seems particularly appropriate.

As all of you are well aware, the vagaries of the world's economic and political situation are producing massive flows of asylum-seekers, refugees, overstayers, and undocumented migrants. While distinctions and definitions become more and more difficult to make, both developed and developing countries are confronted with the human suffering and socio-economic disruptions caused by such influxes and are finding it difficult to come to satisfactory solutions. You here in Washington know better than I the degree to which the continuing debate on the Simpson/Mazzoli Bill illustrates the complexity of the issues as well as the widely divergent points of view in the U.S. Similar deliberations are taking place in countries throughout the world.

While the problem continues on a massive scale—indeed, the term "mass exoduses" has recently been added to our lexicon—the traditional solutions, which have applied over the last four decades, are no longer adequate nor do they enjoy the public support that once was the case. Even Switzerland is finding it difficult to cope currently with some 7,000 asylum-seekers. In that small country, a liberal law on asylum was passed in 1981. Only eighteen months later, in March 1983, amendments to that law of a more restrictive character have been submitted to the Swiss Parliament.

Less generous immigration policies and more stringent application of regulations and laws governing the granting of asylum are affecting the throngs of unsettled throughout the world.

Consequently, with resettlement opportunities considerably reduced, the concept of keeping routes of asylum open is no longer in particular favor. The idea of a warm welcome and safe haven in asylum areas is no longer fashionable. The spectacle of a handcuffed Romanian refugee being placed on an airliner headed for Bucharest in London in late March of this year illustrates rather vividly the changing attitude. It has become increasingly apparent that the notion of resettlement as a solution is being given lower priority.

As the Director of an International Organization concerned with resettlement, I am keenly aware of what is happening in this respect. In 1980, some 280,000 refugees were resettled under ICM's auspices. In 1981, the

number was 201,000 and in 1982, the number resettled dropped to 136,300.

In these circumstances, your theme "New International Initiatives in Responding to Refugees" is indeed an important and even compelling subject for discussion. There is a clear need for this kind of focus at both the national and international level. Hopefully this and other similar fora will serve to influence policies and actions and at the same time help to preserve at least some of the high standards of humanitarian consideration which have governed our work in the past. Clearly there is a compelling need for a reaffirmation of international responsibility and of the essential role of international governmental and non-governmental organizations such as UNHCR, ICRC, ICM and the Voluntary Agencies.

ICM's activities are expanding but not in terms of volume of persons moved. While the number of refugees assisted in their resettlement is on the decline, other assistance measures are intensifying. New emphasis is being given to the better preparation of refugees and migrants in the area of orientation and language training prior to their actual movement to a country of resettlement. Such activities are particularly important in assuring the speedy integration of the refugee in his new homeland and reducing the potential for his becoming a social burden. You are, of course, familiar with the US ESL (English as a Second Language) programme which is conducted by various Voluntary Agencies at the two Refugee Processing Centers on the islands of Bataan and Galang. ICM has recently been requested to assume responsibility for a similar programme for refugees accepted by the Federal Republic of Germany. ICM has had long experience in this particular field of assistance to refugees and migrants. Our programmes of language training in Austria, Germany and Italy are in the process of expansion. We have been conducting smaller classes in Greece and Portugal for a number of years. Along with this, we are augmenting cultural orientation programming. For example, at the request of the U.S. Government, we have recently assumed responsibility for the distribution of orientation material to refugees being accepted by U.S. authorities in Western Europe.

At the same time, ICM is strengthening its medical services to ensure the most efficient and effective screening of refugees prior to movement and to provide the documentation and coordination necessary for adequate medical care upon arrival in the new country. This is not only a humanitarian gesture but a practical necessity to reduce the potential burdens and anxieties of receiving countries whose concern for rising social service costs due to refugees and the resulting resentment of the refugee have been intensifying. For refugees going to the U.S., in addition to administering a complete schedule of immunizations, ICM provides treatment for persons found to be suffering from Tuberculosis and Venereal Disease in accordance with guidelines and procedures developed in collaboration with the U.S. Centers for Disease Control in Atlanta.

To avoid the accumulation in first-asylum countries of physically or mentally disabled refugees, ICM, in cooperation with UNHCR, has established a programme to promote the resettlement of handicapped refugees. This programme provides for the systematic identification and screening of family units with handicapped members by an experienced professional team comprised of a rehabilitation and integration specialist, a medical doctor, a psychiatrist and necessary para-medical personnel. Comprehensive dossiers are compiled for each case, containing specific recommendations for the rehabilitation of the handicapped individual and integration of the family as a whole. These informative dossiers are used for submission to countries where the resettlement of handicapped refugees is a possibility.

Another initiative worthy of mention is ICM's special effort in the Federal Republic of Germany to arrange for the resettlement or repatriation of would-be refugees—that is to say, individuals who sought asylum, but were not found eligible for refugee status in the legal sense of the term. The acronym for this special effort is REAG, or the Program for the Emigration and Reintegration of asylum-seekers in Germany. It was started in 1979 as a combined effort with the Federal and State authorities in Germany to promote the onward migration or re-integration into their country of origin of persons who were in the process of seeking asylum and refugee status. There was a need to cope with the massive influx of mala fide asylum-seekers who if remaining in this legal category would both clog the queue for bona fide political refugees and require considerable financial and social support at public expense. Some 5,000 such cases were processed and moved from the Federal Republic of Germany in 1982, and we project the movement of at least 10,000 in the current year.

Several countries of Western Europe have a problem similar to that found in Germany, Belgium, France, Italy, Sweden and the United Kingdom to name some. We have just entered into discussions with the Belgian Government to determine if a similar programme could be initiated in Belgium. Moreover, we are about to conclude an arrangement with the Government of Greece for the opening of an Information and Counselling Center in Athens to benefit returning Greek migrant workers and exiles with regard to such things as job placement, training, social benefits, resettlement, etc.

Another relatively new area of activity for ICM is our Return of Talent programme—a programme aimed at reversing the Brain Drain by identifying qualified nationals of Developing Countries residing in Industrialized Countries and arranging suitable placement opportunities for them in their homeland, or in the general region of their homeland. Our efforts with such programming in recent years have focussed principally on Latin American nationals for the Latin American region. To date we have arranged the return and placement of some 2,600 highly qualified Latin Americans.

Encouraged by our relative success with Return of Talent programming for the Latin American region, ICM's Governing Bodies have approved the extension of such activity to Africa and we are currently taking measures to introduce Return of Talent programming in that region. I can happily report that the European Economic Community (EEC) in Brussels has provided an initial grant of $3.3 million to ICM in support of such programming for Africa.

In addition to responding to the resettlement needs of refugee populations in first-asylum countries, there is growing emphasis these days on programmes for orderly departure as an alternative to illegal flight. ICM has played a large role in implementing the best known ODP programme on behalf of refugees from Vietnam accepted by Australia, Canada, France and the United States. Similarly, in recent years ICM has been called upon as a non-political, operational agent for the processing and movement of political detainees allowed to depart directly from their countries of origin in Latin America. Beginning in 1982, former Polish Solidarity detainees numbering over 1,000 persons were processed through an ICM-administered center outside Frankfurt.

While ICM is essentially an operational organization, it has also acted as a forum for scholarly exchange and policy debate in recent years through a series of international seminars on various aspects of migration. In doing so it has drawn together experts and representatives from a broad range of governments, and governmental and non-governmental institutions from around the world. ICM's Sixth Seminar, which concluded its deliberations just a week ago was aimed at advancing the process toward finding solutions to the problems caused by undocumented or irregular migration.

The Seminar concentrated on the specific motivations and underlying causes of irregular migration, the rights and obligations of irregular migrants in receiving countries, the preservation of their human rights, the regularization of their status—that is to say, legalization, the term currently being used in the U.S.—the effects of irregular migration both for the countries and individuals concerned, and the possible remedies and solutions.

Some 40 information and experts' papers contributed to the intensive debate of the 250 participants from more than 50 countries. Among the several important guests were Congressmen Peter Rodino and Hamilton Fish, the Minister of Immigration from Sweden, Anita Gradin, and the United Nations High Commissioner for Refugees, Poul Hartling.

One of the most striking conclusions was the degree to which the actual nature of these irregular movements is still not sufficiently understood or documented. Participants recognized through their discussions broadly differing points of view respecting the applicability of international instruments to irregular migration and the complexities of the problems and difficulties in finding simple answers and ready-made solutions.

The follow-up to the Seminar will require concerted international cooperation. The current tendency on the part of governments is toward unilateral or bilateral actions. Yet the masses of people throughout the world—whether taking it upon themselves to move or being forced by circumstance to seek resettlement assistance—represent an issue which must be tackled as an international responsibility.

It is on a note of hope that I would like to conclude my remarks. I feel confident that when we take a good look, in the present international environment, at who becomes a refugee and why, and at who has been trying to help, for what motivation and in which forms, we shall find patterns which whether resembling the past or differing from it help dictate the solutions and remedies to be attempted.

Perhaps the biggest single error for those of us genuinely concerned about humanitarian remedies for personal and social problems caused by peoples displaced from their homes, however their situation is defined, would be to assume and act as if the present-day predicament were an organically single global problem for which a single global remedy can somehow be found.

We have to ask ourselves firmly—bearing in mind that no government or international organization or private entity has unlimited resources—what groups of people or categories of circumstance deserve priority and action according to our respective values and affinities and which can and will be handled by others. It is, I submit, specific affinities—be they personal, ethnic, religious, national, ideological or political—which have virtually always motivated concern and action whether by individuals, voluntary groups of governments singly or through some international framework.

I have dwelt at some length on new initiatives taken by ICM and anticipated by my organization for the future. ICM does stand apart from national, racial, religious or political differences and is uniquely capable in its operational capacity to undertake specific activities related to orderly departure, resettlement, and assisted return or repatriation. But my aim has been to lay out for you in a less parochial fashion some basic principles and criteria which must be kept in mind in developing new international initiatives in general in responding to refugees. The remedial machinery to be used will depend on each circumstance. I welcome the reactions and comments from this assembly to develop these ideas further.

Thank you.●

THE DISNEY CHANNEL: A NEW ERA IN CABLE BROADCASTING

● Mr. D'AMATO. Mr. President, I wish to call to your attention the latest creative endeavor designed to bring happiness and enchantment to the American public. Debuting in 43 of our 50 States on Monday, April 18, the Disney Channel continues the Disney tradition of quality and responsible entertainment, represented by definitive, alternative programing for the family.

Since 1923, the imagination of Walter Elias Disney has captivated the world through the heart and soul of Mickey Mouse. Walt Disney believed in quality, family entertainment and believed the American public embraced the virtues upon which our Nation was founded. Times have changed, and Walt Disney Productions has grown. But, the Disney name, which has become synonymous throughout six decades with happiness and laughter, has become a pioneer in premium cable television by providing educational programing and positive ethical values for all family members.

Whether through such animated classic features as "Peter Pan," "Snow White and the Seven Dwarfs," and "Pinocchio," or theme wonderlands like Disneyland, Walt Disney World, and the extraordinary EPCOT Center, Disney whisks youngsters ages 8 through 80 on a journey into the realm of imagination. The American family has consistently come to Disney to "wish upon a star" and experience a "believable world of dreams." Now, through the advent of cable television technology, Disney is offering 16 hours daily of original dramatic and comedy series, interactive programing techniques for parents and preschoolers, magazine-format shows brimming with positive news stories, wildlife and nature series, miniseries, and the vast Disney library of quality theatrical and television product.

From their first venture into the early medium of television in 1950 to their entry into the burgeoning cable television market, I commend the Disney organization for maintaining a policy of public responsibility and unparalled excellence in family entertainment.

I ask that the remarks delivered by James P. Jimirro, president of the Disney Channel, be printed in the RECORD.

The remarks follow:

TELEVISION PIONEERING CONTINUES WITH THE DISNEY CHANNEL

Disney and television! It's hard to imagine one without the other. For twenty-nine consecutive seasons, Disney's weekly presence on network television has been a staple of family viewing. Aside from having the longest running primetime television series, Disney contributed greatly to the growth of the medium by introducing the first anthology; the first mini-series; and by pioneering educational programming and the use of color. With the debut of The Disney Channel, an exciting new pay TV service for the entire family, the tradition of innovation continues.

A wide variety of new programming for all ages as well as motion pictures and television shows from the Disney library will be on view sixteen hours a day through The Disney Channel. Treasures from the archives include cartoons (many not seen in more than thirty years) and nostalgic television favorites ("The Mickey Mouse Club," "Davy Crockett," and "Zorro"). New shows provide quality family entertainment and opportunities for participatory viewing by way of The Disney Channel Magazine.

Walt Disney's long association with television began in 1950. While other motion picture producers and studios regarded the infant medium as an enemy, Disney considered it an ally. On December 25, 1950, NBC aired "One Hour In Wonderland," a holiday special featuring favorite Disney characters and a scene from the forthcoming "Alice In Wonderland" animated feature. The following year, CBS presented a sequel entitled "The Walt Disney Christmas Show."

On October 27, 1954, Disney entered television on a regular weekly basis with the ABC anthology program "Disneyland." Using the same high standards applied to film production, the studio created product specifically for television with story themes structured around Frontierland, Adventureland, Fantasyland and Tomorrowland. In its first year "Disneyland" won an Emmy Award for "Best Variety Series for 1954." Two additional Emmys went to "Operation Underseas," a promotional episode for "20,000 Leagues Under the Sea."

In December 1954, Disney introduced the now common miniseries concept by way of a three-part dramatization of the life of frontiersman "Davy Crockett." Ninety million viewers tuned in to the first airing and a new hero was created overnight.

Disney's involvement with TV education increased with the premiere of "The Mickey Mouse Club" in 1955. This enormously popular daily variety show featured newsreels, vocational studies, and animated lectures by Jiminy Cricket on safety, biology and wildlife.

Disney's finest educational effort for TV was a series of programs featuring live action and animation on space travel and exploration, directed by veteran animator Ward Kimball. These "Tomorrowland" shows combined education and entertainment in a new and sophisticated manner. Their enthusiastic acceptance encouraged the government's own ambitious space program.

In 1957, a third Disney-produced series called "Zorro" made its debut. This popular series departed from the conventional by experimenting with longer forms of narrative stretched over several episodes.

The Disney anthology series changed names and networks from:

September 12, 1958: "Walt Disney Presents" (ABC).

September 24, 1961: "Walt Disney's Wonderful World of Color" (NBC).

September 14, 1969: "The Wonderful World of Disney" (NBC).

September 9, 1979: "Disney's Wonderful World" (NBC).

September 26, 1981: "Walt Disney" (CBS).

The move to NBC in 1961 brought with it a changeover to color broadcasting. Disney's expertise and ability to use color to portray character and emotion added greatly to the show's appeal and hastened the acceptance of color TV as the new standard. This also allowed such lavish programming as "Hans Brinker," "The Prince and the Pauper," and "The Magnificent Rebel."

Although 1983 signals the end of the "Walt Disney" anthology series, it heralds a new frontier for Walt Disney Productions. The Disney Channel is unique—and much of its exclusivity relates to our three basic programming elements: selections from the Disney library of films and television productions; acquired films of a quality consistent with the Disney image; and, most important, new programs produced especially for the Channel.

Initially, the most familiar programs on the Channel will be those derived from the Disney library. Over the years, we will draw on over 160 feature films from "Tron" to "Dumbo" to "Mary Poppins" to "Treasure Island." The vast majority of these films are timeless in nature and will be just as entertaining in 1990 as they were in 1980 or 1960.

Over the decades, the Studio has produced almost 450 cartoon shorts. Many have won Academy Awards. All feature full Disney animation and the world's most beloved characters.

Disney also has over 200 hours of television productions, never syndicated and rarely seen on the networks. There are 561 episodes of "The Mickey Mouse Club" and 78 episodes of "Zorro." And, there are educational classics like "Donald in Mathmagicland" and truelife adventures like "White Wilderness."

In sum, Disney has nearly thirty years of television shows and sixty years of film production to draw from for the Channel. While the library does provide a solid anchor for our service, it accounts for less than 50 percent of our program hours.

The evolving major program element is original production for The Disney Channel. Our April/May schedule calls for twelve new series, the most ambitious opening production slate of any of the pay television

services. Let me tell you about just some of these exciting shows.

"YOU AND ME, KID"

We're extremely excited about this show, because it really showcases what The Disney Channel is all about: interaction between our viewers and our television shows.

We believe that family television should bring families closer together . . . and "You and Me, Kid" is a perfect example of the kind of programming that's going to distinguish The Disney Channel from traditional network fare.

"DISNEY STUDIO SHOWCASE"

This show provides a television forum for the creative talents to the Disney Feature Film Division. It's a weekly, hour show . . . and we're keeping it experimental, unpredictable, and highly inventive. We'll be using both new and established writers and directors, one such example is John Culhane. And we'll be offering filmmakers an opportunity to use experimental production techniques to develop shows that are fresh, original and entertaining for viewers of all ages.

Some of the shows in the works now are "Where Your Money Goes," a look at how the money we put in video games is dispensed, and a documentary look at the never-before-filmed Ringling Brothers, Barnum & Bailey's College of the Clowns.

"WELCOME TO POOH CORNER"

Children love Winnie the Pooh, to be sure. But even the little ones are in for a big surprise on this one. Lifesize electronically-controlled puppets have been invented by the Disney magicians for this show . . . and they are something to behold. This series for pre-schoolers takes a gentle look at themes close to the heart of all young children . . . from making friends to being truthful to building self-confidence.

And there's a rousing sing-along and an outstanding musical score to accompany every show. We're sure preschoolers won't want to miss a single episode in this colorful daily half-hour storybook adventure.

"THE SCHEME OF THINGS"

There's not a person alive who doesn't want to know the whys and hows of everything in his or her world. Jules Power, distinguished producer of such award-winning children's shows as "Discovery" and "Watch Mr. Wizard," has outdone himself with this daily excursion into the astounding world around us. This series is lively, truly educational and wildly entertaining.

"WISH UPON A STAR"

All young people watching "Wish Upon a Star" will be invited to write in with the hopes of having their most secret, most fervent, most longed-for wishes come true.

Of course, it will be highly entertaining to watch a young boy go through basic training with the marines, or a twelve-year-old girl fulfill her dream to be a fashion model, or become head chef at Los Angeles' trendiest restaurant, but this show will work its magic on other levels too: every youngster watching at home will know that if it happened to the kid on TV, well, it could happen to them as well.

And it's this added dimension—the notion that anything's possible if you want it enough—that's going to strike such a resounding emotional chord in "Wish Upon A Star's" young viewers.

"NEW! ANIMAL WORLD"

Through extraordinary animal footage and a provocative, fun-filled quiz at the end of each show, this wonderful Bill Burrud production is aimed at changing the way most of us perceive nature.

Every segment will be a constant reminder that we must learn not only to get along with each other, but with the other species as well . . . and the questions at the end will stimulate some thoughtful moments of sharing for the entire family.

"EPCOT MAGAZINE"

We wanted to create a show that reflected the electricity and the energy, the innovation and the excitement of our new Epcot Center. "Epcot Magazine" will do just that—by utilizing the endless potential and breathtaking resources of our project. With Epcot Center pavilions for a backdrop, the show will be a curious, fascinating mix of segments that often focus on how the new technology will affect our life-styles, homes and attitudes in the future.

There will be international gourmet cooking lessons from our World Showcase Restaurants, interviews with visiting celebrities and even interactive personality tests designed and administered by Dr. Joyce Brothers.

This series will appear in three formats throughout the week—a one-hour midday edition, a half-hour evening edition, and a one-hour weekend edition.

"EPCOT AMERICA! AMERICA!"

"Epcot America! America!" is a magazine show that takes a look at the lifestyles, trends, opinions, people, and ideas that make up today's America. This show includes on-the-road visits with people who have become living legends, results of Epcot Future Choice Polls reflecting what America is thinking today, person-on-the-street interviews and more. "Epcot America! America!" will highlight the best of our country from its smallest delights to its most important issues.

"MOUSETERPIECE THEATER"

Walt Disney handed the world a legacy of unparalled cartoon gems. These little eight-minute comedy masterpieces showcase some of the best storytelling, most awesome animation and creative gag sequences in the history of motion pictures.

George Plimpton hosts this affectionate send-up of the popular BBC series, "Masterpiece Theatre," from his seat in an overstuffed armchair in a dignified den. Just about everybody who's ever been touched by the art of Disney animation will enjoy this nightly roster of classic cartoons and the fascinating anecdotes about how they were created.

"MOUSERCISE"

First thing in the morning, there's a lively aerobics class especially designed to keep kids in shape and to motivate them to want that for themselves.

Parents will be encouraged to join their youngsters in working out at the Mickey Mouse Health Club. And we feel that by getting parents and their children to share daily physical exercise, we'll be able to open up all kinds of possibilities in developing a positive, health-conscious environment within our viewers' homes.

Of course, we have several other series in development, but these I've just mentioned are those you will see during our preview months.

As we launch The Disney Channel, we become the first major differentiated pay service. It carries the most popular name in family entertainment, but above all, it carries the tradition of excellence and quality long associated with Walt Disney.

We are proud of our commitment to bringing happiness and joy to the American public, and look forward to bringing yet another generation the magic and inspiration of Mickey and his friends in the years ahead.●

PROBLEMS OF CONTINUOUS MODIFICATION OF THE INTERNAL REVENUE CODE

● Mr. ARMSTRONG. Mr. President, recently the Colorado Society of Public Accountants pointed out in forceful terms serious unsettling effects on the business economy caused by continual tax law changes. The Colorado Society's Federal Tax Committee prepared a very thoughtful background paper which I commend to the attention of all of my colleagues.

The paper follows:

To: Colorado Members of Congress.
From: Colorado Society of CPA's Federal Taxation Committee.
Subject: Problems of continuous modification of the Internal Revenue Code.

BACKGROUND

During the thirty-year period from 1939 to 1969, tax legislation was essentially limited to the Internal Revenue Code of 1939, the Internal Revenue Code of 1954, and the Tax Reform Act of 1969, with no other major or significant pieces of legislation. The past decade has seen a tremendous increase in tax legislation with passage of:

The Employment Retirement Income and Security Act of 1974.

The Tax Reduction Act of 1975.

The Tax Reform Act of 1976.

The Tax Reduction and Simplification Act of 1977.

The Revenue Act of 1978.

The Energy Act of 1978.

The Crude Oil Windfall Profits Tax Act of 1980.

The Economic Recovery Tax Act of 1981.

The Tax Equity and Fiscal Responsibility Act of 1982.

In addition, many technical corrections acts and other less significant tax legislation have been enacted during this same period.

This volume of legislation has created an enormous backlog in the regulation writing process, as there were approximately 450 projects waiting completion at the Department of Treasury as of December 31, 1982. The regulation writing process is further slowed by the lack of a group specifically assigned to and engaged only in regulation writing within the Treasury Department.

The legislation as well as its attendant problems of implementation has resulted from attempts to cope with the changing budgetary, political and social goals of the 1970's and 1980's. However, the continuing tax law changes have an unsettling effect on today's business environment and foster the perception that the existing tax system lacks stability and fairness. Many taxpayers find it increasingly difficult to engage in long-range planning because the associated tax consequences are unpredictable. Because of the increasing technical complexities created by constant revisions of the Internal Revenue Code, professional tax advisors find it more difficult to provide tax advice in a form which can be understood and used by their clients in connection with their financial and business planning. A few recent examples of this are:

The Accelerated Cost Recovery System (ACRS) enacted by ERTA was signed into law in August, 1981, yet was effective for assets placed in service after December 31, 1980. Many fiscal year taxpayers had closed their books, updated their property and equipment ledgers and filed their Federal income tax returns. The passage of ERTA created the need for these taxpayers to amend their income tax returns, thereby incurring additional expense as well as taking time away from their daily operations.

The recently enacted Tax Equity and Fiscal Responsibility Act of 1982 contains 23 different effective dates, 14 of which are effective for periods either beginning or ending before the date of enactment.

As a result of the complexity of present law and the interaction of various code sections, technical corrections acts are required almost immediately after new legislation is passed to correct for unintended results. For example, the use of fiscal years by some newly formed "S" Corporations had to be eliminated from the Subchapter S Revision Act of 1982 by the most recent Technical Corrections Act.

Many have voiced the opinion that the present system be abolished in favor of a "flat rate" tax. The "flat rate" tax proposal is to some extent a result of the increased complexity of present tax law and the belief that the assessment of income taxes should be simpler. A flat rate tax would basically put all taxpayers in the same tax bracket. In its purest form, no deductions or credits would be allowed and all income would be subject to the same tax rate. It would be equivalent to a national sales tax that probably could be filed on a "postcard" return. The original United States income tax law enacted in 1913 was basically a flat rate tax system.

Proposals for the flat rate tax have varied from its purest form to modified versions which include personal exemptions, deductions for such items as charitable contributions and mortgage interest, and surtax charges. There has been a wide range of tax rates and surtax charges proposed, including rates somewhere between 10 and 20 percent and proposals to structure the flat rate tax as an alternative method of tax computation.

RECOMMENDATIONS

On the problem of adverse effects to taxpayers resulting from continuous modification of the Internal Revenue Code, the Federal Taxation Committee of the Colorado Society of Certified Public Accountants reached the following conclusions:

The process of formulation of proposed legislation amending the Internal Revenue Code should be modified, as necessary, to incorporate the following:

(a) Procedures be established whereby proponents of amendments to the Internal Revenue Code (whose principal purpose is to promote a particular social objective, or respond to a political interest) be required to demonstrate that other alternatives to amending the Code have been considered and provide an explanation in the form of a report to Congress of why such other alternatives are not appropriate to accomplish the objectives of the proposed law changes;

(b) Proponents of amendments to the Internal Revenue Code be required to show the contribution of the proposed changes to simplification of the Code, simplification of related compliance (i.e. tax return reporting) and enforcement; and

(c) Establish requirements that Committee Reports which accompany new tax legislation reflect the deliberations which have occurred on the matters outlined in (a) and (b).

If a "flat rate tax" system is considered, it should first be the subject of extensive study on whether this system will accomplish its objective of tax simplification, and whether a satisfactory definition of "income" subject to a "flat rate tax" can be developed.

If additional Federal revenues are required, they be raised by adjusting present tax rates. Adjusting tax rates versus making technical changes to the Internal Revenue Code as means of raising additional revenue will contribute to increased confidence of taxpayers that their current financial decisions will have predictable future tax consequences.

In its discussions on regulation writing by the Treasury Department, the committee reached the following recommendation:

The Department of Treasury establish a permanent group responsible for promulgating regulations. This group should not be available for other activities. In addition to Treasury Department personnel, the group should comprise representatives of industries or taxpayers affected by the Regulations, at the earliest possible stage in the process of their formulation.●

THE COMPOUND 1080 FIASCO

● Mr. WALLOP. Mr. President, recently the Environmental Protection Agency revoked a special permit which allowed the U.S. Fish and Wildlife Service to use compound 1080 (sodium fluoroacetate) for experimental purposes. True, this decision will have little actual effect. The permit allowed the USFWS to use small doses of 1080. Use would be limited to a combined total area of 150 acres in a three-State area. What concerns me is that while EPA's action, by itself, is of little immediate significance, it is part of the larger controversy over the use of compound 1080.

In 1972, EPA totally banned the use of 1080, a decision which was based, not on the facts of the case, but rather on the emotional pressure which was brought to bear by a small minority which successfully obscured the scientific evidence of the issue. This ban is still in effect.

In March 1982, formal administrative judicial hearings were begun to review this ban in light of new information which is now available on compound 1080. During these hearings, testimony was heard and evidence was presented by both opponents and proponents of 1080. Judge Spencer T. Nissen examined all the facts and found that substantial new evidence had become available since EPA issued its initial ban in 1972. Last October, on the basis of this information, Judge Nissen rendered what I consider to be a correct decision: Compound 1080 can be used to control certain predators, if certain reasonable precautions are taken. We in the West, as well as many others, were heartened by Judge Nissen's courage, and the thoughtful and impartial review of the issue.

I would hope that as soon as Mr. William D. Ruckelshaus is confirmed by the Senate, he will make it a priority to review this decision and to expeditiously affirm Judge Nissen's recommendation.

I would highly recommend to Mr. Ruckelshaus and those of my colleagues desiring to gain a new understanding of the issue, the following article by Dr. Walter E. Howard, professor and vertebrate ecologist at the University of California at Davis who has devoted years to researching and writing about the subject of 1080. His article is not steeped in the emotionalism which surrounds this issue. Rather, it is a persuasive, well-documented research piece which describes and analyzes the issues before reaching a conclusion.

Mr. President, I ask that Dr. Howard's article be printed in the RECORD.

The article follows:

THE COYOTE-1080 CONSPIRACY: AN ABORTED ATTEMPT TO DRIVE LIVESTOCK OFF FEDERAL LANDS

(By Walter E. Howard)

Compound 1080, a toxicant that was used for many years to poison coyotes, was banned for this purpose by the Environmental Protection Agency (EPA) in 1973, and this is one example where the press failed to investigate government irregularities that many people reported at that time. The great coyote-1080 conspiracy that was perpetrated during the "Coyotegate Years" of 1971-73 still continues today. Perhaps the press was too involved in Watergate matters to take notice of the conspiracy. Anyway, it has taken an extensive PH. D. thesis (Angus A. MacIntyre, "The politics of nonincremental domestic change: major reform in federal pesticide and predator control policy," University of California, Davis, 876 pp., 1982) to fully document how this conspiracy was orchestrated primarily by one individual in the President's Council on Environmental Quality (CEQ). His principal collaborator was the assistant secretary of the Department of the Interior (USDI). This well-documented and scholarly thesis provides fascinating reading on how the Environmental Protection Agency (EPA) and President Nixon also were tricked into assisting in the conspiracy.

I think the main reason EPA foolishly joined in the conspiracy was, as biology officials in EPA told me (3/21/73), they reasoned that since the U.S. could import all the livestock products needed from Argentina, Australia and New Zealand, why protect them from coyotes on federal lands in the West? There was a movement at that time to remove livestock from all government lands. They overlooked or didn't care, that sheep and cattle are also grazed on private lands, that coyotes do not recognize property boundaries, and that these lands have been designated by Congress for multiple use, including grazing.

Many innocent people and organizations, including the White House staff, EPA, and Congressional leaders, became entrapped in the conspiracy, and the general public and scientific community were equally fooled by the hoax that Compound 1080 was such a terrible poison. Even though EPA's hearings (FIFRA Docket No. 502) held March 30 to August 6, 1982 (which probably cost several

million dollars) clearly proved that the earlier claims against 1080 were not true, the politics have not ended. It is going to be interesting to see if EPA can make a clean break from the conspiracy in its 1983 decisions.

The central question at issue is do coyotes have to be controlled? All sides now seem to agree in the affirmative. Next, are poisons still necessary? For those who have studied the matter, the answer, unfortunately, is clearly yes. There are many coyotes that cannot be controlled by any other means. Then, if poisons are still required, is 1080 the best toxicant to use, except for cyanide in the M-44 devices? The following is an attempt to clear the air on these matters.

As a faculty member of the University of California and a highly concerned resource person, environmentalist, and conservationist, I have been researching 1080 (sodium monofluoroacetate) for the control of rodents for 35 years and the control of coyotes for a decade; but, of course, I speak for myself and not for the University of California.

As my more than 300 research papers and reports will testify, my research goal, i.e., the applied aspects of my research, is to develop the most selective, safest, efficacious, humane, and environmentally desirable way of controlling wildlife that are pests to homeowners, farmers, ranchers and foresters, and I consider poisons a last resort. It is a pity that we can't all work together to benefit the environment by developing better alternative control methods. I take great pride in having probably saved more nontarget wildlife in nature than most environmental organizations, for they must create money-soliciting bonfires directed toward "anti" control legislation rather than seek better alternative solutions, which is the constructive approach that is needed.

The general public has been hoodwinked, bamboozled, duped, tricked, deluded or what have you, especially since the early 1970s, into thinking 1080, when used to control coyotes, then kills everything. When did all this start? Compound 1080 was first field tested in 1945 at the U.S. Forest Service's San Joaquin Experimental Range in California. It proved to be a highly effective rodenticide to use against the California ground squirrel to increase food production during World War II. However, since it was also selective for dogs, an obvious problem existed. Too many people want to poison their neighbor's dog. Also, no one wanted 1080 to get the bad name thallium sulfate had acquired in its effect on dogs. But since EPA did not exist at that time, it looked like it was not going to be an easy matter to get 1080 restricted so that only trained officials could use it. Therefore, the best way to achieve this restriction seemed to be to make 1080 look so dangerous that untrained people would not want to use it (personal communication with the five government and state officials who conducted the tests). The technique worked, and everyone was sufficiently frightened so that the only officials who wanted to use 1080 for rodent or predator control for many years were those who had no other toxicant available that would do the job so effectively and with so few environmental problems.

Later, when individuals and organizations began to object to the killing of any animal, it was only natural that they chose 1080 as a logical target, since the Fish and Wildlife Service (FWS) of USDI had already frightened most of its own personnel about 1080. And for the last 30 years or so, Interior has not permitted their own animal control research branch, the Denver Wildlife Research Center (DWRC), to carry out research on how to use 1080 for rodent and predator control in a more efficacious and safe way. The only research on 1080 that Interior has permitted is its use in the "toxic collar," a device placed on sheep to control coyotes. The reason for this is that the assistant secretary of USDI responsible for animal control is also in charge of National Parks, a hopeless conflict of interest.

The controversy about 1080 continued to smolder, with the Washington office of USDI never permitting the DWRC to keep the public properly informed about this toxicant, so it became a natural target for "anti" groups to exploit when the ecology movement started with the establishment of the National Environmental Protection Act of 1969 (NEPA), signed in 1970.

Actually in the late '60s and early '70s, few people really understood the true ecology of coyote control with 1080, and most of those who did were in the FWS and not allowed to speak out. In the late '60s and early '70s, it became politically possible for a new breed of environmental lawyers to maneuver public view—with intrigue and tacit actions from some officials in CEQ, USDI, and EPA—so that the public, including most biologists and conservationists were convinced that 1080 was an uncontrollable control, an indiscriminate toxicant that concentrates in food chains, causes mass secondary and direct slaughtering of nontarget species, and that it is one of the most toxic chemicals known to man, thus posing a serious human hazard. None of this is true.

The primary orchestration of this conspiracy occurred in CEQ (MacIntyre 1982). It was so successful that without justification Administrator William D. Ruckelshaus banned 1080, claiming that imminent hazards were so great there was not time to hold a public hearing which, of course, would not have supported CEQ's claims. Why this sudden urgency? Compound 1080 had been in used for about 27 years. Compound 1080 and other predacides were banned on the basis of two emotional petitions by environmental groups playing the advocacy game, but these petitions contained no objective evidence against 1080. EPA stated the decision was also based on recommendations of the Cain Report (Predator Control—1971. S. A. Cain, et al., Report to CEQ and USDI, 1972, 207 pp.). It is now known that the 15 "Recommendations" in the Cain Report were not written or approved by the distinguished authors of the report. Also, the National Academy of Sciences—National Research Council withdrew joint sponsorship of the Cain Report study because the key individual in CEQ insisted on selecting the participants.

By EPA regulations it was impossible to appeal the decision after 30 days unless overwhelming new information could be developed. Most of us did not know about the appeal limitations, and so little 1080 was used in predator control that the manufacturers of 1080 were not about to pay the expenses of the appeal process. The Animal Damage Control (ADC) people in USDI were muzzled by their assistant secretary boss in Washington.

Let's take a look at the "evidence" EPA used to justify its highly irregular and indiscreet cancellation of all registrations of poisons (predacides) for the control of coyotes and, in particular, 1080. EPA was the final conspirator, for its cancellation of 1080 was clearly unjust and done without adequate or proper analysis and by not insisting that the USDI assistant secretary release the environmental impact statement concerning 1080 and coyote control. All the Incriminating evidence against 1080 used by the EPA Administrator has proved to have been false or based only on hearsay without direct evidence.

It was claimed that 1080 had no antidote. This is true. Almost all acute vertebrate toxicants are without good antidotes, yet dogs poisoned with 1080 are frequently successfully treated symptomatically by veterinarians. Hazard—not toxicity—is the important consideration when evaluating environmental consequences of poisons. Compound 1080 is not the most toxic chemical known. Some of the most toxic pesticides, such as warfarin—which in the pure form is as or more toxic than 1080—may be actually one of the safest rodenticides as used. Since 1080 is used in such small amounts, after the powder is dissolved in water and diluted, its hazard, especially in baits, is then even less than many other pesticides used to control vertebrate pests.

Many claim, but do not document, that 1080 is an indiscriminate toxicant that magnifies or concentrates in the environment like DDT, and that its use has slaughtered large numbers of nontarget species and endangered species by either direct or secondary poisoning. It is possible to cause secondary poisoning with many toxicants, but there is no bona fide evidence of endangered species being killed by 1080, yet congressmen were falsely told by personnel from CEQ and USDI that 1080 had even exterminated a number of species in the U.S. (personal communication, Congressman John Dingell, 3/21/73).

Depending on how 1080 was used, there have been some other carnivores (but not populations) killed from eating 1080 bait. When all civilians in an Asian country had to use 1080 each year in rat campaigns, many dogs and cats were killed as a result of inexperienced homeowners using 1080. The hazard of 1080, when used as a rodenticide or predacide, is minor with birds, as they are much more resistant to 1080 than the target mammals. No endangered bald eagles have been killed by 1080, but eagles have been killed with thallium sulfate. It is practically impossible for another animal to be killed by feeding on the carcass of a coyote killed with 1080 unless it is another coyote cannibalizing it. In the proposed uses of 1080 it is very unlikely that any coyote could ingest so much 1080 that it would vomit, with the vomitus then being hazardous to another animal that might eat it.

The claim was made that continued use of 1080 would result in irremediable and incorrectable losses, particularly of endangered species. No evidence was offered as to how this might happen. Of course, with high enough concentrations of 1080, it is possible to kill anything. The point is that, as used for coyote control, this claim cannot be substantiated. EPA's 1982 hearings exposed the falseness of the many charges against 1080.

Another statement against 1080 was that its use "conferred only ill-defined and speculative benefits." In 1971 and 1972, many in USDI and CEQ were inferring that most coyotes would not kill sheep, claiming they were only scavengers of sheep that had died from other causes. It has now been clearly shown that the coyote has put many livestock operators out of business and that coyote depredations are a serious economic

problem (estimated at costing California alone nearly $75 million a year).

Livestock operators favor the protection of wildlife but they cannot afford economic ruin of their livelihood by wild animals. They are just like the homeowners who do not tolerate wildlife living in their attics and garages or destroying their landscaping and gardens. If given free rein, native mammals would completely ruin our city parks and home gardens, because they are largely composed of exotic plants that have not evolved so as to coexist with many of our native mammals.

Many different methods of coyote control are needed because of the great diversity in coyotes and in the physical environment. The ecology of coyote depredations to livestock is highly variable in different situations. Control methods that do offer varying degrees of predator protection include herders, improved husbandry techniques, guard dogs, llamas, repellants, frightening devices, aversive conditioning with lithium chloride or other agents, electric fencing, gassing pups in dens, trapping, shooting, shooting from the ground or aircraft, hunting with dogs, snaring, and M-44s that eject cyanide. So far, at least in many parts of the west, no single or combination of these methods have been able to adequately protect livestock from coyotes (Dale A. Wade, "Impact, incidence, and control of predation on livestock in the United States, with particular reference to predation by coyotes." Council for Agricultural Science and Technology (CAST), Special Publ. 10, 20 pp. 1982). It is in these situations where 1080 is still biologically the most desirable approach because it can be used without adversely affecting the environment or creating much hazard to man and other nontarget species.

Dogs are the principal nontarget hazard that must be considered when using 1080 to control coyotes, but other carnivores such as badgers, skunks, and foxes, are vulnerable to 1080, so care must be exercised Nontarget animals are largely protected by the way baits are formulated, lure used, season, and the manner in which baits are exposed in the field.

Why are coyotes a problem? They are fruitful and multiply, like to eat, and evolved as a predator that likes to attack fleeing prey, like a running sheep. Coyotes can cohabit—live together—in some areas with large numbers of people, unlike species such as grizzly bears, wolves, or herds of bison. One reason the coyote is often a pest is because it can adapt so well to these altered environments, even living as a commensal (living with man) predator and feeding on garbage, cats and small dogs.

During the last century, coyotes have greatly increased in total numbers and extended their geographic range from just western United States to all contiguous 48 states, north through Canada to Alaska, and south through Mexico and Central America to Costa Rica. The diet of the coyote is highly variable and includes rodents, rabbits, deer, berries, melons, etc.; however, many coyotes are also very effective predators of man's possessions. They often also readily kill cats, dogs, sheep, goats, poultry, cattle, etc.

The way coyotes attack the throat of sheep and cause them to suffocate is an innate, not learned, behavior. Coyotes have evolved as a predator that naturally attacks living prey. Coyotes kill and eat livestock in a very inhumane way, as do most predators, and sometimes get into a killing frenzy and kill far beyond their needs (surplus killing). Research has shown that it takes coyotes an average of 13 minutes, depending upon the amount of experience, to kill sheep after they attack them in the throat, and that they often eat the entrails before the sheep is dead. It is easy to verify coyote kills of sheep by characteristic canine puncture wounds and evidence of hemorrhaging present on the neck of the dead sheep. Thus, claims that ranchers cannot usually distinguish between coyote predation and the scavenging of a dead carcass are not true. Most coyotes cannot be successfully conditioned (aversive conditioning) so they will not kill sheep (or other species) by using lithium chloride or other aversive agents on a bait.

Since coyotes are high up on the food-web pyramid, they are not very significant ecologically. The primary producers and first layer of consumers are the important key to adequate recycling of resources in the environment. The convictions homeowners and livestock operators have regarding the beneficial or detrimental value of coyotes, and other wild animals, seem to be determined by the manner in which these animals affect them.

If you do not agree that poisons are needed to control coyotes, there is no point in discussing 1080 (sodium monofluoroacetate). But if you, like me, recognize that some coyotes still have to be poisoned, then let's constructively analyze the pros and cons of using 1080.

When Compound 1080 is ingested by coyotes, it is primarily absorbed through the gastrointestinal tract. The consumed monofluoroacetate, that is not eliminated in urine, is converted into fluorocitrate, the lethal synthesis that inhibits citrate metabolism. Some fluorocitrate is also eliminated in urine. That which remains in the body ultimately blocks the citric acid or Krebs cycle and can cause death. Applied vertebrate ecologists classify 1080 as a slow-acting toxicant in contrast to strychnine and especially cyanide.

In coyotes and other carnivores death from 1080 typically results from central nervous system disorders, with the animal presumably being unconscious prior to death since they often run blindly into walls and fences. Extreme pain has never been reported as a symptom in the many human suicides in Asia from drinking 1080 rat poison, but pain in animals, unfortunately, cannot be measured. Just because 1080 is slow in taking effect does not mean it is less humane than faster-acting poisons. And, of course, in nature, no animal has a nice death, including the sheep disemboweled by coyotes.

Both 1080 and fluorocitrate are highly stable but decompose fairly rapidly in the soil. There are no really good antidotes for 1080 or any of the poisons used to control wildlife, except for anticoagulant rodenticides where vitamin K1 is effective. However, since 1080 is slow acting, veterinarians have been able to save many dogs poisoned with 1080 with symptomatic treatment.

No one knowledgeable about 1080 denies that if it is used carelessly, 1080 can become lethal to all species, but there are no data that show that the proposed future uses of 1080 to control coyotes pose any significant effects on the environment, other than removing individual and highly localized populations of troublesome coyotes. There is no field evidence indicating that animals which consume a sublethal dose of 1080 may suffer deleterious effects such as occurred with thallium sulfate, which is now banned.

Many of the charges about the killing of nontarget species when poisoning coyotes with 1080 are biological impossibilities. Some people fail to recognize that the very principles of natural survival in wildlife populations, which enable them to escape the numerous dangers they constantly encounter, would make even their intentional control very difficult. Even if the objective was to poison all these other species, it couldn't be done. There are no recent data whatsoever the incriminating current animal damage methodologies of causing mass slaughtering of beneficial wildlife. Improper live-trapping and other research problems have probably killed more rare or endangered wildlife than the combination of all recent animal damage control practices.

If a chemical is to be used for coyote control, I contend that 1080 is by far the best chemical to use from the point of view of the welfare of the environment and safety. To oppose the consideration of new registrations of 1080, with adequate use restrictions that will be required before registration is granted, means you may be encouraging increased use of less-selective poisons to protect livestock. If anyone has reliable evidence of significant secondary poisoning by 1080, please share it with me. Also, if you know of a poison that is more desirable than 1080 for controlling coyotes, I would sure like to learn about it. Better yet, do you know of an effective nonlethal approach that has not been tested that could make poisons unnecessary?●

THE BRADLEY FIGHTING VEHICLE

● Mr. WILSON. Mr. President, recently the California magazine wrote an article critical of the Army's new Bradley fighting vehicle. That article does an injustice to the American serviceman, who may be called upon to fight in the Bradley, to the people of San Jose, Calif., involved in building the Bradley, and to the taxpayer who is being told that his money is being wasted.

I submit for the RECORD the following documents:

The California article entitled, "The $13 Billion Dud";

A letter from Senator JOHN TOWER to the publisher of California rebutting the article;

A letter from Hon. James R. Ambrose, Under Secretary of the Army, rebutting the article; and

A detailed point-by-point rebuttal to the article.

Mr. President, Senator TOWER is right:

The primary task that we in public office must pursue is to protect the national security of our Nation. If we are adequately prepared to defend our national interests, war may never come. If we are not adequately prepared—if we do not have systems that can fight and survive on the battlefield—we increase the likelihood that we will be sending our young men and women into battle with their hands tied behind them. We will repeat the lessons of the past where we traded American lives for time—time to produce the weapons systems that we needed, I do not want to send my children or my grandchildren to fight a dedicated, so-

phisticated enemy with less than the best that we can afford to produce.

The material follows:

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, D.C., March 2, 1983.

Mr. TED SIFF,
President, California Magazine,
Los Angeles, Calif.

DEAR MR. SIFF: I welcome your invitation to respond to the article on the Bradley Fighting Vehicle contained in the February 1983 edition of California magazine. I trust you will give your readers the opportunity to read my response.

This article does a serious injustice to the American taxpayer. The author shows little regard for facts. He has chosen instead to weave a most incredible mosaic of innuendo, suggestion and outright errors in constructing an article to achieve a preconceived purpose. He shows little inclination to understand the need for, or their capabilities of the Bradley Fighting Vehicle. Let me cite just a few examples to demonstrate my point.

A. The Bradley is not primarily a troop carrier. It is a fighting vehicle designed to fight and survive on tomorrow's battlefield. In making comparisons with the M113 personnel carrier, the author demonstrates his fundamental lack of understanding of military systems.

B. The article charges that the Bradley Fighting Vehicle does not work and is plagued with mechanical problems. Seven production models of the Bradley are undergoing testing at Aberdeen Proving Ground, Maryland, and have completed nearly 25,000 test miles of 80% of the total planned test. The vehicle is exceeding reliability requirements in all major categories. The required standard is 240 miles between failures and to date, the Bradley is testing out at 386 miles between failures. In other words, the vehicle is exceeding its required standards by over 50%.

C. The author also portrays the Bradley as a vehicle that will risk the lives of soldiers. He alleges, "aluminum armor will help kill the soldiers it is supposed to protect." This is erroneous. The armor system of the Bradley is the spaced laminate type. It is comprised of two layers of high hardness steel separated by one inch and mounted approximately three inches outside the aluminum hull structure, which itself is one inch thick aluminum armor plate. The Bradley armor system is designed to withstand approximately 90% of the weapons likely to be encountered in battle. However, there are some rounds in the enemy's inventory—including some High Energy Antitank rounds (HEAT)—that can penetrate the Bradley's armor; but the nature of the spaced laminate system (dissimilar materials separated by specific distances) significantly reduces the casualty producing effects of HEAT weapons compared to the single layer construction of the M113.

We will never be able to design armor that cannot be penetrated. In light of this reality, the challenge is to select and to provide an optimum level of armor protection which makes an appropriate contribution to the achievement of survivability. The Bradley Fighting Vehicle is designed to do that.

Let me give you a specific example. The RPG 7 is a relatively small caliber, shaped-charge weapon which, although able to penetrate most of the armor arrays on current armored vehicles including tanks, is not large enough to generate the catastrophic effects described by the author. Shaped charges of this approximate size have been fired at the Bradley Fighting Vehicle during field tests. The test results have shown that the additional casualty producing effect of aluminum as compared to steel armor is virtually non-existent. If the Bradley is struck by a very large, shaped-charge warhead, such as a wire-guided Soviet Sagger missile, all vehicle personnel would probably become casualties, regardless of any vaporific effects. This would happen in any armored vehicle, including main battle tanks. The fact is, pound for pound, the Bradley's combination steel and aluminum armor system provides the best all-around ballistic protection possible for a fighting vehicle.

D. The author claims that in Fiscal Year 1978 the Army shrugged off the complaints of the Senate Armed Services Committee—the Committee which I now chair. After the Fiscal Year 1978 hearings, another intensive re-evaluation of the specific requirements for the Fighting Vehicle and its design concepts was conducted and each point of congressional concern was explored in detail. We have reviewed this program in excruciating detail each year since then and the Bradley vehicle now being produced represents the best collective judgment of both the Congress and the Administration of what we should be producing. We will continue to refine and improve this vehicle in the future to take advantage of technological advances in materials and components.

The above are but a few examples of the most flagrant errors contained in the article. If the author had chosen to engage in responsible journalism and to accurately report all the facts, he would have discovered that this new vehicle was carefully designed to meet specific requirements and to provide maximum survivability.

It is unfortunate that articles such as the one published in your magazine have a tendency to take on a life of the their own, whether or not they have any basis in fact. Your magazine has contributed to the misleading information that is all too often accepted by the public as fact simply because it is published or broadcast on electronic media in the United States.

The primary task that we in public office must pursue is to protect the national security of our nation. If we are adequately prepared to defend our national interests, war may never come. If we are not adequately prepared—if we do not have systems that can fight and survive on the battlefield—we increase the likelihood that we will be sending our young men and women into battle with their hands tied behind them. We will repeat the lessons of the past where we traded American lives for time—time to produce the weapons systems that we needed. I do not want to send my children or my grandchildren to fight a dedicated, sophisticated enemy with less than the best that we can afford to produce.

Sincerely,

JOHN TOWER.

DEPARTMENT OF THE ARMY,
OFFICE OF THE UNDER SECRETARY,
Washington, D.C.

Hon. JOHN G. TOWER,
Chairman, Committee on Armed Services,
Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Bradley Fighting Vehicle came under attack in early February in the California magazine and more recently in the 7 March 1983 issue of Time. Since the press may again touch upon some of the issues in these articles, I believe you should be aware of the Army's thoughts on these subjects.

I have enclosed my personal views on some of the key issues raised in the California article and enclosed a staff paper which addresses the remaining issues.

Hopefully, this information on the Bradley will be helpful to you in understanding the Army's position on these critical issues.

Sincerely,

JAMES R. AMBROSE,
Under Secretary of the Army.

Enclosures.

BRADLEY FIGHTING VEHICLE

The article "13 Billion Dud" seems to have these points which deserve serious comment:

(1). The Bradley Fighting Vehicle (BFV) is not suitable nor survivable for infantry use on today's battlefield (Illogically, it also argues that the M113 or AIFV, which are less survivable, should be used because they are cheaper).

(2). The Soviets and other countries are doubtful about the "future" of the infantry fighting vehicle.

(3). BFV is more expensive than it need be, and its cost is a result of massive overrun.

(4). The BFV is "too tall", "too fat", and "too small."

(5). The use of aluminum in the BFV is unsuitable because it "burns" or "explodes" and creates extra overpressure, intense light, and nitrogen oxide when struck by high-explosive antitank weapons.

(6). The Army and FMC (a) "have conducted . . . tests that show . . . the murderous, explosion amplifying effects of aluminum armor" and (b) ". . . they've continued not to find it out. They've tested the Bradley armor against machineguns . . . but they will not fire a shaped-charge into it . . ."!

The pertinent facts which describe BMP, M113, AIFV, and BFV are set forth in an attached table and fact sheet. Reference should be made to it for specific vehicle details.

Survivability and Tactics: The ideal battlefield fighting vehicle would be survivable against all weapons; light enough to be air transportable in most cargo airplanes; carry at least a squad of infantry; highly mobile; capable of attacking all enemy weapon systems, tanks, et al.; operate day or night in any environment, etc. Neither the US nor any other country knows how to achieve this ideal. All battlefield fighting vehicles attempt to balance these competing requirements to serve one or the other characteristic more effectively. The inevitable and universal result is a multiplicity of vehicle types ranging from very light armored personnel carriers with small caliber weapons to heavily armored, large caliber weapon main battle tanks. The equally inevitable result is a multiplicity of tacties and doctrine to utilize these varied vehicles, taking into account both advantages and disadvantages of the compromises that have gone into the particular vehicle.

It has been amply shown that tanks cannot survive alone on the modern battlefield, but that supporting infantry is required as well. The problem has been, and continues to be, how to get troops to the proper place. The tank has no room (but at times infantry have ridden on top at considerable peril from artillery fragments) to carry a squad. The older personnel carriers (such as the M113 or the BMP) have both

limited survivability and offensive capability.

The BFV represents an effort to upgrade in a major way both survivability and offensive capability. But that does not mean that it has the characteristics of a main battle tank. It complements the tank. It has to be employed with due regard for both its purpose of bringing infantry near the tank battlefield with increased survivability and its purpose as a fighting vehicle adjacent to the tank battlefield and in other arenas where tanks are not present (including those situations where their weight precludes their presence). The multiple purposes of mechanized infantry include:

Mounted Tasks: Move under fire w/combined arms team, close with the enemy mounted, suppress while moving or stationary, destroy infantry, destroy lightly armored vehicles, destroy tanks, and negotiate water obstacles.

Dismounted Tasks: Observation, security, patrolling, fire and maneuver dismounted, destroy, capture personnel, operate in built-up areas, breach and emplace obstacles, destroy lightly armored vehicles, and destroy tanks.

The BFV is not intended for use in a side-by-side role with tanks. Rather, it will be employed to complement tank fires at long ranges, provide overwatch suppression of antiarmor systems, bring infantry forward and provide fire support to them in their dismounted role, and engage counterpart infantry fighting vehicles. The BFV needs mobility comparable to that of the tank to maintain its deployment capability in cover, overwatch, and defilade positions related to the tank battle—not to "run" with the tanks.

There is no doubt that the BFV can be defeated by being hit by antitank weapons. This statement, however, needs to be taken in the context of these considerations:

The BFV's long-range weapons and superior turret and fire control system give it a high probability of firing first and effectively.

Both the 7.62 machinegun and the 25mm cannon are very lethal defenses against the use of short-range antitank weapons (e.g., RPG-7).

Both the M1 and M2 have been specifically designed to operate together in the movement to contact. The M1, with its superior frontal armor and stabilized 105mm cannon, leads the formation. The M2, with its stabilized 25mm cannon, 7.62 machinegun, and infantry-operated firing port weapons, following behind to provide suppressive fire and security for the M1. The element operating in the overwatch position also plays an important role, and again, the M1 and M2 were specifically designed to accomplish this mission. The M2 can destroy and suppress enemy tanks, infantry fighting vehicles, and personnel at long ranges with its TOW missile system, 25mm cannon, and 7.62 machinegun, thus allowing the maneuver team to close with the enemy. The infantry normally dismounts from the M2 at the overwatch position to provide local security. The integrated sight unit on the M2 allows these fires from the overwatch position to be effective through enemy or friendly obscurants and at night.

Once the enemy has been located in the movement to contact, the actions of the maneuver element depend on the type and effectiveness of the enemy fire. If the enemy is not returning effective antiarmor fire, the team would continue to maneuver toward the enemy position while suppressing them with stabilized fire from the M1 105mm cannon, artillery, and air assets. The M2 allows the infantry for the first time to contribute to this suppressive fire with its stabilized 25mm cannon, 7.62 machinegun, and infantry firing ports. Should effective antiarmor fire not be encountered, the maneuver element would move over the objective. The M2 allows the infantry for the first time to operate under enemy or friendly overhead artillery bursts and smoke while effectively firing all weapons.

Should the maneuver element encounter effective antiarmor fire, it would find hull defilade positions to return suppressive fire. Neither the M1 nor the M2 can maneuver against effective antiarmor fire. If artillery and air assets could not destroy these antiarmor positions and they could not be bypassed, then the infantry would dismount from the M2 to destroy them. After they had used a covered and concealed route to close with and destroy these antiarmor positions, the infantry would rejoin the M1 and M2 maneuver element and continue mounted along the route.

A key consideration is dismounting the infantry at the proper time. There is no doubt that staying too long in the armored infantry vehicle and deploying the vehicle adjacent to tanks are errors that have been committed in recent warfare by all participants. The answer lies in proper training and tactics, not in abandoning the concept of armored infantry vehicles.

HISTORY AND FUTURE OF FIGHTING VEHICLES

Prior to and during the development of the BFV, considerable study was devoted to comparative analyses of BFVs, M113s, ITVs, and other foreign vehicles in a search for the most effective combination of design parameters, tactics, and cost. The conclusion reached was that increased protection (at a price of increased weight), capability to fight at night, and greatly increased firepower via a turret, 25mm cannon, and TOW missiles warranted the development and production of a new vehicle, the Bradley Fighting Vehicle. These analyses showed that the improvement in combat effectiveness ranged from 6 to 121 percent in 18 of 19 combat scenarios. Despite many critical attacks on this vehicle, every high-level study group reached the same conclusion—with it you win, without it you lose.

The Soviet Union assessment seems to parallel that of the US. Potential Warsaw Pact adversaries have Infantry Fighting Vehicles in great numbers. The BMP is the primary Russian fighting vehicle—they also have a variety of related or derivative vehicles in the BMP "family."

Our BFV is superior to the BMP in virtually every category. The BMP's "full squad" is a crew of 3 and 6 infantry in the back. The "antitank missile" (Sagger) has less range and is "flown" by hand versus our optically tracked, wire-guided TOW missile. The BMP's "light armor-piercing cannon" is a 73mm gun which is a low-muzzle-velocity, relatively short-range gun. The BFV 25mm gun is a high-performance (high-muzzle-velocity) weapon which can defeat the BMP at ranges far in excess of the BMP's 73mm gun. The BMP's "night sight" is actually an infrared searchlight which gives off the position of the BMP. The thermal imaging sight of our BFV gives off no telltale signature.

The "low sleek lines" belie the fact that the BMP's relatively low gun depression capability means that it must expose more target area than the BFV when operating from a defilade (hidden by terrain) position.

The "low sleek lines" also mean that the average-size person is extremely cramped riding in the BMP. Those who have ridden over rough terrain in both the Russian BMP and our BFV can attest to the difference in ride handling which directly affects the soldier's readiness to fight.

Imitation is the highest form of flattery. We know that the Russians are trying to improve their BMP by incorporating features of the BFV. According to the February 1982 International Defense Digest: "A new version of the Russian BMP made an appearance at the November 6, 1982, parade in Moscow. The vehicle has a new turret with what appears to be a 23mm cannon, although some sources suggest that it is larger, and an AT-5 Spigot antitank missile launcher replacing the Sagger missile launcher. On BMP-1's and BMP-2's, the Sagger launcher was mounted atop the main armament. The Spigot launcher is mounted on the turret roof. The box beneath the launcher is the missile's optical trackers. The new turret has a two-man crew and is larger than its predecessor. This has meant a reduction in the size of the rear compartment, which now carries four men and not six—there are now only four firing ports in the rear of the vehicle. Also, the spaced-armor skirt plates have been added to protect the running gear."

COST OF BRADLEY FIGHTING VEHICLES

The basis of the $1.94 million unit cost is the $13.4 billion program reported in the December 1981 SAR. The cost shown in the December 1982 SAR has been reduced to $11.8 billion due to inflation decreases, reduction in program scope, reduced spare requirements, and good management. This translates to a program unit cost of $1.71 million.

The article compares program unit costs for the Bradley to a figure of $179,000 for an M113A2. The latter figure represents only hardware procurement costs, and on a like basis, the Bradley cost is $1.14 million (rollaway cost in FY84 constant dollars) or about 6 times as much. The difference between 1.71 and 1.14 is due to ammunition, test and training equipment, initial spares, gun systems, construction of ranges and depot facilities.

Not only is the cost comparison misleading, it also diregards the increased capability which the Bradley brings to the Army—increased survivability to mines, overhead artillery, and 14.5mm weapons; firepower to defeat tanks at 3750 meters and a stabilized 25mm gun which can defeat BMP; a coaxial machinegun and firing port weapons to suppress antitank fires; the ability to see the enemy at night and through fog and smoke; and the mobility to keep up with the M1 tank.

The M113A2 possesses none of these features. Adding the BFV turret and fire control equipment to the M113 would raise the cost to $500,000. If up-armored to the same level of protection, which requires a new engine, transmission, and suspension system, it is estimated to cost over $750,000, and it would not have the same mobility.

DESIGN OF ARMORED VEHICLES

The technical design of armored vehicles is always a series of trade-offs which seek to achieve the optimum combination of size and weight. Survivability dictates increased weight for armor protection, but mobility and transportability require reducing weight. Firing from defilade requires a high gun station with the ability to depress the gun. Adding ground clearance for mobility

and room to seat soldiers comfortably also means adding height, but transportability and the need to maintain smallest target area possible says reduce the height. The key is to recognize how a vehicle design has been optimized and to insure that soldier training employs the vehicle's strong points.

SUSTAINABILITY OF ALUMINUM ARMOR

The assertion that a self-sustaining "burn" can be induced in aluminum plate by a high-explosive antitank round is nonsense. There is no reported instance of the armor plate of an aluminum-hulled vehicle burning despite their use as tank fire practice targets for many years, extensive combat experience, and testing of the Ballistics Research Laboratory. The Ballistics Research Laboratory report (ARBRL-MR-03004) provides test data on diesel fuel fires resulting from shaped charge detonation on armored vehicles. Although some localized melting of the thin-walled fuel cells did occur, even these fuel fires would not create self-sustaining burning of aluminum plate.

Allegations that this could happen go back 20 years or more. No such event has ever been found.

The explanation for fires in these vehicles is quite different. The fires occur when the fuel tank is ruptured and leaking or spraying fuel contacts hot metal. Examination of vehicles which have experienced such fires has shown in some cases, melting of aluminum in the vicinity of the fire, but not burning of appreciable quantities or self-sustained aluminum fires. These fires were most common and severe in M113's equipped with gasoline engines. Replacement of the gasoline engine with a diesel engine sharply reduced the likelihood of fires.

Installation of a fast-reacting "halon" fire-extinguishing system has also contributed to marked reduction in probability of fire. The Army has now developed, in conjunction with Southwest Research Institute, a diesel fuel additive which promises to eliminate such fires altogether. This additive has been tested by firing incendiary munitions into fuel tanks. The result is a minor flash with the remainder of the fuel spilling out of the tank without ignition. Although this additive duplicates the function of the halon fire extinguishers and thus may not be required for the Bradley, the Army is investing the logistical aspects of its use in other vehicles.

An antiarmor HEAT round operates by producing a jet of very hot gas and metal. The shaped charged jet subjects the armor to local pressures of millions of pounds per square inch. Regardless of its strength or chemical composition, the target material flows both plastically and elastically in all directions from the point of jet contact. The jet produces a "bubble" of rapidly expanding metal which eventually bursts in an expanding, conical spray which flies across the vehicle in less than one millisecond. The combined effect of a cloud of hypervelocity fragments, their attached shock waves, and the thermally generated over pressures of the oxidation process is what constitutes "vaporifics." Although alumnium oxidation produces more energy than steel oxidation, both metals may produce significant "post" armor effects.

ALUMINUM ARMOR

Aluminum armor for the Bradley resulted from a careful design trade-off of all vehicle requirements. From an armor standpoint, aluminum provides better protection from fragmentation munitions and small arms than an equivalent weight of steel armor. Performance against shaped charge (HEAT) munitions is somewhat less than steel due to the higher oxidation rate of aluminum, but the lethality efforts of these munitions that are independent of the target material far outweigh any additional effects based solely upon the choice of aluminum versus steel armor.

VEHICLE COMPARISON TABLE

	BFV	M113	BMP	AIFV
Physical dimensions:				
Length (inches)	254	192	264	207
Height (inches)	117	98	85	110
Width (inches)	126	106	116	111
Road clearance (inches).	18	17	13	17
Weight (tons)	24.5	12.0	12.5	15
Mobility:				
Range (cross-country) (miles).	300	365	310	305
Speed (cross-country) (miles per hour).	31	18.2	18.1	18
Acceleration (0 to 30 miles per hour) (sec.).	18.1	25	25	23.1
Firepower:				
Primary	25mm (2000m range).	12.7	73mm (900m range).	25mm
Secondary	7.62mm	None	7.62mm	7.62mm
Vision	Thermal	IR [1]	I [2]	I [2]
Fire control	7.62mm	None	Manual	Manual
Turret	2-man	1-man	1-man	1-man
Protection:				
Armor type	Al and Fe	Al	Fe	Al and Fe
Resistance	14.5mm	7.62mm	7.62mm	14.5mm
Cost: fiscal year 1983 dollars	1.1M	180K	Classified	650K
Troop capacity:				
Crew (IFV/CFV)	3/3	1	2	2
Squad (IFV/CFV)	[3] 7/2	10	[3] 9	8

[1] Driver only.
[2] Some variation by model.
[3] IFV dismount element may vary depending on mission.

M113

The US Army currently has 16,116 M113s. This compares with an authorized acquisition objective (AAO) of 19,605. The Army is considering procuring additional M113s in future years toward satisfaction of this AAO. This versatile vehicle, which is also used in large quantities (including AIFV versions) by other countries (including Israel), is used for many purposes ranging from troop carrier to weapons platform to ambulance. Far from being abandoned, it will see increasing usage in the future.

The Army currently plans to acquire 6882 Bradley Fighting Vehicles (BFV) compared to an AAO of 16,636. The vehicle will be acquired in two versions—an infantry fighting vehicle capable of carrying a 10-man squad consisting of a 3-man crew and a 7-man dismounted element and a cavalry fighting vehicle (CFV) carrying a crew of 3 and 2 scouts.

CALIFORNIA MAGAZINE EXCERPTS

Claim: According to one munitions expert, each one could be knocked out with an M42 grenade—price $2. p. 62.

Facts: The M42, capable of penetrating 4 inches of RHA, is a shaped charge bomblet, not a hand grenade. It is delivered in a cluster from artillery or aircraft. An artillery projectile (155 Improved Conventional Munition) contains 88 grenades and costs about $493.

Claim: There is the "too fat" problem. p. 65.

Facts: The Army decision on vehicle width was deliberate. Increased crew protection and better tactical mobility outweighed the need to take off side armor for C-141 transport. The armor was designed to be removable to permit the use of C-141 aircraft to provide strategic mobility. After the suspension has been "snubbed" to reduce vehicle height for loading, the Bradley can still be driven under its own power. It is winched aboard; winching is standard procedure for loading heavy cargo aboard the C-141 to prevent damage to the aircraft. It takes only about one hour to prepare the vehicle for loading. The Bradley has been successfully loaded and unloaded from the C-141. It is fully transportable by this aircraft.

Claim: There is even a "too small" problem. . . . there is only enough room for six soldiers—half a squad. p. 65.

Facts: The present squad mounted in the M113 includes 11 soldiers. The 10-man squad, as a part of the Division 86 organization, was determined to be optimum. The Bradley carries a 10-man squad. During Operational Test II, the Bradley was successfully tested with 10- and 11-man seating configurations. Though the 11-man squad is not optimum, it has been demonstrated as feasible, if required.

Claim: Apparently, the Bradley is putting in all those miles with its chain gun locked up in storage. p. 66.

Facts: The 25mm gun is always installed in the vehicle during Initial Production Testing (IPT) at Aberdeen Proving Ground. The Army requires that a key operating component on the gun be removed from the weapon when it is outside a secure storage area. The bolt and track assembly, therefore, is removed from the weapon except during live-fire exercises.

Claim: The Bradley can deliver on most of its promises only part of the time. p. 66.

Facts: During the ongoing IPT at Aberdeen, the Bradley is exceeding its reliability requirements by more than 50 percent. While performance tests are not yet complete, the Bradley is expected to meet or exceed all requirements.

Claim: The armor provides protection at the expense of your field of view. p. 67.

Facts: Although the driver cannot see to his right with his hatch closed, the vehicle commander (buttoned up) has full 360 vision of the battlefield. It is Army practice for the commander to control the vehicle whenever it turns or backs up.

Claim: Army spokesmen admit that the rifle-firing ports in back have more psychological than combat value. p. 67.

Facts: The firing port weapons are intended for area suppression. Firing of full tracer ammunition assists in achieving this capability. The vision blocks allow the mechanized infantryman to maintain his terrain orientation, and to be aware of the nature of the battle prior to dismounting. Tests (Operational Test II) have shown that trained crews can employ the weapons effectively. While mounted, their high volume of fire is particularly useful in suppressing close-range threat weapons.

Claim: Among the troop carriers of the world, ours are virtually the only ones made out of aluminum. p. 127.

Facts: Other countries that have chosen aluminum for their infantry vehicles include Great Britain (MCV-80), Belgium and the Netherlands (AIFV), and France (AMX).

Claim: In Vietnam, the Yom Kippur War, and Lebanon, commanders have been absolutely unable to make their troops ride inside M113s. p. 127.

Facts: During normal operations, when not under fire, it is more comfortable to ride on top of an M113 in a hot climate. During intensive combat, many crews in Vietnam

reacted by getting inside the M113s. If one wants to fire a weapon to the rear or flanks of an M113, then he must get above the deck, which is unlike that needed for the Bradley's Firing Port Weapons. During artillery mortar and rocket attacks in Vietnam, crews got inside the M113 and closed the hatches.

Claim: In Vietnam, the M113 proved so vulnerable to homemade land mines that drivers resorted to lying on top of the roof and manipulating the controls with sticks. p. 128.

Facts: Initial deployment of M113s to Vietnam did result in the type of actions described. As a result of the vulnerability to mines, drivers' compartments were sandbagged. This significantly reduced mine blast injury, and drivers no longer went to the extremes stated in the article. The lesson learned was carried back to TACOM, and a steel mine plate was fabricated and applied to M113s in Vietnam. These plates successfully defeated all but the largest mines encountered, though they did not defeat RPGs used as mines. The IFV has an applique steel mine plate to defend against mines. The lesson learned in Vietnam was not ignored.

Claim: The Bradley has thicker armor than the M113, probably about twice as thick. p. 127. (See below for response to this and the next six claims).

Claim: Both FMC and the Army have conducted classified tests that show the murderous, explosion-amplifying effects of aluminum armor. p. 62.

Claim: They've tested the Bradley armor against machine guns, mines, and artillery, but they will not fire a shaped charge into it. I think they've decided that's too fraught with danger to the whole program. p. 127

Claim: The main point remains—the Army has no data on how the Bradley armor will stand up against the weapons most likely to be used against it. ". . . the Army doesn't expect to encounter HEAT where it's going to use the vehicle." p. 128.

Claim: The Army has not tested the Bradley armor against the HEAT round, nor does it have any immediate plans to do so. p. 127.

Claim: The vehicle's armor is made of aluminum, a metal whose chemical energy when oxidized is ten times greater than that of TNT. p. 62.

Claim: With aluminum, this displaced metal forms spall at the edges but vaporized in the center. This vapor literally becomes chemical fuel for the explosion, intensifying the deadly effects of the blast. p. 127.

Facts: The group of statements (above) in their aggregate constitutes an attack on aluminum as a choice of armor for the Bradley Fighting Vehicle and a distorted picture of behind-the-armor effects of shaped charge penetration of armor. The Bradley aluminum armor is not thicker than the M113 armor. The Bradley side armor is 1.47 inches thick; the M113 side armor is 1.75 inches thick. Further, the Bradley armor is not all aluminum. It is composed of two layers of steel (total of .47 inches) and a single 1.0-inch aluminum wall. Each layer is separated by 1 to 3.5 inches of space. This "space-laminate" armor design is especially effective because such succeeding layer "catches" some of the spall (fragments of the armor), thus reducing the size of the "cone of destruction" actually penetrating the vehicle interior. The Bradley armor design specifications were based in part upon an analysis of threat weaponry, their density on the battlefield, and their effectiveness. The Bradley has been tested against each design specification. Shaped charges have been tested on both the M113 and the Bradley. Although an RPG-7-sized shaped charge warhead will penetrate both vehicles, tests (Development Test II) have shown that the additional casualty-producing effect of aluminum to be virtually nonexistent. A simple comparison of the oxidation rates of aluminum and TNT is distorted since once initiated, TNT oxidizes completely, but only aluminum surfaces oxidize due to formation of inhibiting aluminum oxides. The rate of aluminum oxidation is more than 13 times (not 10 times) that of TNT, but complete oxidation will only occur when aluminum is in a fine/powdered or vaporized state. To create substantial aluminum in this state requires a very large warhead. The oxidation of aluminum in this event is of secondary importance to other effects of the warhead. Vaporific effects can be created with steel armor also. Aluminum armor has been proven to be better than steel armor on a weight basis for protection against fragmentation-type landmines and artillery bursts. Against kinetic energy rounds, aluminum is better. Against shaped charges, some increases in pressure and temperature due to the aluminum material do occur, but these increases are negligible.

Claim: . . . aluminum armor helps kill soldiers three ways. First blast overpressure from an anti-tank-size round is twice as high behind aluminum as it is behind steel, reaching levels that would be expected to kill a man by rupturing his lungs. Second, a fireball develops with an associated blinding flux of light (the equivalent of several hundred flashbulbs), causing localized third-degree burns. Third, the extreme temperatures and pressures inside the chamber produce concentrations of oxides of nitrogen thousands of times higher than those encountered during the Los Angeles smog alert. p. 127.

Facts: The vaporific effects cited are possible to achieve, but only for very large shaped charge warheads. Not stated is the fact that the same effects will be observed regardless of the type of armor material used.●

RECESS UNTIL TOMORROW, TUESDAY, MAY 3, 1983, AT 10 A.M.

Mr. BAKER. Mr. President, I believe there is no further business I have to transact. Does the minority leader have any business he wishes to transact?

Mr. BYRD. I have nothing, Mr. President.

Mr. BAKER. Mr. President, I move, in accordance with the order previously entered, that the Senate stand in recess until the hour of 10 a.m. tomorrow morning.

The motion was agreed to; and, at 4:26 p.m., the Senate recessed until tomorrow, May 3, 1983, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate May 2, 1983:

DEPARTMENT OF STATE

Robert Brendon Keating, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of Madagascar and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal and Islamic Republic of the Comoros.

Ambassador

James J. Needham, of New York, for the rank of Ambassador during the tenure of his service as Commissioner General of the United States Exhibition for the International Exposition, Tsukuba, Japan, 1985.

DEPARTMENT OF AGRICULTURE

Daniel G. Amstutz, of New York, to be Under Secretary of Agriculture for International Affairs and Commodity Programs, vice Seeley Lodwick, resigned.

DEPARTMENT OF EDUCATION

Madeleine C. Will, of Maryland, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, vice Jean Tufts, deceased.

THE JUDICIARY

Bobby Ray Baldock, of New Mexico, to be U.S. district judge for the District of New Mexico vice Edwin L. Mechem, retired.

DEPARTMENT OF JUSTICE

George Washington Proctor, of Arkansas, to be U.S. attorney for the Eastern District of Arkansas for the term of 4 years. (Reappointment)

IN THE AIR FORCE

The following-named officer for appointment to the grade of lieutenant general on the retired list pursuant to the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Arnold W. Braswell, [redacted] FR, U.S. Air Force.

IN THE ARMY

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. James M. Thompson, [redacted] (age 55), U.S. Army.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. John B. Blount [redacted], U.S. Army.

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. John W. McEnery, [redacted], (age 57), U.S. Army.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Robert L. Schweitzer, [redacted] U.S. Army.

IN THE ARMY

The following-named officers for permanent promotion in the U.S. Army, and appointment into the Regular Army as appro-

priate, in accordance with the appropriate provisions of title 10, United States Code.

MEDICAL CORPS

To be colonel

Lewis, Ronald J., [redacted]

ARMY

To be lieutenant colonel

Beam, Kenneth M., [redacted]
Burruss, Lewis H., Jr., [redacted]
Clay, James E., [redacted]
Ey, Bruce N., [redacted]
Hess, Robert W., [redacted]
Kotouch, James H., [redacted]
Vasile, Robert C., [redacted]
Woolever, Ronald J., [redacted]

DENTAL CORPS

To be lieutenant colonel

Moulding, Danny L., [redacted]

VETERINARY CORPS

To be lieutenant colonel

Goodwin, Bradford S., Jr., [redacted]

MEDICAL CORPS

To be major

Caballero, Jose R., [redacted]
Jackson, John H., [redacted]
Mansour, Richard P., [redacted]
Matheke, Edward Y., [redacted]
Tucker, William T., IV, [redacted]

DENTAL CORPS

To be major

Fretwell, Lincoln D., [redacted]

MEDICAL SERVICE CORPS

To be major

Cage, Lee E., Jr., [redacted]
Cornett, Jesse R., [redacted]

ARMY MEDICAL SPECIALIST CORPS

To be major

Satterfield, Margaret J., [redacted]

VETERINARY CORPS

To be major

Mentes, William R., [redacted]

ARMY NURSE CORPS

To be major

Locke, Linda C., [redacted]

IN THE ARMY

The following-named cadets, graduating class of 1983, U.S. Military Academy, for appointment in the Regular Army of the United States in the grade indicated below, under the provisions of title 10, United States Code, sections 531 and 4353:

To be second lieutenant

Abear, Pamela J., [redacted]
Adams, Rex M., [redacted]
Adams, Robert F., [redacted]
Agostini, John J., [redacted]
Ahn, Soong B., [redacted]
Alberto, Ronald P., [redacted]
Alexander, William E., Jr., [redacted]
Allen, William T., [redacted]
Alumbaugh, John B., Jr., [redacted]
Amberger, David R., [redacted]
Ames, Randal R., [redacted]
Anderson, David P., [redacted]
Anderson, Harold G., [redacted]
Anderson, Keith A., [redacted]
Andrews, Gerald R., Jr., [redacted]
Anzalone, John E., [redacted]
Aperfine, Joseph P., Jr., [redacted]
Argyros, Gregory J., [redacted]
Armstrong, McKinley J., II, [redacted]
Arnold, Todd W., [redacted]
Arrington, Edward D., [redacted]
Audino, Ernest C., [redacted]
Avery, Alan W., [redacted]
Ayers, Mark H., [redacted]
Babbitt, Bruce A., [redacted]
Babers, Charles R., [redacted]
Baker, Brian N., [redacted]
Baker, David J., [redacted]
Baker, David P., [redacted]
Balfe, Brain K., [redacted]
Barker, Kurt R., [redacted]
Barkley, Douglas R., [redacted]
Barnhill, Jeter S., [redacted]
Barone, Laureen M., [redacted]
Barringer, James E., [redacted]
Barsotti, Ercole P., [redacted]
Barth, Thomas H., [redacted]
Barts, Deborah A., [redacted]
Bassil, Joseph M., [redacted]
Battaglia, Philip F., [redacted]
Batule, Kevin M., [redacted]
Baty, Brent T., [redacted]
Bauer, Christopher W., [redacted]
Bauer, William F., Jr., [redacted]
Bear, Bryan L., [redacted]
Bearden, David B., [redacted]
Beaver, Philip F., [redacted]
Bedard, Jeffrey M., [redacted]
Bedingfield, James L., [redacted]
Beisel, Larry D., [redacted]
Bell, Jonathon A., [redacted]
Bell, Michael S., [redacted]
Belles, Jeffrey A., [redacted]
Bennett, Henry W., [redacted]
Benning, John J., [redacted]
Benway, Charles R., [redacted]
Berger, Daniel W., [redacted]
Bernier, Laurel J., [redacted]
Bezick, Christian J., [redacted]
Biacan, David L., [redacted]
Bilas, Roger B., [redacted]
Black, John R., [redacted]
Blanchard, Carlos, [redacted]
Blanco, Joseph M., [redacted]
Bland, William S., [redacted]
Blatz, Robert G., [redacted]
Bobroske, Martin G., [redacted]
Bock, John H., [redacted]
Bohr, Michael W., [redacted]
Boland, Edward H., [redacted]
Bonrud, Neal E., [redacted]
Bonville, Kenneth J., [redacted]
Boone, Thomas H., [redacted]
Bort, Barry C., [redacted]
Boslego, David, [redacted]
Boulegeris, Michael G., [redacted]
Bowe, Thomas T., [redacted]
Bowman, Michael P., [redacted]
Boyle, Brian T., [redacted]
Boyle, Charles G., [redacted]
Brand, Matthew L., [redacted]
Brandt, Curt R., [redacted]
Brantley, Jeffrey R., [redacted]
Brazil, Donna M., [redacted]
Bredehoft, Brent B., [redacted]
Breitenbach, William J., [redacted]
Brennan, Michael F., [redacted]
Bridgford, Robert S., [redacted]
Bristow, William J., [redacted]
Broadhurst, Franklin P., [redacted]
Brolin, Gerald G., [redacted]
Brooks, Robert A., [redacted]
Brouillette, Gregory A., [redacted]
Brouse, Elizabeth L., [redacted]
Brown, Clayton E., [redacted]
Brown, Gregory R., [redacted]
Brown, Mark A., [redacted]
Brual, Peter K., [redacted]
Bruegmann, Mark C., [redacted]
Bryson, Michael E., [redacted]
Burnette, Otto C., [redacted]
Buss, John C., [redacted]
Butcher, Brian J., [redacted]
Byrd, Mark I., [redacted]
Campano, Joseph A., [redacted]
Campbell, Jennifer A., [redacted]
Canales, Gerard O., [redacted]
Cannizzaro, John F., [redacted]
Capria, Michael A., [redacted]
Carbone, Ralph J., [redacted]
Carella, Peter T., [redacted]
Carlsen, Calvin T., [redacted]
Carlson, Christian R., [redacted]
Carman, Robert D., [redacted]
Carr, Courtney P., [redacted]
Carver, Curtis A., [redacted]
Castile, Anthony W., [redacted]
Cavanaugh, Joanne F., [redacted]
Cesari, David J., [redacted]
Chambers, Christopher M., [redacted]
Charron, Thomas W., [redacted]
Cheshire, Walter R., [redacted]
Chew, James E., [redacted]
Ching, Robert J., [redacted]
Chinn, Jeffrey K., [redacted]
Chlapowski, Albert G., [redacted]
Chu, Constance R., [redacted]
Cino, Paul V., [redacted]
Clarke, Anthony J., [redacted]
Clarke, Robert T., [redacted]
Clawson, James R., [redacted]
Clough, Phillip A., [redacted]
Clowes, William B., [redacted]
Coates, John S., Jr., [redacted]
Cody, John D., Jr., [redacted]
Cody, Robert F., Jr., [redacted]
Coldren, John F., [redacted]
Cole, John V., [redacted]
Cole, Robert G., [redacted]
Collazzo, Edward C., [redacted]
Collette, Frank S., [redacted]
Collins, Steven N., [redacted]
Combs, James A., [redacted]
Connors, Mark, [redacted]
Cook, James W., [redacted]
Cook, Judson A., [redacted]
Cook, Richard P., [redacted]
Cooksey, Jennings B., [redacted]
Coote, Peter J., [redacted]
Coover, David D., II, [redacted]
Copeland, Anthony E., [redacted]
Coppess, Kelly D., [redacted]
Coppola, Richard A., [redacted]
Cordelli, Bruce A., [redacted]
Corsini, Maria L., [redacted]
Costella, Ronald G., [redacted]
Costello, Mary J., [redacted]
Cotter, Michael B., [redacted]
Couch, David C., [redacted]
Cowan, Joseph B., [redacted]
Cowan, Thomas H., Jr., [redacted]
Crofford, Clifford D., [redacted]
Crompton, George H., [redacted]
Croskrey, Nathan R., [redacted]
Crowley, Shayne P., [redacted]
Crowley, William J., [redacted]
Crumlin, Michael A., [redacted]
Crutcher, Charlie W., III, [redacted]
Cummings, Daniel J., [redacted]
Cummings, Michael P., [redacted]
Cummings, Terrence, [redacted]
Curl, Jefferson M., [redacted]
Curran, Kelley R., [redacted]
Cutting, Paul J., [redacted]
Daluga, John R., [redacted]
Daniel, Jeffrey A., [redacted]
Darragh, Sean J., [redacted]
Dauch, Richard F., [redacted]
Daun, Jeffry B., [redacted]
Davies, David G., [redacted]
Davis, Albert M., [redacted]
Davis, Alfrazier, [redacted]
Davis, Eric C., [redacted]
Davis, Grant M., [redacted]
Davis, James L., [redacted]
Davis, Jeffrey H., [redacted]
Davis, Jimmy D., [redacted]
Davis, Mark A., [redacted]
Day, Kelly M., [redacted]
Dean, Charles E., [redacted]
Dean, Timothy J., [redacted]
Decoteau, Mark F., [redacted]

Dedekind, Charles H., [redacted]
Dee, Kim M., [redacted]
Del, Rosario M., [redacted]
Demith, Frank R., [redacted]
Dempsey, Bruce W., [redacted]
Derrick, Charles E., [redacted]
Detwiler, Wayne L., [redacted]
Devereaux, Michael G., [redacted]
Devine, James T., [redacted]
Dewillie, Glen R., [redacted]
Dilks, Merrell D., [redacted]
Dispoto, William A., [redacted]
Divis, Monica A., [redacted]
Dodson, Michael K., [redacted]
Doescher, Curt W., [redacted]
Dolan, Michael J., [redacted]
Dombkowski, Robert J., [redacted]
Donaldson, Gary R., [redacted]
Donnelly, John J., [redacted]
Donovan, Gery W., [redacted]
Dougherty, Kevin J., [redacted]
Downey, Chris R., [redacted]
Doyle, David M., [redacted]
Drago, James P., [redacted]
Dreyer, Vincent M., [redacted]
Dribben, Douglas A., [redacted]
Driscoll, John W., [redacted]
Drummond, James E., Jr., [redacted]
Dube, John A., [redacted]
Duell, Christopher J., [redacted]
Duemling, Brian T., [redacted]
Dumoulin, John E., Jr., [redacted]
Dunlap, Mark L., [redacted]
Dwyer, Michael K., [redacted]
Eastman, Kally L., [redacted]
Ecklund, James M., [redacted]
Egan, William D., [redacted]
Eichelberger, Randall S., [redacted]
Elliott, Jon L., [redacted]
Elrod, Bradley S., [redacted]
Engert, Lisa M., [redacted]
Entner, Mark D., [redacted]
Espanto, Frank D., Jr., [redacted]
Espey, Tanner J., [redacted]
Estes, William J., [redacted]
Evans, James A., [redacted]
Fabish, Douglas A., [redacted]
Farrell, Robert J., [redacted]
Farris, Billy D., II., [redacted]
Fasana, Kenton G., [redacted]
Fauth, Philip A., [redacted]
Fechner, Melvin P., [redacted]
Feige, Eric P., [redacted]
Fennimore, Harold J., [redacted]
Ferguson, James B., [redacted]
Fernan, Jude C., [redacted]
Fewin, Scott H., [redacted]
Ficke, James R., [redacted]
Figliola, Francis F., [redacted]
Finch, Mary M., [redacted]
Finkenaur, Robert G., [redacted]
Fischer, Hugo J., [redacted]
Fischer, Robert J., [redacted]
Fish, Thomas E., [redacted]
Fisher, Charles H., Jr., [redacted]
Fitzgerald, Gregory S., [redacted]
Fitzhenry, Joseph P., [redacted]
Fitzpatrick, John L., Jr., [redacted]
Flavia, Vincent T., [redacted]
Flewelling, Raymond T., [redacted]
Florey, Ross H., [redacted]
Flynn, Louis D., Jr., [redacted]
Follett, Scott D., [redacted]
Fontana, John L., [redacted]
Forgach, Jeffrey M., [redacted]
Foster, Steven P., [redacted]
Fotsch, Sara L., [redacted]
Fouser, Douglas N., [redacted]
Fraasch, Steven J., [redacted]
Francis, Louis J., [redacted]
Fredette, Andre N., [redacted]
Freedman, David H., [redacted]
Friesen, Bodo H., [redacted]
Fritsch, Michael A., [redacted]
Fugarino, Charles E., [redacted]
Fulco, Anthony F., [redacted]
Gaba, James E., Jr., [redacted]
Galvin, James J., [redacted]
Gant, Dean A., [redacted]
Garcia, Tracy A., [redacted]
Garrison, Joseph R., Jr., [redacted]
Garrity, Martin M., [redacted]
Gates, Robert E., [redacted]
Gates, Willie E., [redacted]
Gayagas, Clarence L., [redacted]
Geczy, George III, [redacted]
Gemberling, Dean F., [redacted]
George, Marc C., [redacted]
Geraci, Jeffrey S., [redacted]
Gerard, Dianne E., [redacted]
Gesing, Richard G., [redacted]
Gibbon, Joy A., [redacted]
Gilbert, Benjamin N., [redacted]
Gilewitch, Daniel A., [redacted]
Gillespie, Wayne L., [redacted]
Gillette, Mark W., [redacted]
Gilligan, Cheryl A., [redacted]
Gilman, Derek., [redacted]
Giordano, Francis J., [redacted]
Gnatowski, Bruce, [redacted]
Goetz, Joseph A., [redacted]
Gongaware, Gregory J., [redacted]
Good, Lori L., [redacted]
Gorczynski, David T., [redacted]
Gordon, Christopher M., [redacted]
Gorske, James A., [redacted]
Gorske, John C., [redacted]
Graham, David M., [redacted]
Gray, Jo A., [redacted]
Greenwell, James C., III, [redacted]
Grenchus, Charles P., [redacted]
Gricoski, Stephen, [redacted]
Griffis, Fletcher H., III, [redacted]
Griffith, Rease L., [redacted]
Groeger, William G., [redacted]
Grosskruger, Paul L., [redacted]
Gruchacz, Joseph R., [redacted]
Gulia, Gregory P., [redacted]
Gully, Edward C., [redacted]
Guyant, Glenn E., [redacted]
Gwynn, David W., Jr., [redacted]
Hadad, Mitchell E., II, [redacted]
Haddock, Ralph W., [redacted]
Haines, Kelley, [redacted]
Hains, John P., [redacted]
Hall, Donald L., [redacted]
Hall, John D., [redacted]
Hall, Richard A., [redacted]
Hall, William R., [redacted]
Hamill, Paul J., [redacted]
Hamilton, Marcus K., [redacted]
Hampton, Joseph M., [redacted]
Hancock, Ronald B., [redacted]
Hann, Todd A., [redacted]
Harper, David L., [redacted]
Harre, John C., Jr., [redacted]
Harrington, Denis L., [redacted]
Harrington, Richard T., [redacted]
Harris, Edwin H., III, [redacted]
Harris, Guy N., [redacted]
Harris, Robert M., [redacted]
Harrison, Stuart G., [redacted]
Hawkey, Blake E., [redacted]
Hayes, Morris G., [redacted]
Hayne, Grant W., [redacted]
Haynes, Carl D., [redacted]
Healy, Mark W., [redacted]
Hefty, Mark T., [redacted]
Heidenberg, Alex J., [redacted]
Heithcock, Keith D., [redacted]
Heller, Kevin P., [redacted]
Henry, John J., [redacted]
Hensley, Bert C., [redacted]
Henson, Kenneth C., [redacted]
Hernon, David M., [redacted]
Higgins, Thomas E., [redacted]
Hill, Timothy P., [redacted]
Hilmes, Bruce W., [redacted]
Hoellerer, Joseph E., [redacted]
Holden, Christopher M., [redacted]
Holley, Ross E., [redacted]
Holt, Roger B., [redacted]
Holzman, Simon L., [redacted]
Homa, Joseph R., [redacted]
Homas, Dallas W., [redacted]
Hood, Robin S., [redacted]
Hook, Charles R., [redacted]
Hoover, Reynold N., [redacted]
Hopkins, James R., [redacted]
Hoppe, William C., [redacted]
Howard, Jerusalem T., [redacted]
Howard, Lara A., [redacted]
Hruby, Dale E., II, [redacted]
Huggins, William D., Jr., [redacted]
Hull, Allen III., [redacted]
Hummer, James D., [redacted]
Humphries, Kenneth J., [redacted]
Hunter, Diane M., [redacted]
Hunter, Shawn, [redacted]
Husar, Paul F., [redacted]
Husted, Donald W., [redacted]
Hyslop, Nicholas D., [redacted]
Jackson, Harry G., [redacted]
Jackson, Jerry D., Jr., [redacted]
Jackson, Julius H., [redacted]
Jackson, Libby A., [redacted]
Jackson, Matthew W., [redacted]
Jackson, Michele T., [redacted]
Jackson, Richard L., [redacted]
Jarabek, Jeffrey W., [redacted]
Johnson, Brice H., [redacted]
Johnson, Christine M., [redacted]
Johnson, David H., [redacted]
Johnson, James M., [redacted]
Johnson, Joel M., [redacted]
Johnstone, Mark A., [redacted]
Jolley, Michael A., [redacted]
Joly, Loran S., [redacted]
Jones, Brian D., [redacted]
Jones, Dallas L., [redacted]
Jones, Raymond D., [redacted]
Jones, Rebecca W., [redacted]
Jones, Robert L., [redacted]
Jones, Steven W., [redacted]
Jones, William G., [redacted]
Jordan, Tod N., [redacted]
Jorns, Byron G., [redacted]
Judy, James M., [redacted]
Julian, Brad L., [redacted]
Jungerheld, Hal D., [redacted]
Kaiser, William J., [redacted]
Kamish, Mark E., [redacted]
Kapral, Gregory G., [redacted]
Kearns, James M., [redacted]
Keefe, Daniel J., [redacted]
Kellas, Daniel B., [redacted]
Kelleher, John H., Jr., [redacted]
Kelly, Patrick J., [redacted]
Kemp, Richard W., [redacted]
Kenney, James P., [redacted]
Kerr, Ronald D., [redacted]
Kerski, Christopher D., [redacted]
Kessler, Daniel A., [redacted]
Keville, Kurt L., [redacted]
Kiehnau, Michael D., [redacted]
Kilmer, Thomas A., [redacted]
Kim, Christopher K., [redacted]
Kim, Hyo C., [redacted]
Kinde, Lawrence J., [redacted]
King, Chris A., [redacted]
King, Dion J., [redacted]
Kirkland, Thomas R., [redacted]
Klei, Howard W., [redacted]
Klynsma, Steven L., [redacted]
Knapp, Robert D., [redacted]
Knight, James E., II, [redacted]
Knott, Michael R., [redacted]
Knowlton, Carl F., [redacted]
Kock, Robert J., [redacted]
Koenig, Timothy G., [redacted]
Kolbo, Lee G., [redacted]
Kolvek, David A., [redacted]

Korevec, John W., [redacted]
Kozak, Christopher A., [redacted]
Kralowetz, Jeffrey A., [redacted]
Kramer, Kenneth D., [redacted]
Kressin, Richard G., [redacted]
Kreuzmann, Cynthia L., [redacted]
Kugler, Mitchel B., [redacted]
Kuklo, Timothy R., [redacted]
Kulik, Todd A., [redacted]
Kunzweiler, George II, [redacted]
Kwan, Alexander F., [redacted]
Lail, Charlie J., [redacted]
Laing, Gary A., [redacted]
Lamarra, Michael C., [redacted]
Landry, Leonard A., [redacted]
Laneri, Margaret C., [redacted]
Lang, William L., [redacted]
Langford, Gary D., [redacted]
Larsen, Christopher J., [redacted]
Larson, Creighton A., [redacted]
Laseter, Larry J., [redacted]
Lash, Donald J., Jr., [redacted]
Lau, Jeffrey D., [redacted]
Lavergne, Steven E., [redacted]
Lavery, David C., [redacted]
Lavine, Nils D., [redacted]
Lee, Michael E., [redacted]
Leek, Monte W., [redacted]
Legenza, Thomas, [redacted]
Lehto, Michael L., [redacted]
Lembke, Roy K., [redacted]
Lemelin, David J., Jr., [redacted]
Lennon, John R., [redacted]
Lerario, Michael P., [redacted]
Lesieur, Lorraine A., [redacted]
Levine, John G., [redacted]
Lewis, Chipper M., [redacted]
Liberto, Joel V., [redacted]
Lighthall, Donnell, [redacted]
Little, David W., [redacted]
Little Gregory H., [redacted]
Lochard, Dennis P., [redacted]
Loebs, Peter M., [redacted]
Longo, Michael E., [redacted]
Loomis, Edward S., [redacted]
Loper, Thomas C., [redacted]
Loucks, Timothy P., [redacted]
Love, William S., [redacted]
Low, Stephen J., [redacted]
Lucci, Edward B., [redacted]
Lukert, Paul T., [redacted]
Lund, Gregory J., [redacted]
Lunde, William S., [redacted]
Lyons, Michael J., [redacted]
Macchiavelli, Anthony J., [redacted]
Macdonald, Brian J., [redacted]
Macdonald, Bruce R., [redacted]
Macon, William A., Jr., [redacted]
Maddalena, William J., [redacted]
Maier, Amy S., [redacted]
Maier, Robert E., [redacted]
Malapit, Jeffrey E., [redacted]
Malchow, Randall J., [redacted]
Markley, James C., [redacted]
Martin, Bruce A., [redacted]
Martin, Christopher W., [redacted]
Martin, Michael D., [redacted]
Martin, Michael P., [redacted]
Martin, Peter J., [redacted]
Martin, Theodore D., [redacted]
Martins, Mark S., [redacted]
Maruna, Robert E., [redacted]
Massey, Kenneth J., [redacted]
Massie, Robert L., [redacted]
Matthews, Michele M., [redacted]
Maurer, Jill A., [redacted]
Mayer, Eric V., [redacted]
McAndrews, Gary M., [redacted]
McArdle, Richard W., Jr., [redacted]
McAree, James F., [redacted]
McConkey, Mark S., [redacted]
McConnell, Gregory S., [redacted]
McDonald, Richard E., [redacted]
McDonald, Roger L., [redacted]
McDonald, Timothy M., [redacted]
McFadden, Willie J., [redacted]
McGavisk, Harry I., [redacted]
McGould, Charles H., [redacted]
McGuiness, John J., [redacted]
McHargue, Mike K., [redacted]
McIntyre, James C., [redacted]
McKenzie, Joseph R., [redacted]
McKiddie, Richard G., [redacted]
McManigal, Michael S., [redacted]
McNallan, David M., [redacted]
McQuail, William H., [redacted]
McWherter, Leonard S., [redacted]
Medaris, Kathleen L., [redacted]
Meek, Marvin L., [redacted]
Meinhardt, Hans N., [redacted]
Merrill, Will G., III, [redacted]
Meyer, Jerry C., [redacted]
Miller, Austin S., [redacted]
Miller, James F., III, [redacted]
Miller, Norman L., [redacted]
Miller, Timothy J., [redacted]
Mills, Michael M., [redacted]
Mizusawa, Rudi T., [redacted]
Moeller, John C., [redacted]
Molera, Manuel E., [redacted]
Monacci, William T., [redacted]
Mongan, Paul D., [redacted]
Monk, John W., [redacted]
Moody, Patrick L., [redacted]
Moon, Robert J., [redacted]
Moore, Robert J., [redacted]
Moravits, Mark L., [redacted]
Morehouse, Mark W., [redacted]
Morgan, Thomas, Jr., [redacted]
Morningstar, James K., [redacted]
Morrow, Mark R., [redacted]
Moschell, Scott D., [redacted]
Moulds, Douglas J., [redacted]
Mozina, Christopher W., [redacted]
Mueller, Brian J., [redacted]
Mulholland, Eileen T., [redacted]
Mulligan, Charles R., Jr., [redacted]
Murphy, Gregory, [redacted]
Murphy, Kevin P., [redacted]
Murphy, Thomas J., [redacted]
Murray, Stephen E., [redacted]
Murtagh, Mark C., [redacted]
Myers, John B., [redacted]
Myers, Laura J., [redacted]
Myles, Lee E., [redacted]
Naessens, William D., [redacted]
Nash, David A., [redacted]
Nelson, Raymond C., [redacted]
Neumann, Dale E., [redacted]
Newkirk, Bryan T., [redacted]
Newman, Edward C., III, [redacted]
Nickolenko, Peter P., [redacted]
Nikolich, Dimitrije, [redacted]
Nikonchuk, Vincent, A., [redacted]
Nilles, Victoria L., [redacted]
Nogueira, Ruben A., [redacted]
North, James A., [redacted]
Nutbrown, Curtis H., [redacted]
Oakes, Patrick B., [redacted]
Oaks, David M., [redacted]
O'Brien, John L., [redacted]
O'Brien, Marianne, [redacted]
Ochsner, Brian L., [redacted]
O'Connell, Daniel P., [redacted]
O'Connell, Joseph L., [redacted]
O'Connor, Jane K., [redacted]
O'Donnell, Cristina E., [redacted]
Ogden, Robert J., Jr., [redacted]
Olsen, Michael J., [redacted]
Olsen, Steven E., [redacted]
O'Neil, Daniel A., [redacted]
Orchard, James P., [redacted]
Ordonez, Ruben, [redacted]
Ortiz, Lionel V., [redacted]
O'Shea, Brendan J., [redacted]
Ottens, Michael J., [redacted]
Overcash, Darrell R., [redacted]
Overstreet, Gerald E., [redacted]
Painter, David E., [redacted]
Pak, Yeongmtae, [redacted]
Panerio, Robert M., [redacted]
Parker, Charles E., [redacted]
Parker, Starr, III, [redacted]
Parris, Frank R., Jr., [redacted]
Pasierb, Jerome J., [redacted]
Patricelli, Anthony J., [redacted]
Paul, Kathryn A., [redacted]
Paulo, Daniel L., [redacted]
Payne, Stephen D., [redacted]
Peck, Daniel W., [redacted]
Perez, Charles O., [redacted]
Perez, Joseph F., [redacted]
Perry, Steven M., [redacted]
Peterson, Russell A., [redacted]
Phelan, John E., [redacted]
Phelps, Steven C., [redacted]
Phillips, Alan B., [redacted]
Phoenik, Sally M., [redacted]
Pieringer, Gary J., [redacted]
Pierson, John A., [redacted]
Pinoci, Sofia, [redacted]
Pisko, Mark T., [redacted]
Pittman, Robert J., [redacted]
Pitts, Gregory S., [redacted]
Plagens, Ray A., Jr., [redacted]
Plummer, Robert J., [redacted]
Pokorny, Christopher D., [redacted]
Polak, Keith A., [redacted]
Polak, Kevin G., [redacted]
Polaski, Dennis A., [redacted]
Pompe, Shawn D., [redacted]
Portalupi, Norman A., [redacted]
Porter, Kevin S., [redacted]
Pothin, John L., [redacted]
Powell, Richard A., [redacted]
Powell, Stacy A., [redacted]
Prentiss, William H., [redacted]
Prep, Donna A., [redacted]
Pribble, Lon L., [redacted]
Proulx, Anthony G., [redacted]
Provine, Charles W., [redacted]
Provins, Byron A., [redacted]
Pruitt, Larry H., [redacted]
Putko, Christopher J., [redacted]
Pyne, Robert M., [redacted]
Pyskir, Bohdan M., [redacted]
Quinlan, Douglas J., [redacted]
Quint, Bruce A., [redacted]
Rabena, William S., [redacted]
Radovich, Rory R., [redacted]
Rangitsch, Joseph F., [redacted]
Rathje, Kenneth W., Jr., [redacted]
Rawlings, Joseph W., [redacted]
Raymond, William M., Jr., [redacted]
Reardon, Sharon E., [redacted]
Reas, John O., [redacted]
Reasor, George F., [redacted]
Redmann, Terence J., [redacted]
Redzikowski, Robert J., [redacted]
Reece, William B., [redacted]
Regan, Jeanette, M., [redacted]
Reid, Brad D., [redacted]
Reid, Robert S., [redacted]
Reily, Patrick A., [redacted]
Reinert, David M., [redacted]
Renner, Donald A., [redacted]
Reval, Scott A., [redacted]
Rey, Todd A., [redacted]
Richardson, Wayne G., [redacted]
Riddle, Duane H., [redacted]
Riddle, Wesley A., [redacted]
Riddle, William I., [redacted]
Riley, James G., [redacted]
Ringer, Jeffrey H., [redacted]
Roberts, Brian J., [redacted]
Roberts, Michael L., [redacted]
Robertson, Patrick W., [redacted]
Robinson, Dean M., [redacted]
Robles, Maldonado J., [redacted]
Rodriguez, Anthony P., [redacted]
Rodriguez, Rand A., [redacted]
Roeder, David B., [redacted]

Rogers, Kyle J., [redacted]
Rohlfing, Robert G., [redacted]
Roka, William B., [redacted]
Root, Steven M., [redacted]
Rossi, John G., [redacted]
Rountree, Hugh W., [redacted]
Roy, Michael H., [redacted]
Royalty, Arlen R., [redacted]
Rubens, Randy J., [redacted]
Rugenstein, Edgar K., [redacted]
Ruizcalderon, Antonio J., [redacted]
Rusbarsky, Joseph M., [redacted]
Rushatz, Timothy J., [redacted]
Ryan, Albert E., [redacted]
Ryon, David S., [redacted]
Sabarese, Stephen, [redacted]
Sacha, David J., [redacted]
Sajer, Scott M., [redacted]
Salata, Gregory J., [redacted]
Salisbury, Harry L., [redacted]
Salter, Timothy L., [redacted]
Samuels, Keith J., [redacted]
Sanderson, Kent S., [redacted]
Santens, Michael G., [redacted]
Sauer, Edward K., Jr., [redacted]
Saufley, John L., [redacted]
Scheffer, Peter R., [redacted]
Schenkelberg, Frederick M., [redacted]
Scheu, Thomas R., [redacted]
Schleiden, Russell R., [redacted]
Schleifer, Kirk R., [redacted]
Schless, James M., [redacted]
Schmidt, Karl M., [redacted]
Schmidt, Kathleen A., [redacted]
Schmitz, Gerald J., [redacted]
Scholtes, Thomas G., [redacted]
Schonsheck, Kathleen K., [redacted]
Schrader, Steven M., [redacted]
Schulz, Robert R., [redacted]
Schumacher, Henry J., [redacted]
Schumer, William M., [redacted]
Selman, Edwin W., [redacted]
Seng, Matthew M., [redacted]
Shablom, Harold C., Jr., [redacted]
Shannon, William E., [redacted]
Shaw, Gerard J., [redacted]
Shiflet, Robert G., Jr., [redacted]
Short, Christopher W., [redacted]
Sierra, Marc D., [redacted]
Simoneau, Craig L., [redacted]
Sine, Eric D., [redacted]
Skawski, Glenn M., [redacted]
Slafkosky, Thomas P., [redacted]
Slifer, Gordon G., [redacted]
Smidt, John E., [redacted]
Smith, Bruce G., [redacted]
Smith, Jeffrey D., [redacted]
Smith, Richard W., [redacted]
Smith, Robert P., [redacted]
Smith, Steven B., [redacted]
Smith, Wayne R., [redacted]
Snider, David B., [redacted]
Snodgrass, Joseph W., [redacted]
Snow, Jeffrey J., [redacted]
Snyder, William M., [redacted]
Sobeck, Edward J., [redacted]
Soucek, Steven M., [redacted]
Spenny, Linda A., [redacted]
Spurrier, John F., [redacted]
Stacey, Michael A., [redacted]
Stachura, Bruce W., [redacted]
Stall, Thomas P., [redacted]
Stefanelli, Martin J., [redacted]
Stehlik, Michael J., [redacted]
Stevens, James E., [redacted]
Stevens, Kenneth A., [redacted]
Stewart, Brian R., [redacted]
Stieber, Eric G., [redacted]
Stockel, Eugene F., [redacted]
Stoll, Daniel J., [redacted]
Stoll, Donald J., [redacted]
Stratton, William B., [redacted]
Streeter, Mark B., [redacted]
Strope, Barry T., [redacted]
Sullivan, Kevin M., [redacted]
Sullivan, Michael E., [redacted]
Sullivan, Shawn J., [redacted]
Sussman, Lori L., [redacted]
Sutter, David S., [redacted]
Svoboda, Margaret A., [redacted]
Swanton, Thomas P., [redacted]
Swicord, Paul, [redacted]
Swift, Dwight P., [redacted]
Tanner, Billy Jr., [redacted]
Tarpey, John A., [redacted]
Telk, Kenneth S., [redacted]
Tenuta, Joachim J., [redacted]
Thalken, Curtis L., [redacted]
Thames, William D., [redacted]
Thiede, David M., [redacted]
Thimm, Peter H., [redacted]
Thomas, Johnny F., [redacted]
Thomas, Stanley, [redacted]
Thompson, James A., [redacted]
Thompson, Michael K., [redacted]
Thompson, William W., [redacted]
Tibbetts, John R., [redacted]
Tiede, Jan A., [redacted]
Timmer, James J., [redacted]
Titus, Gregory R., [redacted]
Tolley, Neil H., [redacted]
Tomasevich, Kerry J., [redacted]
Tomaszewski, Michael J., [redacted]
Toth, Adorjan T., [redacted]
Tovo, Kenneth E., [redacted]
Trainor, Timothy E., [redacted]
Traurig, Robert E., [redacted]
Troutman, Mark D., [redacted]
Trueblood, Brian G., [redacted]
Tryon, Stephen P., [redacted]
Tucker, David R., [redacted]
Tullia, Steven A., [redacted]
Tuquero, Allan E., [redacted]
Turbyfill, Alan R., [redacted]
Turner, Richard A., [redacted]
Turner, Robert M., [redacted]
Uberti, John, [redacted]
Valenzuela, Banjamin D., [redacted]
Valenzuela, Lorenzo J., [redacted]
Vandusen, Gorden W., [redacted]
Vankirk, Steven R., [redacted]
Vanmeter, Thomas E., [redacted]
Vaughn, John K., [redacted]
Verser, Joseph M., [redacted]
Vess, Patrick A., [redacted]
Villandre, Alan J., [redacted]
Vontersch, Eric J., [redacted]
Voss, Mark G., [redacted]
Waeltz, Linda K., [redacted]
Wagner, Lewis G., [redacted]
Waldorff, Warren R., [redacted]
Walker, Gerald J., [redacted]
Wallace, James W., [redacted]
Walsh, James E., [redacted]
Walsh, Patrick D., [redacted]
Walter, Jon C., [redacted]
Wangenheim, Kurt P., [redacted]
Ward, Teresa D., [redacted]
Waverek, Joseph A., [redacted]
Weddall, Robert C., [redacted]
Weikert, Thomas P., [redacted]
Weissman, Jeffrey S., [redacted]
Welcer, Stephen A., [redacted]
Welch, Gordon E., [redacted]
Wendt, Todd R., [redacted]
Werner, Paul D., [redacted]
Wertin, Andrew B., [redacted]
Westhusing, Theodore S., [redacted]
Wheelock, Douglas H., [redacted]
White, Michael G., [redacted]
White, Nathan T., [redacted]
White, Rachel, [redacted]
White, Stanley D., [redacted]
Wiant, Shawn E., [redacted]
Widmer, Robert W., [redacted]
Wiley, Daniel J., [redacted]
Wilkinson, John R., [redacted]
Williams, Cardell, [redacted]
Williams, Eric S., [redacted]
Williams, Michael K., [redacted]
Willoughby, William F., [redacted]
Wiltse, Mark E., [redacted]
Wittekind, Gary W., [redacted]
Wittpenn, Glenn P., [redacted]
Wohlwender, Edward R., [redacted]
Wojta, Michael L., [redacted]
Won, Jefferson K., [redacted]
Wood, Robert A., [redacted]
Woodruff, Michael D., [redacted]
Woods, Michael P., [redacted]
Wright, Charles M., [redacted]
Wright, John S., [redacted]
Wright, Kevin W., [redacted]
Wyman, Steven G., [redacted]
Yee, Andrew C., [redacted]
Zegler, Scott D., [redacted]
Zellmer, Joseph F., [redacted]
Ziek, Thomas G., [redacted]
Zimmerman, Paul C., [redacted]
Zydanowicz, David H., [redacted]
Zywicki, Cheryl M., [redacted]

IN THE NAVY

The following-named U.S. Naval Reserve officer, to be appointed permanent commander in the Line of the U.S. Navy, subject to qualifications therefor as provided by law:

To be commander

Wiita, Marlin Dale

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant commander, in the Line of the U.S. Navy, subject to qualifications therefor as provided by law:

To be lieutenant commander

Adamson, James Aubrey
Athow, Karl J.
Bach, Ronald Clayton
Coppotelli, Lawrence
Cox, Henri Edwin
Cranney, Steven Joseph
Flannery, Peter Andrew
Franklin, James C.
Graham, Gerold W
Green, Melvin Curtis
Grover, James C.
Herzog, Martin Douglas
Holmes, Richard Nelson
Howard, Arthur Francis
Hunt, Jefferson Milo
Lariviere, Faith Mary
Montesano, Frank William
Murray, Billy Dennis
Paine, Richard Charles
Rich, Brian C.
Scott, Roderick Gibbs
Waas, John Glynn
Yerigan, Rand Gordon

The following named U.S. Naval Reserve officers, to be appointed permanent lieutenant in the Line of the U.S. Navy subject to qualification therefor as provided by law:

Adams, Robert Keith, Jr.
Alles, James Richard
Anderson, Warren Robert
Andrews, Michael Lloyd
Annis, James Brent
Arnold, Bramwell Baker, Jr.
Aroney, Michael Joseph
Arvonen, George Mark
Ash, William Edward
Ashley, Robert Lowell
Bach, Byron Theodore, Jr.
Bach, Daniel Thomas
Baile, Douglas James
Ball, Bryan King
Barber, Hope Love
Barcus, Richard Scott
Barkee, Jon Leonard
Barnett, David Edward

Basciani, James Michael
Bass, Rhonda Shaffer
Bayer, Kent Michael
Beauchamp, Harry James
Belcher, Frank Lee
Benham, Timothy Lane
Bennett, George Berkley
Bennett, Jan
Berg, Paul Douglas
Bergjohnsen, Jon F.
Beyda, Kenneth James
Bigley, Michael Joseph
Birkemose, Richard James
Blackstone, John William
Blasczyk, William Michael
Blout, Robert Paul
Blum, Douglas Glenn
Bodenstab, Mark Harold
Bond, William George
Bonnington, Stephen Curtis
Bosowski, Stephen NMN
Bowman, James Leo
Boyce, John Conlin
Boyer, Michael Francis
Braun, James Henry, Jr.
Braunstein, Eric
Brennan, Kevin Patrick
Brock, Johnie Phillip
Brock, William Clarence, Jr.
Brockriede, Thomas Wayne
Bromley, Vernon L.
Brooks, Philip Wayne
Broska, Dennis NMN
Brostrom, John Chester
Brown, Andrew Bennett
Brown, Michael William
Brown, William Jay
Brubaker, Craig Whitney
Brummage, Kenneth Gerald
Buechner, John Stephen
Buesser, Frederick Martin
Burke, Larry Deane
Burns, Dennis James
Burns, Eugene Clayton
Caffey, Troy Ray
Call, Kevin Bruce
Carnahan, William Grady
Casey, James Joseph
Casey, Michael Scott
Cerutti, William James
Cheney, Larry Glenn
Chisolm, Walton Buckley
Chmay, Peter Joseph, Jr.
Clark, Elizabeth Randolph
Clark, John Timothy
Clark, Kevin Joseph
Clemons, Williams Lawrence
Clingan, Cary Edward
Coburn, Brocks Allen
Cohen, James Michael
Coley, William James
Colmer, Philip Henry
Colvard, James Swafford
Compton, Stephen Hart
Conrad, Donald Charles
Cook, Anthony Lynn
Cook, Clarence Glenn, Jr.
Cook, Barry Thomas
Cordt, Rodney Jay
Cottey, Susan Ann
Courter, Craig Earle
Crawford, Nila Joy
Crawford, Stephen Michael
Creveling, Robert, Scott
Crews, Edward Lee, Jr.
Cronk, David John
Cullen, Mary Miller
Culp, John Dewitt, III
Cush, Terrance Albert
Daffer, Wayne Alan
Dailey, Edward Vincent, Jr.
Dalton, Joseph Michael
Daly, John Joseph
Daniel, Timothy Allen
Dargan, James Kerry
Davis, Lawrence Mark
Davis, Martin Neil
Decosta, Daniel Lee
Denard, Louis Francis
Deutsch, Kenneth William
Dickerson, Mark Steven
Diefenbach, Andrew Lawrence
Dishart, Gregory Stephen
Dobbs, Thomas Vincent, Jr.
Dodson, Richard Glazier
Drake, John Eric
Duncan, Leonard W. H.
Earnshaw, Paul Freeman
Easter, Christopher Curtis
Edmonds, Frank Thomas, III
Engel, Kurt Richard
Erickson, James Howard
Erisman, Alan Edwin
Erwin, Clarke Marvin
Fairbanks, Joel Kent
Filippell, Michael Edmund
Fisher, Horace Fred, Jr.
Fitzhenry, Jane M.
Fleming, Keith Edward
Forehand, Michael Lee
Fornarotto, Joseph Robert
Foss, James Harold, Jr.
Foster, William Larry
Fredrickson, Robert Alan
Freeman, Gregory Allen
Freeman, Mary Susan
Freeman, Timothy Garnet
Fullhart, Charles David
Gagin, Stephen Robert
Gallagher, Michael James
Gallisath, David John
Garner, Robert Wiley
Garrison, Powell Dunbar, III
Geletzke, Gerald William
Gerlock, James Edward Jr.
Gilbert, Jeffrey Alan
Glotzbach, James Conrad
Goodwin, Stephen Earl
Graham, Timothy Matthews
Grandau, Frank Joseph
Guy, Darrell George
Hass, Paul Sheldon
Hampton, Gary Wayne
Hancock, Arthur Wayne
Hankins, William Blake, Jr.
Harding, David Murrell
Hargrave, Bobby P.
Harkey, Deon Austin
Harrell, Cherie Michele Stev
Harris, James Patrick
Hart, Leo Herman, III
Hartshorne, Steven Joseph
Hawkins, James Murdock
Heard, Jeffrey Milton
Hedstrom, William George
Henderson, Sara Kim
Hendrix, Stephen Lynn
Hestle, Thomas Martin
Hettermann, Kurt Jon
High, Edward Jack
Hill, Kevin Eldon
Hill, Ronald Coley
Hinson, Reid Garrett
Hinz, Eric Stacy
Hise, Anthony Dean
Hoagland, John Gary
Hogue, Gregory Paul
Hollinger, Michael Keith
Holyfield, Freddie Lee
Horn, Howard Robert, Jr.
Hostomsky, Jeremiah Patrick
Houy, Paul Bruce
Hoza, Christopher Mark
Huber, Ronald Scott
Hursey, Sidney Brian
Ives, Howard Charles, III
James, Michael Lee
Jancaeski, David Pierre
Jaunich, Joseph Charles
Jedrey, Patricia Anne
Joh, Leopold Frederick
Johnshoy, David Michael
Johnson, Jan Arthur
Johnson, Peter Alexander
Johnson, Richard Flernoy
Johnson, Steven Richard
Jones, Bradley William
Kachmar, Thomas Anthony
Kaiser, John Robert
Kalland, Paul Leonard
Kalpaxis, Arion Athanasics
Kaplan, David Elliot
Kasler, James Fredrick
Kast, Paul Anton
Keller, Tracy Neal
Kent, Vaughan Horatio
Kesner, John Cletus
Kiepe, Steven A.
Kimberlain, Danny Roger, Jr.
King, William Wyman, III
Kirkley, Mark Luke
Knutsen, Robert Roy
Koch, Andrew James
Kohler, Melvin Richard
Konrad, Nancy Ellen
Kreitlein, Harold Chris
Krupanski, James Louis
Kuehnle, Donald W.
Lamphere, Howard William, III
Leake, Robert Ellsworth, III
Lewis, Charles Dwight
Lilly, Craig Douglas
Linthicum, Richard C.
Littleton, Steven Taylor
Logan, Kenneth Joseph
Lowe, Eric Jospeh
Luce, Steven Eugene
Lyles, Kevin Sean
Lyon, David Samuel
Mabie, Kevin Ted
MacCrossen, John Edwin
MacDonald, Bruce Alastair
MacDougall, Robert Whittier
Machin, Mark Abbott
Maglott, Lisa Eleanor
Magnusson, John Swanholm, Jr.
Mahaffey, Patrick David
Maher, Mark Allen
Majoher, Clement Mark
Manna, Timothy John
Marks, Kenneth Allen
Martinez, Roberto Miguel
Mase, Ronald Ray
Mashburn, James Franklin
Mason, Danny Lee
Mastrangelo, Joseph Anthony
Mattonen, Jay Kevin
Maule, Kirk Edward
Mayabb, Carl Martin
Mayes, Douglas Frank
McCray, Linell Roberta
McDonald, Michael Scott
McDonough, Timothy Ryan
McDowell, Julian Virgil
McGirt, Ralph Ricky
McKenzie, Mark Francis
Mehling, Mark Alan
Metcalf, Lynnette Carol
Milaszewski, Michael James
Miller, Steve Don
Millette, Kenneth Gorman
Mindzak, John Robert
Mitchell, Chauncey Lawrence
Molnar, Wayne Eugene
Munsees, Hal Oris
Moore, Michael David
Morin, John Patrick
Moser, Carl James
Munn, Laurence Adelbert, Jr.
Munroe, Stephen Richard
Neary, Gregory Donald
Neubarth, Joseph Allan

Newman, Lawrence Gregory
Norgart, Bradley Alan
North, Louis Arthur, Jr.
Nutter, Christopher Glenn
O'Brien, William Joseph, III
O'Connor, Patrick Edward
O'Connor, Peter John
Offutt, Paul Curtis
O'Laughlin, Patrick Kelly
O'Leary, John Joseph, III
Olson, Byron Wesley
Orr, Bonnif Anne
Oster, Stephen Bruce
Oyster, Karl H., Jr.
Paddock, James William, Jr.
Panasiti, Dominic Anthony, Jr.
Paris, Patrick Ryan
Parker, Kerry Wayne
Parnell, Nancy Lynn
Parsons, Betty Luann
Perlberg, Miriam F.
Perry, Timothy Randolph
Peters, Aaron David
Peters, Terry Eugene
Petty, Kenneth Wayne
Pfundstein, Mark Joseph
Phillips, James Otto, II
Plank, Robert John
Pluff, Frederic Littlefield
Podenak, Gary Lawrence
Polizzi, Theodore Raymond
Pollock, William Dana
Potter, Meredith Austin
Powers, John NMN
Pratt, Joseph Hyde, III
Pruitt, John Monteze, Jr.
Pugliese, Paul Andrew
Pye, William Raymond
Rackley, Kim Alan
Ralston, David Knight
Reed, James Noel
Regts, David H.
Reichl, John Richard
Reist, Charles Joseph
Reitmeyer, Thomas NMN
Remick, Bruce Donald
Richardson, Zachary Methe
Rickest, Gary Steven
Riner, Frank George
Ristvedt, Victor Gore, Jr.
Roach, Stephen Henry
Robinson, John Walton
Rockey, John Elion, Jr.
Rogers, Douglas Arthur
Rogers, Richard Wayne
Rojek, Fredric Walter
Ross, John William
Roth, Stephen Vincent
Rudolph, Robert Howard, Jr.
Ruppert, Ralph Scott
Ruskey, Robert Allen
Russe, Jeffery Scott
Russell, Todd Walter
Ruth, Douglas Alan
Ryan, Joseph Anthony
Ryan, William Raymond
Rystrom, Jon Alvin
Sainten, Eduardo Roberto
Sandelli, Richard William
Sanders, Scott Charles
Sapp, James Benjamin
Saunders, Richard Scott
Savage, Daniel Walter
Schlichter, William Anderson
Schmidt, Bruce Allen
Schmidt, Wallace Craig
Schneider, James Eugene
Schroeder, Mark Alan
Scolese, Christopher Jon
Seeley, Neil Robert
Seveney, James Arthur
Shay, Richard Franklin
Shearer, Oliver Vassar, III
Sherman, Scott Allen
Shipley, Graham Thomas
Shogpen, Paul Leon
Simmons, Louis Crispin
Simpson, David Myles
Slaven, Walter Brian
Smith, Daniel Joseph
Smith, Michael Alan
Smith, Selven Layne
Snarr, James William, II
Snopkowski, Brian Douglas
Snyder, Eric Sidler
Solkshinitz, Stephen Edward
Sorrell, Larry Wayne
Spence, William Douglas
Spitser, Lawrence Andrew
Springs, William Anthony
Staab, Gerald Adrian
Steed, George William, III
Steiger, Keith Edward
Steinbuechler, Erick Rudolf
Stephan, John Audley
Stephens, Fredric Milo
Stewart, William Guy
Stites, Ronald Paul
St. John, Guy Files
Stokes, Charles Stevens
Stottlemyer, Karen Lee
Straw, Thomas Wayne
Streit, Gregory Gustav
Sullivan, Steve Joseph
Summers, Stephen Chris
Sutton, Michael Stuart
Swoish, Douglas Raymond
Taylor, James
Taylor, Richard Roy
Teommey, Henry Charles
Teppen, Lynn Gene
Thomas, Christopher Lee
Thompson, Roberta Lynn
Tignor, Malcolm Dewey, Jr.
Tillerson, William Eugene, Jr.
Timon, Charles Ann, Jr.
Tobia, Michael NMN
Todd, Richard Boyd
Tomko, Edward Wayne
Tournas, Alexander William
Tritt, Gregory Eugene
Tweed, Jay M.
Tzitizura, Vasle Thomas
Vanderence, Dirk Gennit
Vaneendernburg, John NMN
Vanfossan, John Christopher
Vantol, Jan Maarten,
Verlin, Thomas Patrick
Wade, Marvin Otis, Jr.
Wagner, John Jay
Waindle, Kathleen Mary
Walden, Heather Jeanine
Wallace, Trek C.
Wamble, Carl Defllis
Ward, Larry W.
Ward, Peter Mark
Ward, Robert Orville
Ware, Alan Frederick
Webb, Michael Anthony
Wells, William Gregory
Wenceslad, Daniel Lathrop
Whetzel, Gary Lynn
White, Blake Ellis
White, Jeffrey Taft
White, Larry Mitchell
Wiff, Robert Allen
Wilcox, William George, Jr.
Williams, Kirk Gregory
Williams, Wayne Leslie
Williamson, Mark Kevin
Willis, David Lee
Wjorenna, Ricky Lavern
Young, Allen Charles
Young, Charles Merritt, III
Young, Robert Eugene
Yurchak, John Marshall
Zacharias, Robert Paul
Zavoy, Mark Andrew
Zumbach, Larry Laverne

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant (junior grade) in the line of the U.S. Navy, subject to qualifications therefor as provided by law:

To be lieutenant (junior grade)

Abel, Vicki Sue
Adams, Michael Ward
Adams, Rose Marie Theresa
Allaire, Burt S.
Allen, Charlotte Iona
Allen, Patrick Eugene
Altman, Michelle Rose
Amberger, Dale Wendell
Amelon, Jimmie Jane
Amer Mohamed Youssef
Ammann, Joann Marie
Andrews, Douglas Martin
Armstrong, Charles Robert
Arnold, John Joseph
Arnold, Thomas Edward
Ashby, Steven Burnett
Ashcroft, Lacinda Renee Bolh
Athey, Daniel Dee
Backstrom, Sharon Elizabeth
Bainbridge, Amalie Ruth
Baker, Ronald Alan
Baldwin, Clifton Vern
Banker, Joe Dan
Bardin, Barbaragail
Barrett, Brian Odem
Bartlett, Jon Scott
Bass, Robert Ness, Jr.
Bateman, Sara Ann
Bauer, Cletus Pall, Jr.
Baxter, William Michael
Beck, Sharon Rae
Bell, Donna Jean
Berry, China Mae
Bettle, Jerome Ord
Bewley, Jon Norris
Bickerton, James Allen
Bilicki, Celeste Ann
Boldt, Charles Jerome, Jr.
Boudah, Peregrine Susannah
Bourgeois, Stephen Willard
Boylan, Timothy James
Boyles, Kent Donald
Bradford, Shawn Lynn
Bralliar, Robert Batson
Branch, Richard Rae
Brandon, Mary Leslie
Bremseth, Loren Richard
Brickner, Terfsa Behnke
Browning, Randy Orval
Brust, Carl Joseph, Jr.
Budacki, Veronica Eva
Bundrick, Samuel Snyder, Jr.
Burgess, Eric Clyde, Jr.
Burgess, Mary Elizabeth
Burnette, Gerald Thomas
Butler, Mary Frances
Cain, Monica Mathern
Calder, Alexander Walcott
Calomeni, Carolyn Ann
Campbell, Bonita Irene
Campbell, Larry Pat
Canaday, Denise Joy
Canfield, Gwendolyn May, Stru
Cardona, David Alan
Carmody, Dana Warren
Cerchio, Patricia Ann
Chamberlain, Carl Nelson
Chester, David William
Christensen, Daniel K.
Clow, Teri Lynn
Coffey, Kimberly Ann
Coleman, Sean J.
Comstock, Amy Stewart
Cook, Edward Anthony
Cook, William Phillip
Cooper, Garrat Emmanuel

Cooper, Marjorie Helen
Cornell, Jean McCullough
Coyle, Sandra Getman
Crain, Neil Edward
Cross, David Michael
Culbertsonsession, Carrie La
Cupp, James W., Jr.
Curry, Michael James
Curtin, Lisa Ane
Dalpian, Margaret P.
Darnell, Suzanne
Davidson, Robin Alana
Davis, Charles William
Defenbaugh, Denise Lee
Delacruz, Rosa Joyce
Delpiano, Mark D.
Delvecchio, William Adam
Desrosiers, Laura Lea
Dietrich, King Hastings
Dietrich, Susan Shearer
Dietrich, Virginia Ann
Dinkla, Walter Gerrit
Dipietro, Carol
Dobbins, Laura Content
Dobbins, William Lyle
Doersam, Rebecca Sue
Donaldson, Debra Lynn
Doss, Nancy Ann
Dougherty, Peter James
Dupre, Norman Bernard
Dwyer, Nancy McCarthy
Eagen, Michael Martin
Edmunson, Gary Everett
Egner, Elizabeth Anne
Eiself, Mary Celeste
Eldard, William Alan
Elders, Karen Machiko
Engel, Nancy Ann
Erskine, Donald Kim
Eschbach, Alan E.
Espirito, Rita Villapando
Esquina, Thomas
Everett, John Alexander
Ewen, Laura
Faraklas, Nicholas Gregory
Farmer, Alan Carl
Faust, Robert Wayne
Ferguson, Brian Eugene
Finn, Michael Paul
Fischer, Michael Jeffery
Fite, Denise Dillon
Fontenot, Paul Richard
Ford, Alvin NMN
Ford, Robert Lee
Frazer, Steven Ray
Freeman, Dennis Bradley
Freeman, Susan Diane
Fuplong, Ronald Lee
Furze, Peter William
Gabriel, Marilyn Kay
Gallagher, John Joseph
Garrett, Randall Bartholomew
Garrow, Mark Robert
Gates, Stephanie Gail
Gentry, Martha Lynn
Giffin, Christopher Kyle
Gillette, Martha Carol
Gladyszewski, Joseph Casimir
Glender, Caplos ILG
Goss, Gordon Wesley
Gough, Theresa Digiovanni
Gray, Kathryn Teresa
Gray, Rosanna Louis
Griffith, Charlotte Marie
Grimes, Michael R.
Grube, Virginia Ruth
Growell, Gregg Robert
Guerrero, Joseph, Sr.
Hackney, Roberta McCorkle
Halloway, Kenneth Edward, III
Haney, Warren Joseph, Jr.
Hanna, Deborah Gail
Hanson, William David
Hardison, Milton Wayne
Harrington, Steven Richard
Harsacky, Frank Joseph Jr.
Hart, Sam Dudley, Jr.
Hartsfield, William R.
Haskell, Emery Lloyd
Haug, Catherine Helen
Hauge, Richard Lee
Hawley, Alex Lynn
Hayman, Marie Catherine
Hebner, Edward Scott
Heishman, John Loren
Hennings, Tracy Anne
Herlihy, Thomas Philip
Higgins, John Philip
Higgins, Michael Martin
Hill, Christopher Thomas
Hines, Kathleen M.
Hizenski, Amy Linda
Hooker, Diana L.
Hopkins, Mark Gregory
Horner, Randy Alan
Hosler, Florence Mary Dugan
Howell, Abigail Susan
Hubble, Rebecca Jo
Hummer, Scott Raymond
Hunter, Sheilah Lakay
Huss, Marvin Clinton
Ichinaga, Ellen Shizu
Ignaczak, William Robert
Iverson, Jonathan Carey
Jackson, Debora Marie
Jacobs, Nancy Ann
James, Steven David
Jaszkowski, Monica Smith
Jenkins, Elizabeth Ross
Jenkins, Nancy Kathleen
Johnson, Kurt Randall
Johnson, Melanie Munro
Johnson, Vanessa Olivia Hall
Johnston, Marcia Lynn
Jordan, Brenda Mathias
Jorgensen, Pamela Anne
Juergens, Robert James
Keefer, Brian David
Keeter, James Wilson
Kelley, Anne Elizabeth
Kelly, Stephen David
Kempf, Cathy Lynn Williams
Klages, Mark Kenneth
Klepper, Tommy David
Knedler, Gary Lee
Knight, Lendall Stone
Korosec, Barbara Marie
Kunberger, Paul E.
Lacavera, Tara Lynn
Laflam, Scott W.
Landau, Harry Edward
Larson, Victoria Magdalene
Lasko, Phyllis Ann
Leathen, Elizabeth Kathleen
Leblanc, Lynne Marie
Ledbetter, Charles Stephen
Legates, Jean Florence
Lemon, Mark Hugh
Leonard, Wanda Faye
Levy, Lisa Ann
Lewallen, Tepry Wayne
Libner, Annette Eileene
Lienard, David Edward
Lilly, Dorothy Joan
Lincoln, Robert Rufus
Lindgren, Edwin David
Lloyd, Robbin Gray
Lockley, Wayne Terrence
Lokker, David Bruce
Long, Edwin Thomas
Long, Marilyn Hand
Lott, Gill Warren
Louie, Renata Pacla Ycchum
Lowell, Malorie A.
Lowry, Kevin S.
Lundquist, Stephen William
Mabrey, Betty Jean Hunter
MacCall, Robert Arthur
MacFarland, Barbara Jean
Mahoney, Timothy Joseph
Malchow, Larry Paul
Martin, Stephen Edward
McCabe, Laurence Leigh
McCann, Brian Thomas
McChesney, Robert Newman, Jr.
McClure, Andrew Wilson
McConnel, Mark Shannon
McDaniel, Laurie Ann
McDaniel, Linda Eileen
McDonald, James Lloyd
McDonnell, Jeanne M.
McDonnell, Peter David
McIver, Jon Edward
McKay, Leondard Walter
McKenzie, Janet Denise
McKenzie, Judith Burleson
McManus, Janet Lee
McMillan, James Roland, Jr.
McNally, Patricia Ann
McNamara, Joseph Kevin
McNamee, Edward Patrick, III
Meade, Erik Roger
Melasky, Joan Manette
Mettlach, Theodore Robert
Miller, Mark Mitchell
Milliken, Alice Frances
Minner, Steven Franklin
Mitchell, Dennis Ellis
Mitchell, Sandra Lynn
Montera, Peter P., Jr.
Montgomery, David Leo
Montgomery, Susan Ledith
Moore, Lester Larue, Jr.
Moore, Robert Miles
Moore, Timothy Richard
Morgan, Frederick Nathan
Morgiewicz, Daniel Joseph
Mounce, James Granville, III
Muhammad, Ayesha Ruthie Muni
Muniz, Joe Louis, Jr.
Murnan, Cynthia Ann
Navori, Cornel Gabriel
Neil, Larry Keith
Nelson, Bruce Edward
Nichols, Gary L.
Niemeyer, John Peter
Nylander, Jon Natan
O'Brien, Kathleen Marie
O'Brien, Peter Alexander
Olivier, Donald Andrew, Jr.
Olone, Daniel James
O'Neill, Carol Brown
Orban, Mary Margaret
Orlando, Richard A.
Oswald, Donald, Jr.
Otto, Christopher Charles
Overall, Karen Marie
Overholt, Gail Ann
Pagel, Karen Ann
Painchaud, Lesley Jeanne
Palmatier, Christina Lynn
Palmer, Karen Inez
Parker, Joni Lynn
Patton, Bruce Wayne
Patton, James Wallace
Pennington, Terry Lee
Perez, Cynthia Ann
Peterson, Anne Louise
Petrarca, Dana Paul
Pierce, Leeann Kathleen
Pierson, Porsche
Poffenberger, Debra Lynn
Policastro, Josephine
Pomrantz, Cheri Annette
Portner, Steven Edward
Price, Cecilia Annette
Prisley, Frederic Arnett
Puckett, Timothy W.
Rahn, Harold Alexander
Ramirez, Richard Paul
Ramsey, William Brann
Rawls, Robert Lee

Ray, Teresa Lynn
Reed, Stanley Allen
Reiske, William Francis
Ries, Harry John, Jr.
Roberts, John William
Roberts, Kathleen Anne
Rodriguez, Geronimo
Rogers, Cathy Anne
Rogers, Kevin Dale
Rollins, Carla Ann
Romano, Lorraine Jay
Rominger, Kent Vernon
Roper, Benjamin Frank
Ross, William Gordon II
Rossignol, Roy Richard
Routzahn, Karl Douglas
Royer, Kenneth George
Rumble, Robin Kathleen
Samari, Ja Gary Allen
Savage, Carolyn Rose
Sayles, Jeffrey Cameron
Scaringello, Frank
Schaffer, Gary Ray
Schendel, Cynthia Joyce
Schnur, Jack Karl
Sharma, Rajiv Kumar
Shaver, Trenton Douglas
Shepherd, Steven Ronald
Siedlecki, James William
Smale, Daniel Alan
Smith, Arlene Mitchell
Smith, James Lee
Smith, Jane Hollander
Smith, Jr., Lee Earl
Smith, Robert Nelson
Smith, Russell Calvin, Jr.
Smith, Timothy Mark
Snow, Cindy Rae
Snyder, Brent Elton
Sorrell, Kathy Louise
Sovereign, Bruce Gerald
Sprayberry, Sharon Ann
Springman, II, Charles Duane
Starski, Roger Paul
Stedman, James Robert II
Steedly, Wendell Melvin
Stiffenhoffer, Charles Scott
Stille, Mark Everett
Swisher, Armand Tipton Jr.
Tagariello, Stephen William
Tarby, Todd Peter
Thompson, Steven Clark
Tiedemann, Catherine Fisher
Tillotson, Marylou Katherine
Tinsley, Michael Ray
Traceski, James Paul
Trukken, Susan Jane
Tugman, James Edward
Tyler, Anne Kathleen
Uglow, Loyd Michael
Ulissey, Elinor Alexandra
Vacca, David Peter
Vaneendenburg, Reinetta
Vanhcok, Gordon Evans
Vetter, Linda Joan
Vinson, Andrew Jay
Wadman, Elisabeth Tuddenham
Wagner, Luann Dorothy
Wagner, Michael Edward
Walker, Betty Darlene
Walker Kathy Jo
Walsh, John Michael
Ward, Robert Joseph
Warren, James Lee
Watley, Geral Galin
Watson, Patricia Ann
Weich, David Edward
Wemyss, Betsy Ann
Westwood, George Edward, III
Whitaker, Fiona Carolyn
White, Robert Michael
Whitlock, Patricia Jane
Wikul, Peter Igor
Williams, Michael Gerard
Williams, Nerissa
Williams, Robert Gary
Wilson, David Cables
Wilson, Ward Taylor
Winter, Deborah Kovacich
Wittry, Melissa Kay
Wolf, Jeffrey Guy
Wood, Gloria Darline
Wood, Michael P.
Wood, Thomas Clinton
Wright, Cynthia June Parsons
Zarem, Mary Luanne
Zelinger, Joan Annette
Zincarelli, Teresa Elizabeth
Zumbro, Derek Stephen

The following-named U.S. Naval Reserve officers to be appointed permanent ensign in the Line of the U.S. Navy, subject to qualifications therefor as provided by law:

LINE

To be ensign

Adams, Glenn Dean
Beard, Clenn Burnham
Blose, Robert Anthony
Bourne, Paul Carl
Branch, Kathleen Joanne
Brisson, Bruce William
Bruner, Barry L.
Bruns, John Edward
Buchele, Paul Scott
Calfa, Jeffrey Paul
Calhoun, Rory James
Cereola, Joseph
Chesky, Jay Wicker
Chew, Robert Edmund
Chiasson, Leo Ernest, Jr.
Ching, Nathan Shang Peng
Clark, James Leslie
Coberly, David Blake
Cole, James Brian
Conroy, Stephen Bernard
Coppa, Anthony Joseph
Cree, Robert Edward
Davis, Gail L.
Deangflis, Marc Santuccio
Devany, Daniel Lewis
Domeshek, Stuart Carter
Dutour, William Joseph
Easton, Randolph Lloyd
Edmondson, Charles Andre
Elzey, Michael Albert
Ervin, Russell Ross
Faircloth, Joseph Anthony
Ferris, Edward, Jr.
Fitzmorris, Gerald Neil
Frey, Norman Walter
Funk, Daniel Lee
Giroir, Harold Joe, Jr.
Gormley, Robert Pershing, Jr.
Graham, Darryl Blaine
Greatwood, Christopher Holme
Guinn, Keith Vincent
Hardage, David Harrell
Harris, Alan James
Hawkins, David Ray
Hayden, John Doxey
Haynes, Frederick Ralph
Hilbrandt, Fredrick Joseph J.
Hood, Don Norman
Howell, Robert Gene
Jackson, Patricia Anne
Jensen, Blaik C.
Jones, Robert Frederick
Kreger, John Marshall
Lewis, David Albert
Lipsky, Jerold David
MacKanic, Jeffrey Glenn
MacPherson, David Leonard
Major, Dorothy M.
Marincic, John Wesley
McWhirter, Jon David
Menzella, Vito Michael
Morris, Wayne Blair
Mouser, John Wesley
Murphy, Mary C.
Myers, Mark Robert
Nakahata, Djane Takaki
Newberry, Ronald Charles
Nunnally, Bruce Wayne
Paschall, David Fred
Pelland, Wayne David
Pennypacker, Francis David
Pinkston, Michael Brian
Prevette, Steven Scott
Quigley, John Michael, Jr.
Rachal, Joel Pastor
Ramsey, Donald Ray
Ronning, John Lawrence
Rummel, Thomas Ernest
Sainsbury, Robin John
Sauer, Peter Michael
Schwenk, Gregory William
Scottmcknight, Charlotte Ver
Shuey, Malcolm Baird
Sibley, Raymond Howard
Sites, Martin Gregg
Sprague, Bryan Grant
Sullivan, James Thomas
Summers, How Robert Edward
Swan, Kenneth Allan
Taylor, Andrew Charles
Thompson, Tevin Ray
Torcolini, Kevin Michael
Townsend, James John
Wilkinson, Kenneth Patrick
Wilt, Brian Lee
Wright, Paul Charles
Wunder, George F.

The following-named U.S. Naval Reserve officer, to be appointed permanent captain in the Medical Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

MEDICAL CORPS

To be captain

Legan, John Keith

The following-named U.S. Naval Reserve officers, to be appointed permanent commander in the medical corps of the U.S. Navy, subject to qualifications therefor as provided by law:

To be commander

Dofort, Robert Thomas
Emery, Jefferson Craig
Firth, Harriet Jane and
Hargett, Newell A.
Holmes Christopher Ken
Moser Paul Henry
Rayl David Lefoy
Shodhan Pragna Ramesh

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant commander, in the Medical Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

To be lieutenant commander

Angrabanes, Jose Cic
Blacharski, Paul Alexan
Blankenship, Charles L.
Block, Robert
Brawley, Robert L.
Brook, Itzhak
Bulbsan, Emedic B.
Cassidy, Scott
Chinnery, Martha Steele
Choplin, Neil Todd
Cusack, John Robert
Diaz, Carlos Ricardo
Duvalarnould, Bertrand
Engler, Renata, J.
Gudboldt, Anthony
Graves, James F., Jr.
Gray, Charles Glenn
Hilaman, Brad L.
Howard, Douglas Chapman
Jones, Bluett Emery

Ley, Carl E.
Lytle, Gary Scott
Mangalindan, Ernesto GA
Mateczun, John Matthew
Maxwell, James Houston
McCance, David Michael
Miller, William I.
Phillips, Richard B.
Simkovich, Joan
Taggart Richard E., Jr.
Thompson, Craig Bernie
Wilshire, Larry Brent
Wolov, Robert Bruce
Yacavone, David William

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant in the Medical Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

To be lieutenant

Applebaum, Jay
Bagley, Peter Hartwell
Cote, Peter C.
Edwards, Russell Philip
Filak, Michael Andrew
Giannandrea, Paul F.
Haney, Barry D.
Leicht, Craig Howard
Marchand, Gregory NMI
Marsh, Michael Steven
McDonald, Wilbur E.
Mitchell, Benjamin Sanf
Nowacki, Michael Richard
Oswalt, Kenneth E.
Roberts, William L.
Rosequist, Robert Bruce
Saylor, Michael Joseph
Sheprod, Theresa T.
Simmons, George Haskel
Warren, Richard Clinton
Whelan, Thomas V.
Zimmerman, Lisa Marie

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant in the Supply Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

SUPPLY CORPS

To be lieutenant

Berry, Vance D.
Camp, John W.
Cowart, James Steven
Degeorge, John Foster
Ekwall, Bengt Steven
Hewett, Coy Davis
Hickman, John Randall
Jensen, Ward Douglas
Laughlin, Larry M.
McCurry, Patrick T.
McGaughey, William Kenneth
Neubeck, Bruce Philip
Payne, Dirk William
Snyder, Robert Claude
Sweeney, Douglas John
Watkins, Bruce Field
Westmoreland, Allan Lamar
Woodcock, Charles John
Zengilowski, John Joseph

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant (junior grade) in the Supply Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

To be lieutenant

Alberto, Ricardo Teodoro
Andrews, Lorena Dale
Barclift, Steven C.
Barnwell, William Manigault
Becker, John Rhodes
Benson, Charles Wrandall
Bobbitt, Jimmy Rodges
Boike, Richard Edward
Bratton, Thomas Andrew
Brewster, John Daniel, Jr.
Buck, Wolfgang Joseph
Burrell, Gilbert Ashton
Catalano, James Anthony, Jr.
Cook, George Ellis, Jr.
Cravy, Darrell Lynn
Cusmina, Thomas Alexander
Davidson, Stephen Lynn
Djdolevitch, Robert Francis
Dussault, Kathleen Mary
England, David Calvin
Felicitas, Rolando Presto
Fifer, William Wesley
Ford, Karen Elizabeth
Francom, Gerald Lee
Garbarini, Virginia Ann
Gebhart, John Loup
Glas, Ray Allan
Glisson, Gary Wayne
Grabarz, Christopher Martin
Graham, Ruth
Hajek, James Anthony
Harris, Steven John
Hennelly, Patrick Joseph, III
Hitson, Robert Lamar
Horst, Daniel Cushing
Hurley, James Joseph
Kalita, Walter Joseph, II
King, Arthur William III
Kovalchik, Andrew John
Lamb, Timothy Brian
Langenberg, Suzanne
Lentz, Melvin Keenan, Jr.
Mahaffey, Vance Gordon
Martin, Gregory
Martin, Michael Paul
McFadden, Brian Patrick
McNeeley, Donald Carson, Jr.
Moore, Robert Christopher
Morgan, Michael Lynn
Morris, John Irvin
Myhre, Edwin Erickson
Naber, James Pryce
Napanjo, Edward
Nash, Vincent Manning
Newman, Richard Raymond
Pair, David MacDonald
Pieri, Kenneth Allan
Pisano, Nicholas Daniel
Rackliffe, John Alden
Robida, Robert Raymond
Rodriguez, Libertad
Roscoe, James Charles
Schade, Don Franklin
Scott, Roger Dale
Skinner, Howard Lee, Jr.
Spangler, Suzanne Kay
Startt, Patrick Glenn
Turner, Charles Lloyd
Vaughan, David D.
Victoriano, Edwin Arnold
Vulliet, Gary Dale
Whelan, Paul Richard
Whitley, Thomas Alva, Jr.
Wilson, Dennis Edwin
Young, John Henry, III

The following-named U.S. Naval Reserve Officers, to be appointed permanent lieutenant commaner in the Chaplain Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

CHAPLAIN CORPS

To be lieutenant commander

Clough, William R.
Shea, Joseph F.

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant in the Chaplain Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

To be lieutenant

Buchmiller, Ronald Joseph
Harwood, James G.
Ladmirault, Ralph Anthony
Martin, Bruce Alan
McNabb, Jerry Elvin
Pollitt, Gary Rex
Slomovitz, Albert Issac
Spilker, Kurt H.
Stanfield, Edwin Douglas
Teske, Paul N. E.

The following-named U.S. Naval Reserve officer, to be appointed permanent lieutenant commander in the Civil Engineer Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

CIVIL ENGINEER CORPS

To be lieutenant commander

Hall, William Michael

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant in the Civil Engineer Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

To be lieutenant

Bond, Timothy James
Carvel, Douglas D.
Claussen, Mark D.
Cowan, Robert James
Dell, James P.
Gravely, Harry A.
Henderson, Gary Ray
Hill, Michael L.
Krug, Paul Frederick
Mathews, Peter
Mikula, Kevin E.
Nielsen, Thomas William
Pedrick, Merritt Wesley, III
Rakel, Jerome P.
Roman, Kenneth M.
Schenk, Robert Eugene, Jr.
Strickland, Stanley R.
Walker, Dale Mee Wah
Wall, Richard A.

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant (junior grade) in the Civil Engineer Corps of the U.S. Navy, subject to qualifications therefore as provided by law:

To be lieutenant (junior grade)

Butrym, Kenneth Patrick
Cantwell, Frank A.
Finley, Allan M.
Ghizzoni, Jeffrey Allen
Hoodenpyle, Donald O.
Ingalls, Jon W.
Jackson, Gary Wayne
Matthews, George Charles III
Peek, Michael A.
Power, James E.
Romagnoli, Gerard Anthony
Thackston, Russell C.

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant in the Judge Advocate Generals Corps of the U.S. Navy, subject to qualifications therefore as provided by law:

JUDGE ADVOCATE GENERALS CORPS

To be lieutenant

Connelly, Darlene Marie
Crisalli, Donna Marie
Edwards, Jonathan Philip
Elkins, Debra Rae
Ford, Frank David
Harrington, Neil James
Lueker, William Kent
Pearlstein, Mark Steven
Price, David Paul
Rowe, Larry Wayne
Swartz, Marc Leonard
Trgovich, Robert Nichol
Wedan, Robert Warren Jr.
White, Robert J.

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant commander in the Dental Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

DENTAL CORPS

To be lieutenant commander

Kiselica, Lawrence C.
Mayhall, Clyde Wesley
Morris, Hubert Elmer
Walker, Dana Langdon

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant in the Dental Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

To be lieutenant

Barnett, Joseph D.
Bond, John Sullivan
Donzell, Diedra Barnes
Emrich, Steven Christop
Garrett, Wanda Faye
Glynn, David William
Gray, Edward Wyatt
Haas, Stephen Beckley
Hightower, William Clay
Hudson, Thomas Clay
Lapetoda, Wayne B.
Martino, John F.
McMaster, Dana Robert
Spencer, Craig Winsop
Toomey, Kevin Francis
Winegard, Elaine Ruth

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant in the Medical Service Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

MEDICAL SERVICE CORPS

To be lieutenant

Bally, Ralph Edward
Clever, Linda Gail
Crymes, Frank Linwood
Defrancis, Paul Charles
Dewar, John Alexander
Dilorenzo, Cynthia Anne
DiPaolo, Joseph
Edwards, Roger Dean
Eyraud, Micheline Yvonn
Fox, Arthur William
Frank, William Peter
Greenauer, Michael Arth
Guido, Anthony Robert
Hooker, Tommy Lee
Kelleher, Dennis Lucas
Lilienthal, Michael Gab
Lundgren, Richard Erick
Macaraeg, Elenor Galvez
Mather, David B.
McCullough, William L.
McDonnold, Coy Ray
Nelson, Alan Lee
Pazzaglia, Gary
Sharp, Robert Allan
Smith, Donald Noran
Snyder, Daniel James
Staton, Bobby Gerald, Jr.
Stevenson, Hugh Robert
Ulmer, Jerald Leonard
Wong, Wellman, Chew
Zuckerman, Gary Wayne

The following named U.S. Naval Reserve officers, to be appointed permanent lieutenant (junior grade) in the medical service corps of the U.S. Navy, subject to qualifications therefor as provided by law:

To be lieutenant (junior grade)

Anderson, Andrew E., Jr.
Anderson, David Mark
Blackshire, Gary Lee
Brannman, Pamela Shayn
Henson, Trena Janiece
Kolar, Roy Dean
Moshier, Patrick Michael
Coker, Kenneth Robert
Scott, Francine Patricia

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant commander in the Nurse Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

NURSE CORPS

To be lieutenant commander

Butcher, Carol M.
Glenn, Judy Jean
Harayda, Eileen M.
Hiles, Lisa Diann
Longuet, Karen Lee
Theriault, Jeannette

The following-named U.S. Naval Reserve officers, to be appointed permanent lieutenant in the Nurse Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

To be lieutenant

Allen, William Edward
Andrade, Rosemarie
Arn, Debra Jane
Banaszek, Mary Ellen
Barnard, Paula Kathleen
Barrow, Glenda Ann
Beasley, Kathryn M.
Beyer, Jane Marie
Braddy, Robert Miller
Burgess, Julia Dwiggins
Burns, Eileen Stanton
Campbell, James Van
Carrio, Jan Marie
Companion, Lydia
Condon, Doris Evelyn
Cox, Rita A.
Crull, Lisa Marie
Delisle, John Marc
Denman, Terry Lou
Diring, Rosa Ubregon
Dunkle, Lavon Marie
Ericson, Ronald Lawrence
Ervin, Richard Keith
Felsburg, Regina Claire
Ferguson, Christopher C.
Foeste, Shari Ann
Foster, Raymond John
Gallant, Sharon Nancy
Groeneveld, Gergory Lor
Guthridge, Debra Dale
Hill, Karen Sandra
Jordan, Kathy Ann
Kahl, Jacqueline Jean
Kent, Heidi Ellen
Kihlstadius, Diana L.
Kusnierek, Maureen Ann
Lynch, Kathleen Toohey
Madden, Susan Carol
Maddoxcaceres, Linda Sue
Maher, Karen
Mahon, Maura Margaret
Major, Cheryl Ann
McClain, Dennis Raymond
McGrath, Mary Cecilia
Menenberg, Sonia Risa
Mitchell, Jacqueline Ann
Monson, Ricki Jon
Moore, Cynthia Ann
Murphy, Rosanne
Ofallon, Patricia Tagga
Pare, Kathy Ann
Parker, Nancy Jo
Pickard, Mary Claire
Pierce, Kathryn Joan
Piwowarczyk, John Edward
Presley, Charlene
Price, Robert Allen, Jr.
Rehm, Timothy Allen
Repair, Janelle Ruth
Richardson, Susan Still
Riederer, Irene Ann
Riosplaza, Nelson Juan
Russell, Ann Julia
Shealy, James Lance
Sileven, Teresa Ann
Smith, Ardis Allen
Smith Deborah Lynne
Sutton, Gisela Sanford
Vanderhoof, Linda Rene
Wells, Tommy Everett
Wesley, Shirley Ann
Westerfield, Susan Cathy
Whiting, David Robert
Woznick, Martha Josephine

The following named U.S. Naval Reserve Officers, to be appointed permanent lieutenant (junior grade) in the Nurse Corps of the U.S. Navy, subject to qualifications therefor as provided by law:

To be lieutentant (junior grade)

Campatelli, Mary Margaret
Chapar, Peri Mary
Cronin, Deirdre Gage
Davis, Richard Lee
Ehlen, Mary E.
Eldridge, Mitzi Denise
Fehrenbach, Elizabeth R.
Floyd, Debra Susan
Habel, Mark Stephen
Harden, Maureen Anne
Huffman, Kenneth Lee, II
Krau, Stephen Douglas
Kress, Allen Franklin
McCarthy, David Raymond
McCormack, Sherri R.
McKinsey, Karen Teresa
Moulden, Micheal Louis
Normand, Annette Lucie
Seaberg, Beverly Ann
Senzig, Marie Sue
Sumner, Kevin P.
Young, Margaret V.

The following-named temporary limited duty officer, to be reappointed permanent lieutenant in the supply corps of the U.S. Navy, subject to qualifications therefor as provided by law:

SUPPLY CORPS

To be lieutenant

Pettaway, Henry Edward

The following-named limited duty officer to be reappointed permanent lieutenant commander as a regular officer in the line of the U.S. Navy, subject to qualifications therefor as provided by law:

LINE

To be lieutenant commander

Free, James Rodgers, Jr.

The following-named temporary limited duty officers, to be appointed permanent lieutenant in the line of the U.S. Navy, subject to qualifications therefor as provided by law:

To be lieutenant

Fitzgerald, William C.
Kindegan, Walter B.
Risko, Georgi W.

The following-named temporary limited duty officers, to be appointed permanent lieutenant (junior grade) in the line of the U.S. Navy subject to qualifications therefor as provided by law:

To be lieutenant (junior grade)

Johnston, John P.
Wright, Wayne A.
Weir, Robert C.

The following-named temporary chief warrant officers to be appointed permanent chief warrant officers (CWO4) of the U.S. Navy, subject to qualifications therefor as provided by law:

To be chief warrant officers (CWO4)

Favaloro, Francis Albert
Speir, William Franklin

The following-named temporary chief warrant officers to be appointed permanent chief warrant officers (CWO3) of the U.S. Navy, subject to qualifications therefor as provided by law:

To be chief warrant officers (CWO3)

Hamilton, Wesley Elbert
Rohrbacher, Richard Kenneth
Schmehl, Robert Louis

The following-named temporary U.S. Naval Reserve chief warrant officers to be appointed permanent chief warrant officers (CWO2) of the U.S. Navy, subject to qualifications therefor as provided by law:

To be chief warrant officers (CWO2)

Babb, Gary W.
Clark, Stephen R.
Goldstein, Dennis Robert
Jones, James H.
Kuszmar, Thaddeus John
Meeker, William Henry
Sellers, Gary Thomas
Snyder, Leonard William
Zink, John W.

IN THE NAVY

The following-named Air Force Cadets to be permanent ensign in the line of the U.S. Navy, subject to qualification therefor as provided by law:

Bullock, Jay P.
Losey, Brian L.
Moore, Scott P.

John R. Powell, Naval Reserve Officers Training Corps candidate, to be appointed a permanent ensign in the line of the U.S. Navy, subject to qualification therefor as provided by law.

The following-named Navy officers to be appointed permanent commander in the Medical Corps in the Reserve of the U.S. Navy, subject to qualification therefor as provided by law:

Malstrom, Robert H.
Smith, Michael L.

IN THE NAVY

The following-named candidates in the Navy enlisted commissioning program to be appointed permanent ensign in the line or staff corps of the U.S. Navy, subject to qualification therefor as provided by law:

ENLISTED COMMISSIONING PROGRAM

To be ensign

Allison, Todd M.
Anderson, Weston J.
Antonetti, Ricardo
Armstrong, Jeffrey M.
Authur, Kenneth E.
Awai, Herman T. K.
Baseden, Steven T.
Beets, Raymond D.
Bennett, William E.
Benson, Timothy A.
Beu, Richard J.
Blake Christopher, Jr.
Bogan, David L.
Bolles, Gary L.
Bostic, Fred, W., III
Boykin, Timothy R.
Boyle, John M.
Brown, Jeffrey P.
Callahan, Thomas M.
Castell, Curtis R.
Caulfield, Christopher J.
Chamberlain, Richard J.
Chambers, Ronald L.
Charbonneau, Lauren J.
Charters, Martin R.
Chicoine, Robert J.
Colbert, Russell G.
Cortez, Louis A.
Crist, Steven L.
Cunningham, Bruce A.
Dagostino, Anthony F.
Daniel Bradford, R.
Dargel, Thomas K.
Dean, Michael R.
Derenski, Bruce A.
Fazenbaker, Robert E.
Frank, Terry L.
Gardiner, Jo E.
Gillette, Duane L.
Gilmartin, Gary M.
Glander, Matthew J.
Goldapple, Robert S.
Grant, Michael R.
Gromada, Robert L.
Grouns, Rodney M.
Hafer, Dennis A.
Haggard, Don E.
Hamman, Kurt D.
Hastings, Douglas G.
Hayes, Gregory A.
Heizler, Arthur R.
Herres, Scott W.
Hiller, Kathleen M.
Hixenbaugh, Franklin D.
Holmes Edward
Howard, Roderick M.
Howe, Carol L.
Howman, Gary L.
Jenkins, Preston L.
Johnston, Jennifer S. A.
Johnson, Matthew L.
Johnson, Tommy J.
Jones, Lloyd H.
Kinney, Robert L.
Koon, Johnnie A.
Lavine, Joseph T.
Lawson, Richard A.
Lennartz, Jay A.
Lial, Allan D.
Lillyman, Nancy J.
Logsdon, Patrick B.
Lynch, William M.
Mahoney, Jeffery J.
Malench, Thomas R.
Maurasse, Patrick J.
Mayfield, Robert D.
McCarthy, Clinton C.
McDonald, Prentis, M.
Melchiorre, Kenneth J
Melin, Grant E.
Mikkelson, Dennis M.
Mitchell, Judy A.
Moore, Joseph K.
Moreno, Francisco, Jr.
Morgan, Jeffrey G.
Moriarty, Thomas J.
Morice, Donald J.
Neely, David, S.
Nepomuceno Juanito D.
Neuenschwander, David L.
Noe, Gregory B.
Nufer, Anthomy L.
Ocampo, Robert S.
Parcell, Mark A.
Parke, Matthew C.
Patrick, Johnny O.
Poyer, Jason M.
Preston, James M.
Provost, Robert E.
Puett, Ronnie D.
Puyau, Stephen F.
Quintanilla, Humerto L.
Rawls, Dwight G.
Ray, Paul G.
Recker, Douglas L.
Reith, Loren N.
Rook, Elizateth B.
Rosario, Roderick F.
Ross, Christopher M.
Sampson, Danny C.
Sarver, Shawn A.
Saunders, Harold T.
Sieber, Josh S.
Smith, Claude D.
Smith, Jonathan C.
Smith, Robert L.
Smith, Steven M.
Snyder, Bernard F.
Solis, John R., II
Squalls, Ernest J.
Steckler, Larry J.
Stone, Henry J.
Swayze, William E.
Swindle, Edward A.
Szlosek, Edward
Tagart, Charles W., III
Tatro, David P.
Taubitz, James E.
Teachout, Douglas B.
Tinsley, Randall E.
Tornes, Norbert W.
Tvrdy, Ellen M.
Vencill, John O.
Waldron, Linda S.
Ward, Jeffery J.
Ward, Teresa M.
Warren, William R.
Washington, Wilson J.
Watson, Richard P.
Watson, William D.
Webb, Charles R.
Welch, David A.
Wellington, Charles H., Jr.
Wetzel, Lothar M.
Whitfield, Paul M.
Williams, Michael A.
Willmore, Simon K.
Wischhusen, John R.
Wynne, Marcus B.
Yost, Mark J.
Zuckerman, Gregory L.

The following named U.S. Navy officers to be appointed permanent commander in the Medical Corps in the Reserve of the U.S. Navy, subject to qualification therefor as provided by law:

MEDICAL CORPS

To be commander

Bernhardi, Louis A., III
Lee, Jong K.
Martin, Port R.
Powell, Randall W.

The following-named U.S. Navy officers to be appointed permanent captain in the Medical Corps in the Reserve of the U.S. Navy, subject to qualification therefor as provided by law:

MEDICAL CORPS

To be captain

Weaver, Joseph W.

IN THE MARINE CORPS

Lt. Col. John R. Bourgeois, U.S. Marine Corps, for appointment to the grade of colonel, pursuant to title 10, U.S. Code, section 6222.

IN THE MARINE CORPS

The following-named U.S. Naval Academy graduates for permanent appointment to the grade of second lieutenant in the U.S. Marine Corps, pursuant to title 10, U.S. Code, section 531, subject to the qualifications therefor as provided by law:

To be second lieutenant

Adams, Philip K., xxx-...
Anderson, Kurk P., xxx-...
Arnold, Manfred F., xxx-...
Beall, Michael H., xxx-...
Bigger, Bryan W., xxx-...
Blankemeyer, Francis J., Jr., xxx-...
Bliesner, David M., xxx-...
Blundetto, Francis, R., xxx-...
Boracchia, Stephen J., xxx-...
Bressler, Iric B., xxx-...
Caldwell, Anderson C., xxx-...
Carter, George R., III, xxx-...
Casmey, Danny L., xxx-...
Chavez, Michael E., xxx-...
Cheamitru, Thomas N., xxx-...
Chromczak, Michael J., xxx-...
Cianella, Brian, xxx-...
Clark, Jerome A., xxx-...
Connally, Thomas J., xxx-...
Coronado, Patrick A., xxx-...
Dace, John D., xxx-...
Davidson, Richard K., xxx-...
Deberry, Dennis, xxx-...
Dellatto, Michael C., xxx-...
Dickenson, Dennis R., xxx-...
Diorio, Dwight M., xxx-...
Ditullio, Peter C., xxx-...
Dobbratz, W. K., xxx-...
DuPont, George Jr., xxx-...
Edmondson, Michael J., xxx-...
Eikenberg, Bruce R., xxx-...
Evans, James A., xxx-...
Evans, Todd D., xxx-...
Fancher, Kenneth W., xxx-...
Fears, George M., xxx-...
Ferris, William E., xxx-...
Finley, Julian G., xxx-...
Flannery, William J., xxx-...
Fletcher, Jeffrey E., xxx-...
Foley, Michael J., xxx-...
Forti, John G. Jr., xxx-...
Frank, Harry A., xxx-...
Free, Frank, III., xxx-...
Freeman, Sean M., xxx-...
Genco, Victor M. Jr., xxx-...
Gogue, Jessy C., xxx-...
Gray, Aaron L., III., xxx-...
Green, Matthew E., xxx-...
Gregorich, Mildred M., xxx-...
Guthrie, John W., xxx-...
Haas, Donald J., Jr., xxx-...
Hahne, Daniel C., xxx-...
Hallin, Jeffrey N., xxx-...
Halling, Dale R., xxx-...
Halliwell, Francis E., xxx-...
Herndon, Timothy A., xxx-...
Herzog, Karl R., xxx-...
Hicks, Bret A., xxx-...
Hiester, Scott R., xxx-...
Hille, James R., xxx-...
Hinkley, Laura A., xxx-...
Hinton, Michael D., xxx-...
Hodges, Brian F., xxx-...
Hofley, Andrew M., II, xxx-...
Holland, John A., xxx-...
Holland, Peter J., xxx-...
Hooks, James D., xxx-...
Hopkins, David M., xxx-...
Horine, Pamela A., xxx-...
Hull, Michael P., xxx-...
Hymers, Kevin M., xxx-...
Hymes, Kirk W., xxx-...
Ingerson, Nancy L., xxx-...

Jackson, Eric K., [redacted]
Jensen, Andrew F., III, [redacted]
Johnson, Carl J., [redacted]
Johnson, Kevin L., [redacted]
Jones, William D., [redacted]
Kalmbach, Mark R., [redacted]
Kamyszek, Mark E., [redacted]
Keith, Terry W., [redacted]
Kelin, David L., [redacted]
Koval, Michael J., [redacted]
Kraft, Timothy P., [redacted]
Krall, Daniel J., [redacted]
Laney, Angus M., [redacted]
Larson, William J., [redacted]
Lemay, Malcolm B., [redacted]
Lietzau, William K., [redacted]
Linnekin, Richard B., Jr., [redacted]
Logue, Edward A., [redacted]
Loper, James H., III, [redacted]
Lucas, Craig E., [redacted]
Magness, David A., [redacted]
Mangan, Alan F., [redacted]
Manglicmot, Alan P., [redacted]
Manley, Gary J., [redacted]
Martin, Robert C., [redacted]
Mathews, Henry B., II, [redacted]
Mauro, Michael T., [redacted]
Mayo, Gilbert W., Jr., [redacted]
McCombs, Lawrence K., [redacted]
McDonald, Craig S., [redacted]
McGeorge, Bruce P., [redacted]
McKinley, James E., Jr., [redacted]
McLoughlin, John R., [redacted]
McNeil, Franklin N., Jr., [redacted]
Melillo, Michael R., [redacted]
Messer, Shawn K., [redacted]
Miller, James B., [redacted]
Miller, John P., [redacted]
Miller, Kevin L., [redacted]
Mokris, Joseph A., [redacted]
Monahan, John P., Jr., [redacted]
Montgomery, Darrell B., [redacted]
Moran, Robert B., [redacted]
Muna Antonio J., [redacted]
Murch, Christopher H., [redacted]
Murphy, Joseph A., III, [redacted]
Murray, John T., [redacted]
Ockerman, Steve B., [redacted]
Oleary, John F., [redacted]
Ortega, Mike R., [redacted]
Ott, Michael, [redacted]
Papp, Keve K., [redacted]
Peterson, Kevin C., [redacted]
Peterson, Thomas E., [redacted]
Powell, Lewis R., [redacted]
Powell, Mark L., [redacted]
Rector, James P., [redacted]
Reich, John P., [redacted]
Renner, Donald C., [redacted]
Resnick, Michael D., [redacted]
Richeson, Allen K., [redacted]
Ricketts, Eric V., [redacted]
Riegel, Bryan V., [redacted]
Riegel, James D., [redacted]
Robinson, Russell L., [redacted]
Ross, John L., [redacted]
Ruiz, Jeddy M., [redacted]
Rupp, John, [redacted]
Russak, Christopher N., [redacted]
Ryder, Erica L., [redacted]
Sagerholm, Mark C., [redacted]
Sanchez, Anthony J., [redacted]
Scanlan, John M., [redacted]
Schieke, Richard W., Jr., [redacted]
Schlaepfer, Andrew H., [redacted]
Schmidt, Gary C., [redacted]
Schott, Richard A., [redacted]
Schurman, Holbrook J., [redacted]
Scissum, Adolph C., [redacted]
Seaver, Michael A., [redacted]
Sherman, Tina R., [redacted]
Shoemake, Jeffrey D., [redacted]
Simkins, Caroline A., [redacted]
Simmons, David E., [redacted]
Skalniak, Phillip J., Jr., [redacted]
Smith, Joseph G., [redacted]
Smith, Kevin L., [redacted]
Sneddon, David E., [redacted]
Soto, Joseph W., [redacted]
Stewart, James C., [redacted]
St. George, Christopher J., [redacted]
Sweeney, James R., II, [redacted]
Switzer, Kendall S., [redacted]
Taylor, Richard A., [redacted]
Toyooka, John A., [redacted]
Treadwell, Michael I., [redacted]
Wadsworth, Douglas J., [redacted]
Wauters, Keith B., [redacted]
Weis, Jeffrey S., [redacted]
Whitbeck, George S., [redacted]
Wileman, Richard T., [redacted]
Woodhouse, Mark T., [redacted]
Woolley, James L., [redacted]
Wrice, Jesse E., Jr., [redacted]
Wu, Stephen Q., [redacted]
Yourkowski, Joel, [redacted]
Zotti, Steven M., [redacted]

EXTENSIONS OF REMARKS

PROTECTING OUR VITAL INTERESTS IN CENTRAL AMERICA

HON. G. WILLIAM WHITEHURST
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1983

● Mr. WHITEHURST. Mr. Speaker, in the past several weeks and months I have spent a great deal of time reviewing our country's position and actions in Central America. I believe that it is time for every Member of the House to consider what the long-range implications are for the United States if we do nothing in Central America to stop the spread of Marxist subversion. The Sandinistas—by their own definition—are certainly a Marxist regime. From Moscow and Managua they have announced their principles. "We guide ourselves by the scientific doctrines of the revolution, by Marxism/Leninism," Minister of Defense Roberto Ortega has explained. Marxism/Leninism is a fundamental part of the Sandinista's ideology.

While it causes me great concern that there is a Marxist regime that close to our own borders in Central America, what disturbs me even more is a Marxist ideology's reliance on Leninism as a blueprint or their action implementation plan.

The Cuban/Soviet influenced countries intend to spread guerrilla activity and promote instability throughout the entire region. In my judgment, conditions in Nicaragua are not substantially different from what they were under the late dictator Anastasio Somoza. We have all the proof that we need that the guerrilla Marxist movement in El Salvador is supplied by Nicaragua with arms that have originated in the Soviet Union and come through Cuba or Soviet-bloc countries.

Conversations with representatives of other Central American States, including Honduras and Costa Rica, reflect on their part great fears about what will occur if America does nothing and permits the Marxist, and more importantly, Cuban-influenced government backed by Nicaragua to create havoc in El Salvador. They feel that subversion will take place in their countries next. When Nicaragua fell to the Sandinistas, the waning insurgent movements of El Salvador and Guatemala came alive again. If those countries should fall to the left, it is probable that frail Honduras, with its indefensible borders, and Costa Rica, with a defensible border but no army of its own to defend it, would be next on the guerrilla hit list. Who is to say that feudal peasant holdings of southern Mexico would not tempt the Guatemalan-based, Soviet-influenced guerrillas. It is no surprise that the United States should be tempted to try to douse the fires of a revolution two doors down—next to two of America's most essential strategic interests.

If one is concerned about the rightness of the American position or whether our position is morally justifiable, I think one only need to look to the improvements in El Salvador with respect to humanitarian issues. The number of Salvadoran citizens murdered was reduced by more than half last year—and Americans can claim credit for this. Mr. Shultz, the Secretary of State, has been outspoken in reiterating the link between American aid and Salvadoran respect for human rights. On my recent trip to Central America, we made no bones about it—aid is linked to continuing improvement in El Salvador's record on human rights and its successful efforts at democratic government. El Salvador is following its general election a year ago with a Presidential election at the end of the year. Its peace commission may come up with a respectable offer of amnesty for guerrillas later this week.

Those who object that America is intervening in the internal affairs of another country should take a close look at the presence of Cubans, East Germans, Bulgarians, North Koreans, Soviets, and members of the PLO in Nicaragua. And let us not forget Nicaragua's assistance in providing arms to the Salvadoran guerrillas.

I agree that the United States should distinguish between groups of antigovernment forces in that we do not always have to have an immediate quid pro quo from any particular group we support in Central America; however, we must in some manner link our expectations of acts to stabilize a country or a region with our willingness to provide assistance. We must be prepared to reward efforts at stabilizing democratizing countries in Central America with additional commitments of support to long-term stability.

It has only been recently, partially due to our continued support of El Salvador and our efforts to interdict arms supplies from Nicaragua and to force the Nicaraguans to turn internally and seek solutions to their own problems, that we have been successful in communicating to the Nicaraguans that we are serious about our commitment to support stable, peaceful governments in the region. What kind of signal are we sending to the rest of the world when we do not support to the maximum extent possible a Salvadoran Army which is endeavoring to bring stability and democratic government to a troubled region? And, on the other hand, we cannot muster the will or the resolve to make our point that Soviet/Cuban-influenced governments will not be allowed to operate freely in imposing their will upon other countries.

The loss of El Salvador could, and would most certainly be, a lethal foreign policy blow for the United States in its own hemisphere orchestrated by its own people. It could bring the sounds of guns uncomfortably closer to Mexico, and at that point the United States would have to withdraw to a new front line, perhaps leaving Guatemala and vulnerable Honduras to other fates—digging in behind more defensible borders in Mexico and Costa Rica. The implications of that are so far reaching that I do not think anyone in this Congress, or very few people who are criticizing the President, have really thought that far.

If Marxist rebellion takes root in Mexico, and the conditions in the border area are ripe, given the severe economic conditions, we will face foreign policy problems in our own hemisphere which we never thought possible—a torrent of refugees flood into our country, making the numbers of the boat people who came to our shores from Cuba seem like a mere trickle. At what point will the United States feel compelled to use its own military forces? Therefore, it seems to me that one-half ounce of prevention that this administration is trying to administer is a policy that everyone should be supporting. It used to be said that political bickering ended near water's edge and that we could muster enough support for a united foreign policy position.

I believe it is a grave mistake for us to profess such a narrow, legalistic outlook as is being seen in the House of Representatives, and to a degree, in the Senate. I am very disturbed about this development, and I applaud this administration for its effort not only to protect our vital interests but also to insure the integrity of those nations friendly to us and as yet untouched by Marxist/Cuban subversion.●

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

CEREBRAL PALSY AWARD

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1983

● Mr. BENNETT. Mr. Speaker, Gregory Albin of Jacksonville, Fla., was named the national competitor of Goodwill Industries. Being so named, he was chosen as the most outstanding among 180 Goodwill offices throughout the country. This is certainly a great honor for him and I am pleased as his Congressman to make this note of it in the CONGRESSIONAL RECORD. He is a great inspiration to us all. I enclose an article from the Florida Times-Union.

[From the Florida Times-Union, Jacksonville, Apr. 22, 1983]

GRADUATE OF YEAR NAMED BY GOODWILL INDUSTRIES

(By William E. Marden)

Gregory Albin is a sports nut. Baseball. Football. You name it, he's a fan.

Albin, 31, was born with cerebral palsy, which prevents him from physically running the bases or hitting a home run.

But in terms of life and drive and courage, the slender, brunette has made the major leauges.

Albin recently was chosen as Goodwill Industries of America's 1983 Graduate of the Year from candidates nominated by the 180 Goodwill offices around the country.

Dave Roberts, local Goodwill Director of Rehabilitation, said Albin was recognized for the challenges he has overcome and what he is doing.

Albin entered a Goodwill vocational rehabilitation and employment assistance program in June 1981 and completed it in January 1982. He has worked as a mail clerk for Florida National Bank since March 1982, and Goodwill officials said he has received outstanding evaluations from his superiors. He can drive a car but uses a cane to walk.

"Graduates such as Greg Albin demonstrate in the best way that disabled people need vocational rehabilitation and employment services such as those provided by Goodwill Industries," said David Cooney, President of Goodwill Industries of America.

Local Goodwill officials noted that for the second time in three years a graduate from the Jacksonville program has been named national Graduate of the Year. Another local graduate was a runner up.

Albin will receive a trophy, an all-expenses-paid trip to Washington, D.C. that will include attending a Baltimore Orioles baseball game, and will be honored at the annual Goodwill Industries Delegate Assembly to be held in Baltimore in July.

Roberts said the local Goodwill, which does not have a sheltered workshop where Goodwill itself could employ the handicapped, helps its graduates seek employment in private business.

A Goodwill worker made 54 contacts in Albin's behalf with area businesses before he got a job with Florida National Bank, Roberts said.

"The main thing it [the rehabilitation course] did for me was give me self-confidence," Albin said. "I like myself again. I was feeling sorry for myself."

Albin said he needs to work to support himself. He is single and lives with his mother and stepfather but hopes to get his own apartment.

"I want to work," he said. "You take pride in yourself if you're working. The thing I wanted most was a good job, an opportunity just like other people. First I had to learn that I was capable of this before Goodwill could help me get that good job."●

EL SALVADOR AND THE U.S. CONGRESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1983

● Mr. HAMILTON. Mr. Speaker, I would like to insert my Foreign Affairs Newsletter for April 1983 into the CONGRESSIONAL RECORD:

EL SALVADOR AND THE U.S. CONGRESS

President Reagan's policies in El Savador are being challenged in the Congress, and a test will come soon on his request for more funds. Most members agree that the situation in El Salvador has not improved in recent months and may well be deteriorating.

The Salvadoran government is not winning the war. After the March 1982 election there was a brief lull in the hostilities. But the guerrillas are stronger today than they were two years ago. It is true that they do not currently have the military capability to defeat the government. But neither does the government seem to have the military capability to defeat the guerrillas.

There has not been any real improvement in the human rights record. Frustration about this runs high in the Congress. The number of political murders by the security forces may have gone down, though the figures are hard to substantiate. But the underlying problems remain the same, including most importantly the failure of the Salvadoran judicial system to bring offenders to justice. The investigations of the deaths in El Salvador of eight Americans have not made significant progress. The land reform program is continuing, but not in the geographical areas under military dispute. It has developed centrist support, and land titles are being issued reasonably fast. Also, there has been no real dialogue between the government and the left.

The President has requested $136 million military and $231 million economic assistance for 1983. This is up from $268 million total for 1982, and $139 million for 1981. It is clear that El Salvador is becoming a major financial burden on the United States. Several alternatives are being discused for congressional action.

Some urge Congress to cut off all military assistance to the Salvadoran government. My judgment is that in the short run this would lead to the takeover of the government by the extremé right, and in the long run to the military victory of the armed left, all accompanied by higher levels of bloodshed. Outside sources of military aid for the left are not going to dry up just because of unilateral action by the United States.

Others urge us to increase military assistance to the point where the Salvadoran government does have the military capability to win the war, or at least achieve significant advantage. I do not see broad support for this approach in the Congress—because of doubt about the present capabilities of the Salvadoran army, and concern about the costs—but it remains the basic view of the President.

There are at least three other kinds of congressional pressure under consideration to change the situation. We can press for a negotiated settlement, we can push human rights by tightening the conditions attached to military assistance, and we can prevent the further involvement of the United States' military.

The first of these is the most important. The Salvadoran government, backed by President Reagan, has refused to start "power-sharing" negotiations. As Secretary Shultz has said, the United States opposes the guerrillas "shooting their way into power," or carving up the power "behind the people's backs." But the parties on the left have refused to enter negotiations confined to election arrangements. In order to agree to participate in elections, they would have to have free access to the press, credible guarantees of personal security, and most significantly, some guarantee that they would be allowed to win if they got the votes. These all involve some form of power-sharing.

Historical analogies may be helpful. In the Dominican Republic in 1965 the United States first characterized the left as communist, and supported the government militarily. It then sponsored negotiations which ended successfully with a moderate interim president who came to office in elections supervised by members of the Organization of American States. In the Salvadoran case, it may be that no government guarantee of non-harassment would be credible to the left. If the case of Rhodesia/Zimbabwe is a guide, a government-held election will not attract the opposition during a civil war. If so, then an internationally supervised election is the best alternative. But the Congress should not have exaggerated expectations about what can be accomplished through negotiations. We simply do not know whether the left—or some part of it—is serious about a political process.

The second congressional option is to tighten all conditions that the President must certify have been met by the Salvadoran government before it can receive U.S. military assistance. There is one difficulty with this approach. The Salvadoran government is not likely to move much further by the next certification date. The underlying problems will take longer than six months to cure. The effect of tightening the certification conditions therefore is either to force the administration to certify the uncertifiable, or to provide an excuse to cut off military assistance.

Finally, there is the option of preventing the further involvement of the United States' military. The Congress can specify a limit of fifty-five advisers and specify that they be restricted to non-combat duties.

My judgment is that we should make continued military assistance contingent on the actual opening of negotiations with all major parties to achieve a cease fire and an equitable political solution, one element of which would be internationally supervised elections at a time to be determined in the negotiations, and which would involve provisions to assure the physical security of all participating political groups before, during and after elections. If the left can be shown to be unwilling to complete unconditionally in such negotiations, no suspension of assistance would be required. The Congress

should also specify that the Salvadoran government should establish an effective and independent judiciary to try persons accused of abuse of human rights.●

MAN OF THE YEAR AWARD TO TOM D'ALTRUI

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1983

● Mr. RINALDO. Mr. Speaker, it is all too often in these hectic times in which we live that the achievements and contributions of some of our outstanding citizens are overlooked.

It is with this in mind, that I am prompted to bring to the attention of my colleagues the selection by the Standardbred Breeders & Owners Association of New Jersey (SBOANJ) of Thomas D'Altrui of Union, N.J., as the organization's "1983 Man of the Year." It is fitting and appropriate that this award go to such a deserving individual, who has devoted a large part of his life to the standardbred industry in New Jersey.

He has been a director of the SBOANJ for the past 10 years and has been helpful in effecting improvements in programs that benefit those associated with the standardbred industry in the State. These changes have meant higher purses for horsemen, better insurance and pension programs, and improved backstretch conditions. Horse breeders, owners, trainers, drivers, and grooms have all benefited from these changes.

One of Tom D'Altrui's greatest successes has been the annual yearling sales held at the Meadowlands. For the past 5 years he has worked as chairman of the Super Sales, and under his stewardship the sale has grown to become one of the most prestigious and important events of the standardbred season. When the sale was started in 1977, 150 horses were sold. Last year, 282 yearlings were auctioned off at an average price of $7,500. Besides serving as a director of the association and chairman of the Super Sales, Tom has also found time to serve on various SBOANJ committees, including the executive, owners, public relations, finance, and pension committees.

Tom's service to the SBOANJ has been in addition to his considerable duties as president of a New Jersey manufacturing company and as owner of a standardbred breeding farm. He is president of D'Altrui Industries of Elizabeth, N.J., which manufactures storage racks and is one of the largest distributors of casters and wheels in the New York/New Jersey metropolitan area. He became president in 1956 after having served as a manufacturing supervisor, general manager and vice president. Mr. D'Altrui has been granted 16 patents for devices he invented and was awarded a certificate in recognition of his professional abilities and contributions by the International Material Management Society.

Since 1969 Tom has owned and operated DI Farms in Belle Mead, N.J., in conjunction with his son, Thomas A. D'Altrui. DI Farms is a 275-acre breeding farm and has to its credit several standardbreds which have gone on to become champions, both in New Jersey and nationally.

As might be expected of a man of Tom D'Altrui's ability and dedication, he has also won recognition for his service to his fellow citizens. For 2 consecutive years he was the recipient of the Community Service Award given by the Summit & Elizabeth Trust Co. to an outstanding individual. Another honor he enjoyed was being picked by the U.S. Trotting Association to serve as director in district 12.

It is because of the dedication and leadership of people like Tom D'Altrui that standardbred breeding and racing in New Jersey has grown from its early days into the major, multimillion dollar industry it is today. His purposeful involvement and dogged spirit has helped the SBOANJ grow to an organization of 4,000 members. His selection as the association's "Man of the Year" is one way for the people in the sport to accord him the tribute he so richly deserves.●

TAX FREEDOM DAY

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1983

● Mr. FIELDS. Mr. Speaker, I am pleased to join with my colleagues in celebrating the arrival this year of Tax Freedom Day.

As my colleagues know, this day commemorates the fact that the American people have now paid in full for 1983 their Federal, State, and local tax burden.

From this day forward, our citizens can breath easier knowing that they are now working for themselves and their families and that they will be able to enjoy the benefits of their labors.

While it is regrettable that Tax Freedom Day has arrived just 1 day earlier than last year, the trend is certainly in the right direction. In fact, since the enactment of the Economic Recovery Tax Act of 1981, the American people have enjoyed 5 new tax free days.

Mr. Speaker, it has been my consistent and unwavering view that the best way to insure long-term economic prosperity in our country is to allow citizens to keep a greater share of their hard earned income.

For this reason, I will oppose any attempt to increase the tax burden by repealing the July tax reductions and will oppose any effort to make the American people work even 1 more day next year for the Federal Government and not themselves.

Thank you, Mr. Speaker.●

RECOGNITION OF NATIONAL LAW DAY AND NATIONAL POLICE WEEK

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1983

● Mr. CHAPPELL. Mr. Speaker, it is fitting at this point in time to reflect upon National Law Day which was celebrated on May 1, 1983, and National Police Week, which will be celebrated throughout the United States during the week of May 15 to 21, 1983.

Here in Congress we create the laws. In our judicial system, those laws are interpreted and applied in the courtrooms of America. However, it is in the streets of our Nation that these laws are enforced. It is proper during a month in which we celebrate both Law Day and National Police Week that we express appreciation and provide all law enforcement personnel with deserved and fitting recognition.

I consider the task of law enforcement to be a profession in the strictest sense of the term. Today I wish to honor members of that profession at the Federal, State, county, and local levels. Men and women who dedicate their lives to the preservation of peace. Men and women who serve their fellow citizens, placing their lives at risk, in order that we might live in a more safe and sane environment. Nothing better epitomizes their profession than their own code of ethics which reads as follows:

LAW ENFORCEMENT OFFICERS CODE OF ETHICS

As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception; the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality, and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in observing the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature, or that is confided to me in my official capacity, will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless

prosecution of criminals, I will enforce the law courteously and appropriately without force or violence and never accepting gratuities.

I recognize the badge of my office as symbolic of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession—Law Enforcement.

Traditionally, we Members of the Congress of the United States have been quick to respond to heroism. In our recognition of the law enforcement officer at this time let us take note of the fact that these men and women are living shields protecting our lives and our welfare. Oftentimes, police units are underfunded at local levels, frequently understaffed, and all too often unheralded.

In Florida's Fourth Congressional District, eight heroes have given up their lives in this decade of the 1980's, in service above and beyond the call of duty. By their commitment to their fellow Americans, and out of deep respect to their surviving families, their fellow officers, their friends and associates, it is fitting that this honor roll be read into the RECORD:

Officer Sam Etheredge, Daytona Beach Police Department; killed in an ambush while answering a shooting call on Christmas Day, 1980.

Officer Greg Joseph Sorrenson, Daytona Beach Police Department; injured when he was dragged by a speeding car while assisting in a disturbance call on March 27, 1981, subsequently expiring of injuries, July 26, 1982.

Deputy Frank Genovese, a former Daytona Beach police officer serving with the Palm Beach Sheriff's Office swat team, killed by a gunman who was "holed-up" in a building on June 3, 1982.

Deputy Steve Saboda, Volusia County Sheriff's Office, shot and killed in Deland, Fla., while working with a swat team attempting to move in on a subject who was fortified in a private residence, on November 6, 1982.

Officer Thomas Joseph Szafranski, Jacksonville Sheriff's Office, was killed when ambushed on a routine patrol in the early morning hours of May 23, 1981.

Cpl. C. L. Thomlinson, Trooper M. J. Cox and Trooper R. L. Pruitt, of the Florida Highway Patrol were killed when their plane crashed in St. Augustine, Fla., while searching the area for several escaped prisoners on July 13, 1981.

To these eight brave men who gave their lives in the line of duty and to all law enforcement heroes present, past and future, let us honor them by paying tribute to their courageous performance.

Let us be evermindful that between we who make the laws and those who break the laws exists the shield of honor, the badge over the heart of every man and woman serving in law enforcement throughout this great American precinct. A beat covered 24 hours, each and every day, at so many different levels, by men and women who are willing to lay down their lives for our loved ones, us, or for the millions of citizens whom they so unselfishly serve.

May God bless the law enforcement professionals throughout America.●

TIME FOR MEDICARE REVIEW

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1983

● Mr. MURTHA. Mr. Speaker, one of the great success stories of American Government programs is medicare.

Millions of older Americans are living longer, healthier lives because of medicare. In addition, many younger people can help their parents more because health care costs are met by the medicare program.

But some recent headlines have been disturbing. The Congressional Budget Office estimates the medicare hospital trust fund will be depleted by 1987 or 1988 unless changes are made in the law.

The good news of that report is that Congress has time to act. No older citizen need be concerned that his or her health care needs are not going to be met for the next few years. The bad news is that it is clear Congress must act so this does not become a crisis situation.

In 1965, senior citizens spent 20 percent of their income on health care. Today, even with the benefit of medicare, senior citizens are spending almost the same 20 percent of their income for health needs. What that shows is that the medicare reform challenge facing Congress has many parts: One, the system must be made financially sound; two, the financing must be firm so we do not lurch from crisis to crisis; three, a reevaluation is needed of benefits under the program, including suggestions I have endorsed for expansion in certain key areas such as forms of preventive health care; four, the medicare reforms must be seen as part of an overall effort to deal with the reemerging problem of health care costs in the United States.

Several proposals have been made for bipartisan commissions to review the situation and recommend solutions. Let me urge that Congress adopt an approach that uses the subcommittee in Congress with jurisdiction, with the input of an extra commission set up to review all options and get the ball rolling toward solutions.

The medicare program works. It is essential to millions of older Americans. Congress will not let it die, anymore than we would have let social security be destroyed. We will act; we need to do so without a crisis, and in time so we reassure Americans that medicare will survive and continue to improve.●

GOP ABC's

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1983

● Mrs. SCHROEDER. Mr. Speaker, the recent report by the National Commission on Excellence in Education about the problems in America was praised by President Reagan, who said the findings were consistent with the task of redefining the Federal role in education. Mr. Reagan's Education Secretary, T. H. Bell, said that to solve the problems mentioned in the report, "schools should not look to Washington for more aid, but to their State legislatures and local governments."

The same day the Commission's work was reported in Denver newspapers, another story appeared that the House GOP Caucus in the Republican-controlled Colorado State Legislature reduced State aid to Colorado's 181 State school districts to $659 million, down from the proposed budget of $680 million.

The Colorado House GOP does not share the same vision of their Washington brethren.●

OREGON STATE SENATE MEMORIALIZES U.S. GOVERNMENT TO STOP MILITARY AID TO EL SALVADOR

HON. JAMES WEAVER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1983

● Mr. WEAVER. Mr. Speaker, the President's recent announcement that the United States is supporting antigovernment guerrillas in Nicaragua has added fuel to the already vigorous debate underway about the U.S. current foreign policy in Central America. The American people are questioning the Reagan administration's support for repressive, authoritarian governments which do not respect their people's basic human rights. Ordinary Americans, who often see issues far more clearly than their elected leaders, are rightly wondering whether current U.S. policy is in the best interest of our country, or if it is consistent with the moral principles on which our Nation was founded.

I believe the people of Oregon have reached a consensus about continued U.S. assistance to one country in the

region, El Salvador. On Wednesday, April 6, the senate of the State of Oregon voted 29 to 1 to send a joint memorial to the President of the United States and the U.S. Congress, calling for an end to all military aid to El Salvador. I ask unanimous consent that this memorial be included in the RECORD.

[62d Oregon Legislative Assembly—1983 Regular Session]

SENATE JOINT MEMORIAL 6

To the Honorable President of the United States and to the Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Sixty-second Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas continued military assistance to the ruling junta in El Salvador in the form of military training, military equipment and military supplies, in the words of the late Archbishop of El Salvador who was nominated for a Nobel Peace Prize after his assassination in December 1980, "will without a doubt, sharpen the injustice and repression against the organizations of the people which have ceaselessly struggled to gain respect for their most fundamental human rights"; and

Whereas Amnesty International, Americas Watch, the Council on Hemispheric Affairs and the American Civil Liberties Union have estimated that between 6,000 and 9,000 civilians in El Salvador have been killed by governmental, paramilitary and right-wing groups in 1982; and

Whereas United States military assistance to El Salvador has increased dramatically from $5.9 million in FY 1979 to $116 million in FY 1982 (for a combined total of $311 million in military and economic aid in 1982). And further, that the Reagan Administration has requested $205 million in military aid to El Salvador in a worldwide assistance program for the current year; and

Whereas the United Nations General Assembly resoundingly adopted on December 17, 1982, a resolution condemning the recent human rights record of El Salvador and together with Amnesty International, Americas Watch, the American Civil Liberties Union, the National Conference of Catholic Bishops, the National Council of Churches of Christ, the United States Catholic Conference, the United Church Board for World Ministries, the Union of American Hebrew Congregations, the Archdiocese of San Salvador and 80 members of the House of Representatives of the United States of American have held that the human rights conditions in El Salvador have not significantly improved; and

Whereas the United General Assembly, the above human rights groups and the above mentioned clergy groups specifically call upon the governments of the world to refrain from selling arms to the government of El Salvador; and

Whereas we ought to recognize that it is not possible to force a solution on El Salvador by supporting an unpopular military government and that the consequence of trying to do so is immeasurable suffering for ordinary people in that country, and the eventual escalation of the conflict to region-wide proportions or worse; and

Whereas with the severe economic difficulties faced by the United States and the deep cuts in both state and federal programs, the moneys spent on military aid to El Salvador can be better spent supporting jobs programs in this country; now, therefore.

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) The government of the United States of America is memorialized to stop all further military aid to the government of El Salvador, until such a time as there is substantial and widely verifiable proof that the present policy of violent suppression of fundamental civil liberties and human rights has been terminated.

(2) A copy of this memorial shall be transmitted to the President of the United States, to the Secretary of State, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to the Chairman of the Senate Foreign Relations Committee and to each member of the Oregon Congressional delegation.●

HENRY DARTIGALONGUE

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1983

● Mr. BENNETT. Mr. Speaker, Henry Dartigalongue, an outstanding civic leader in Jacksonville, Fla., will retire today from the Southern Bell Co. after more than 52 years with the company. If you were talking with him now you would not feel he is even 52 years of age because he is such a vital person so interested not only in the company for which he has worked so long but in every civic endeavor to help his community and mankind.

Dartigalongue began his career at the age of 14 in 1931 as a $35 a month mail clerk in New Orleans. He attended Loyola University while working and in 1943 took a leave of absence to serve in the U.S. Navy as a lieutenant. He is retired as a lieutenant commander from the U.S. Navy Reserve.

After his active duty military tour, Dartigalongue transferred to Jacksonville in 1948 as a commercial department supervisor. His career path led to Miami in 1951 where he was promoted to district manager for Bell's north Miami district.

In 1959, Dartigalongue returned to Jacksonville with a promotion to north Florida division commercial manager of the Bell Co. Dartigalongue has been deeply involved in civic and charitable activities. He has served as president or chairman of 18 community organizations and held positions of leadership in an additional 19 organizations. Included in community posts held are: president of the South Jacksonville Rotary Club, president of the Jacksonville Convention and Visitors Bureau, president of the Gator Bowl Association, president of the Kiwanis Club and Kiwanis Charities. He has also served as president of the Navy League of the United States—Jacksonville Council, Arthritis Foundation, and the San Jose Country Club.

Dartigalongue has served as co-chairman of the United Way campaign and as a member of the executive committee of the organization. He has served in numerous capacities with the Jacksonville Chamber of Commerce, including member of the board of governors, vice chairman, membership chairman and executive committee member of the Committee of 100. He also served as the chamber's chairman of the Committee of 100 research committee and out-of-town committee.

In addition to serving as president of the Gator Bowl Association, Dartigalongue served as chairman of the selection committee and as a member of the selection committee for 15 years. He served as chairman of ticket sales for the American Professional Football Conference and as a member of the Jacksonville Quarterback Club.

Dartigalongue's community involvement led to appointments by Florida Governors to the board of the American Bicentennial Commission of Jacksonville and more recently to the Governor's Council of Sports and Physical Fitness.

He has served as vice president of the Jacksonville Symphony Association and Jacksonville University Council. He is a past president and past member of the board of governors of the San Jose Country Club.

In 1981, on his 50th anniversary with Southern Bell, Dartigalongue was honored by Mayor Jake Godbold's proclamation of "Henry Dartigalongue Day" in recognition of his community involvement. Dartigalongue has also been recipient of the Florida Telephone Association's Community Service Award.

Dartigalongue recalls that at the start of his career dial telephone service was just beginning to expand rapidly, and charges for an overseas call from New York to London had just dropped from $45 to $30 for 3 minutes. He has seen Jacksonville's telephones in-service quantity climb from 63,000 when he arrived for his first tour in 1948 to approximately a half million today.

His career with Southern Bell has been a tribute to himself and also to the Bell Co. because they have encouraged him in the tremendous civic activity and community involvement which I have outlined. Both he and the company are to be congratulated.●

AMENDMENTS TO THE BILINGUAL EDUCATION ACT

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1983

● Mr. GARCIA. Mr. Speaker, the administration has introduced their proposed legislative amendments to the

Bilingual Education Act. As chairman of the Congressional Hispanic Caucus and as a Member of Congress firmly committed to an educational system fostering opportunities for language minority students, I am very concerned about the consequences of these proposed amendments. Therefore, I would like to submit an analysis of this proposal prepared by the National Association for Bilingual Education.

The text of the analysis:

ANALYSIS OF ADMINISTRATION'S PROPOSED AMENDMENTS TO THE BILINGUAL EDUCATION ACT (ESEA Title VII), MARCH 22, 1983

Last week, the Education Department sent to Congress proposed legislative amendments to the Bilingual Education Act. The new amendments encompass most of the provisions included in S. 2412, which was introduced in the Senate last year on behalf of the Administration by former Senator S. I. Hayakawa. Although hearings were held on S. 2412 in April 1982, neither the House nor the Senate acted on the Administration's Title VII proposals in the 97th Congress.

The Administration's proposed Title VII amendments are drastic; they would fundamentally alter the purpose of the Bilingual Education Act and the operation of programs funded under Title VII. The impact of the Department's proposals on limited-English-proficient students and local school districts is explained in the following analysis of the proposed legislation's major provisions.

I. ELIMINATION OF NATIVE LANGUAGE INSTRUCTION

The proposed legislation would eliminate the current requirement that Title VII programs provide instruction in "the native language of the children of limited English proficiency" "to the extent necessary to allow a child to achieve competence in the English language. . . ." This flexible requirement is the heart of the Bilingual Education Act.

Historically, language-minority students in the United States have received unequal and inferior educational opportunities. The instruction they have received has too often been linguistically unintelligible, culturally insensitive, and educationally ineffective.

Although chronically underfunded, the Title VII program has helped to remedy this legacy of discrimination and neglect by promoting programs of Transitional Bilingual Education (TBE). As an educational approach, TBE has proven effective. It has successfully helped language-minority students to achieve English language competency and, at the same time, to acquire the subject matter skills imparted to other students.

In Secretary Bell's words, the proposed amendments would allow the Department "to fund whatever educational approach a school district believes warranted so long as that approach is designed to meet the special educational needs of the population and can be justified as appropriate by the school district." The draft legislation, however, does not provide measurable, objective standards which the Department could use to determine whether a school district's proposed educational approach is educationally "appropriate" and deserving of Federal support under Title VII.

Elimination of the current flexible requirement concerning the use of a child's "native language" is likely to result in Federal support for ineffective education programs, such as English language "submersion" programs, which have proven harmful to the academic achievement of language-minority students. Moreover, the absence of measurable, objective program standards in the Administration's legislative proposal would create new uncertainty for local school officials and is likely to result in inconsistent evaluations of competing Title VII applications.

II. "USUAL LANGUAGE" TARGETING CRITERIA

The proposed legislation would establish a "funding priority" for programs serving students whose "usual" language is other than English. Given the limited appropriations for Title VII (which currently support services to fewer than one-in-ten LEP students), this "funding priority" would be tantamount to an eligibility requirement.

In support of this new provision, the Administration has argued that "in a period of limited Federal resources, the new provision is needed to focus the program more specifically on those children of limited English proficiency who have the greatest immediate need for services." Nevertheless, the Administration has offered no pedadogical evidence, either theoretical or empirical, that this provision would actually target assistance on the LEP students most in need of Title VII services.

In fact, the Administration's proposed "funding priority" is pedadogically unsound in that it has no relationship to whether students are LEP, and therefore, in need of special instructional programs designed to remedy language skill deficiencies. The Administration's educationally invalid "targeting criteria" would have a cruel impact on LEP students and the schools they attend. The proposed "funding priority" would virtually preclude half of the LEP student population from receiving Title VII assistance and effectively bar an unknown number of schools from aid under the program.

Enactment of the Administration's proposed "funding priority" would conflict with the special provisions of the Bilingual Education Act which ensure that American Indian and Native Alaskan students receive Title VII services. Although most of these students do not "usually" speak a language other than English, many of these students are so limited in their English language proficiency that they cannot succeed in school without special language instruction. Nevertheless, the Administration's new "funding priority" would channel funds away from programs serving American Indian and Native Alaska students.

Another problem with the proposed "funding priority" is that it could not be implemented in a practical and uniform manner. What language a child "usually" speaks is difficult to assess and is without standards in any event. It is not surprising, therefore, that the Administration's amendments fail to define what is meant by the "usual" language "funding priority". Even if the proposed legislation included such a definition, implementation of the provision would generate pedadogically-irrelevant paperwork for school officials.

Enactment of the proposed "usual" language "funding priority" would assist the Administration in its continuing efforts to cut Title VII funding. Enactment of the "funding priority" would permit the Administration to claim that the Title VII "target" population is much smaller than the total LEP population which, according to a 1982 Department report, was estimated at 3.6 million students. Because the proposed "funding priority" is not related to educational need, population estimates based on the "funding priority" could be cited by the Administration as justifying further cutbacks in title VII programs.

III. REDUCTION OF AUTHORIZED FUNDS

The current authorization for Title VII alone, is $139.9 million. This figure, set by the Omnibus Budget Reconciliation Act of 1981, represents a drastic decrease of the amount of aid authorized by the 1978 Bilingual Education Amendments—over $400 million authorized for FY 1983.

For the last two years, the Reagan Administration has sought to cut Title VII appropriations to $94.5 million. Congress rejected the Administration's Title VII budget cuts last year and is likely to do so this year.

Having failed to secure cuts in the Title VII program through the appropriations process, the Administration is now proposing to cut the level at which funds are authorized to be appropriated under Title VII for FY 1984 to $94.5 million—the same level already rejected by Congress. Enactment of the proposed reduced authorization would have a devastating impact on thousands of LEP students and the financially hard-pressed schools they attend.

IV. DURATION OF TITLE VII ASSISTANCE

The Administration's proposed amendments would impose an absolute 5-year limitation on a school district's participation in the Title VII basic grant program. This time limitation would be in addition to the current limitation of three years on the duration of a basic grant which would be retained in the Act. According to the Administration, the 5-year limitation is needed to ensure that basic grants are focused on capacity-building.

Enactment of this provision would jeopardize the ability of many school districts to develop their capacity to serve LEP students. Because the limitation is absolute, it ignores changes in the size of a school district's LEP population or in the number of language-groups served by a school district.

Previous Administrations have also recommended a limitation on the duration of Title VII assistance. They have included in their proposals, however, a provision mandating waiver of the time limitation if the district could demonstrate that it was making satisfactory progress under its grant and that: it had continuing needs which could not be met through local resources; it had "experienced a recent substantial increase in the number of [LEP] students"; or that it was under an obligation to provide bilingual education pursuant to a court order or a Title VI plan.

The Reagan Administration's proposed limitation ignores all factors relating to the need for Title VII assistance. Because the limitation is predicated on a static concept of both service demand and service capacity, it will result in the denial of necessary Title VII assistance to local school districts, especially those districts which are impacted by substantial and often sudden growth in the size and diversity of their LEP student enrollment.

V. GRANTS TO SEAS

The Administration's bill would replace the current program of grants to State education agencies (SEAs) with a new, ill-defined, expensive "New Federalism" experiment. This experiment would change the purpose of the present SEA grant program, confuse the respective roles and authority

of the Federal and State governments, and increase the program's cost.

Under the current law, States may receive grants "for the coordination by such State agency of technical assistance to programs of bilingual education in such State assisted under (Title VII)." The Administration's bill would change the purpose of SEA grants from technical assistance to program evaluation and review. To receive a grant under the Administration's bill, a SEA would have to "enter into [an] agreement . . . to carry out activities for reviewing and evaluating programs of bilingual education assisted under this title in such State."

Moreover, under the proposed agreements, the SEA would surrender virtually all authority to the Federal Education Department. The Administration's proposal provides:

Each State that enters into such an agreement shall review and evaluate programs of bilingual education assisted or proposed for assistance under this title in such State, *in accordance with any standards that the Secretary may prescribe by regulations.* (Emphasis added)

State education agencies which refused to enter into these open-ended, one-sided agreements would not receive grants under Title VII.

The Administration's proposal to eliminate the current Title VII SEA grant program in favor of an experiment in "New Federalism" involves added expenditures of limited funds for administrative as opposed to instructional services. To entice State Education Agencies to sign the proposed agreements, the Administration proposes to raise the ceiling on the percentage of funds a SEA can receive under Title VII. SEA grants are currently limited to not more than 5 percent of the funds received in the previous year by LEAs in the State under the basic and demonstration grant programs. The Administration's proposal would increase the current SEA grant ceiling to 10 percent. This doubling of the cost of the SEA grant program would result in a reduction of funds to LEAs for the development of vitally-needed service capacity.

VI. BILINGUAL VOCATIONAL EDUCATION

The Administration's proposed Title VII amendments would add a new section to the statute authorizing the Secretary to conduct vocational programs. Although the new section appears innocuous, it is unclear whether the new section is meant to supplement or to supercede the authorization set out in Part B of the Vocational Education Act. What is clear is that the new section would not constitute an adequate substitute for the Vocational Education Act's comprehensive provisions concerning Bilingual Vocational Training.●

TED DUCKWORTH: A TRUE HUMAN BEING

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday May 2, 1983

● Mr. GILMAN. Mr. Speaker, it is rare that one meets an individual whose generous kind deeds and whose concern for humanity are remembered year after year. But Ted Duckworth, a British citizen, is such a person whose humane deeds of the 1940's are so remembered by one of my constituents, Lorraine Erlanger of New City.

Lorraine was a young woman during the Holocaust years of the 1940's. Between the ages of 13 and 16, she spent 3 years in five different concentration camps. The sole survivor of both her family and her home community, Lorraine was truly alone in the world.

It was at the time of liberation that Lorraine met Ted Duckworth, an RAF soldier, who, along with another young soldier, cared for Lorraine for a long time. Ted made certain that Lorraine was properly cared for, that she received adequate food, clothing, and shelter. Ted "went beyond the call of duty" in seeing to Lorraine's welfare, and even called upon his own family to send clothing and other necessities. Until Lorraine left for Frankfurt, and then to the United States, her life was in his hands.

Lorraine has kept in touch with Ted Duckworth over the last 38 years, never forgetting his gentle kindness to her. A call at Christmas time, to wish each other well, was the tie that continued to bind them together.

Many times Lorraine asked Ted what she could to do repay him for giving her back her life, and the answer was always—nothing. This selfless man only did what he thought to be the right thing, Mr. Speaker, yet in the face of the events of those years, what Ted did was truly to be admired. After many attempts, Lorraine has persuaded Ted to come to the United States, and on May 10, at the New City Jewish Center, their reunion after so many years will be celebrated, along with Ted's birthday. Other joyous events commemorated that day will include Lorraine's birthday and that of her son.

Out of the ashes of the Holocaust comes life. Lorraine and her son's, might very well not be with us today had Ted Duckworth not been there.

We all know that the righteous exist in this world, and all too often they want no recognition for their actions. Ted is one such man, to whom we owe our gratitude, because it is written, "he who has saved one life, saves the world."

Mr. Speaker, for his generous kindness, for his concern for humanity, Ted Duckworth is deserving of special recognition by all of us in this body, and particularly by all those who so vividly recall the inhumanity of the Holocaust.●

THE PRICE OF IMPERIALISM

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1983

● Mr. RITTER. Mr. Speaker, I am enclosing a recent editorial by noted columnist Georgia Anne Geyer of the Washington Times on the continuing tragedy in Afghanistan which I urge my colleagues to read. Ms. Geyer questions the validity of statements made by the Soviets about a possible withdrawal from the Afghanistan.

Afghanistan has not been too easy for the Soviets. Not only has their sophisticated war machine been challenged by irregulars, but they have lost credibility with the Third World. To offset this rebuke, the Soviets have been spreading rumors and dropping hints at the recent Non-Aligned Conference in New Delhi that they want out of Afghanistan. This is not the first time such sentiment has been heard. If the Soviets clearly want to end the war and allow the Afghans to rebuild their country, then all efforts must be used to get the Soviets out of Afghanistan and have it respected as a sovereign nation.

Knowing past Soviet behavior, I cannot help but share Ms. Geyer's concern. While the Soviets are dropping hints about withdrawing from Afghanistan, they continue to drop bombs and chemicals on the people of Afghanistan. I urge my colleagues and our representatives to the United Nations to encourage the Soviets to get out of Afghanistan.

The editorial follows:

THE CRUCIFIXION OF AFGHANISTAN GOES ON

(By Georgie Anne Geyer)

ISLAMABAD, PAKISTAN.—Could the Soviet Union possibly be ready to withdraw from Afghanistan? From the Khyber Pass to New Delhi, that is the ever-more-compelling whisper in the corridors of the subcontinent.

Here in Pakistan, military President Mohammed Ziaul-Haq repeatedly has voiced that hope and conviction. Talks are again underway in Geneva between Pakistan and the Babrak Karmal puppet regime in Kabul. The Soviets finally have begun covering the Afghan war on Soviet television, giving rise to speculation they are preparing the population for a withdrawal. And American observers increasingly are confused by what they see as often contradictory signals.

"There is a certain new sense of accommodation in Moscow," a highly placed Pakistani official told me. Like everyone else discussing this delicate subject, he did not want to be identified. "The mediation of the United Nations is proving far more hopeful than we expected. The Russians have been dropping hints." Then he paused. "Whether this is a policy change or a smoke screen . . ." His voice trailed off.

What the Russians have been telling everyone from President Zia to the Indians to U.N. officials is that they genuinely want to withdrawn from Afghanistan if there could be a "positively neutral" government that would not be hostile to them. (The fact that they had one for 50 years before they invaded the country is not mentioned).

But even if this is believed, how is it possible for the Soviets to have a "positively neutral" relationship with a people they have bombed and killed? Or is there possibly something else here?

The Third World argument, put forward hesitantly by Pakistan, is that the Russians are ready to cut a deal; that party chief Yuri Andropov realizes the U.S.S.R. has gotten stuck in the wildness of the Afghan mountains.

His KGB, after all, was not in favor of the Afghan invasion. The Soviets have become so mired in their colonial war that they couldn't even support the Palestine Liberation Organization in Beirut.

So the reasoning goes.

After observing the situation, and after talking with leaders in several countries of the subcontinent, I have come up with a cynical interpretation of the drama—or should we say charade?

The Russians are doing poorly in Afghanistan—that much we know. But the talk of withdrawal is basically a smoke screen designed to hide and confuse certain important elements.

Leading participants at the recent nonaligned movement summit in New Delhi, where the Soviets for the first time came under real criticism from the Third World, point out that the final communiques would have been far more critical of the Soviets had the Russians not cunningly put forward their gestures about withdrawal and "positive neutrality." The Soviets bought off the conference, so to speak, with fancy talk and quick action.

But they are also buying off criticism from the deeply troubled Pakistanis, who understandably want to believe in the Soviets' change of heart.

In many discussions here with high-level officials I have found that they begin by saying that, yes, the Soviets are showing a new spirit of "accommodation" over Afghanistan. Didn't Andropov convincingly tell Zia that he wanted a reasonable "out" of Afghanistan? Didn't he say the same things to the Indians, to the United Nations? Wasn't the invasion hurting the Soviets everywhere, particularly in the Third World? Weren't they taking unacceptable losses in Afghanistan?

All this is asked, said, confirmed—and then suddenly the mood changes. In all the talks, at the end the person acknowledges that, no, the Soviets really have no intention of withdrawing, but what can a threatened country like Pakistan do?

Pakistan is deeply threatened by the destabilizing effects of the war in Afghanistan. Pakistan has Afghani Mujhadin waging attacks on Afghanistan from Pakistani territory. The fear that the Russians might begin "hot pursuit" tactics inside Pakistan or provide even further support to anti-Zia political opposition leaders here.

Pakistan has to talk with the Soviets. It must even engage in admittedly fruitless talks with their puppet, Karmal, in order to reduce pressures internally and on the troubled frontier.

But a solution to the situation in Afghanistan? No. After several weeks in the area, I am convinced that it is just not in the cards, despite the superficially optimistic talk all over the subcontinent about a Russian withdrawal.

What we are seeing on all sides are attempts to buy time. Meanwhile the crucifixion of Afghanistan goes on.●

IT'S TIME TO BAN, NOT PRODUCE, NEW CHEMICAL WEAPONS

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 1983

● Mr. ZABLOCKI. Mr. Speaker, last year the House expressed overwhelming support for the pursuit of chemical weapons arms control agreement, instead of a chemical arms race, when it adopted by a vote of 251 to 159 an amendment to prohibit binary chemical weapons production, which I offered with our colleague from Arkansas, Hon. ED BETHUNE.

Despite the Congress clear rejection of the binary chemical weapons production program last year, the Reagan administration is again seeking, in its fiscal year 1984 military budget request, funds for the production of these weapons. It is my expectation that the Congress will again choose chemical arms control over a chemical arms race, and I urge the Reagan administration to bear this point in mind as it considers in the weeks ahead ways to cut the fiscal year 1984 military budget.

Mr. Speaker, shortly before the House debate on the binary chemical weapons program last July, the Subcommittee on International Security and Scientific Affairs, which I chair, held hearings on the foreign policy and arms control implications of chemical weapons. During these hearings, a variety of defense and security experts examined the relationship between the proposed binary chemical weapons program and the pursuit of U.S. foreign policy and arms control interests.

One witness in particular, Hon. Charles C. Flowerree, the former chief negotiator in the bilateral chemical weapons negotiations, contributed significantly to the subcommittee's understanding of the progress that was achieved during the past bilateral chemical weapons negotiations, the political problems with our NATO allies posed by binary chemical weapons, and the need for bilateral negotiations in order to achieve a comprehensive, verifiable chemical weapons ban.

Ambassador Flowerree's expertise is again evident in a recent article entitled "Chemical Weapons: A Case Study in Verification", which appears in the April 1983 issue of Arms Control Today.

In this article, Ambassador Flowerree examines the implications of alleged chemical weapons use by the Soviets or Soviet allies for future chemical arms control efforts. In addition to articulating the need for improvements in the existing 1925 Geneva Protocol and the 1972 Biological Weapons Convention, Ambassador Flowerree again underscores the importance of resuming United States-Soviet negotiations.

In light of the possibility of another major debate in the Congress on a chemical arms buildup versus pursuit of a chemical arms ban, I urge my colleagues to examine Ambassador Flowerree's article, which appears below:

[From Arms Control Today, Vol. 13, No. 3, April 1983]

CHEMICAL WEAPONS: A CASE STUDY IN VERIFICATION

(By Charles C. Flowerree)

On December 1, 1982 a group of experts appointed by the UN Secretary General submitted to the General Assembly a final report on its investigation into the use of chemical weapons in Southeast Asia and Afghanistan. The report formally concluded the first international fact-finding effort ever organized on a question of compliance with a multilateral agreement limiting armaments. The report and the events leading up to it provide a graphic illustration of the current problems and prospects of multilateral arms control of chemical and biological weapons.

BACKGROUND

Reports and eyewitness accounts of the use of toxic chemicals against the H'Mong people of Laos first began to emerge within a year after the U.S. withdrawal from Vietnam and similar reports soon began to come from Kampuchea (Cambodia). Following the Soviet invasion of Afghanistan, there were also reports that various types of chemical weapons had been used against the Mujahidian guerillas. By late 1978 the United States had initiated actions through diplomatic channels. The U.S. first expressed its concern to the Lao government and later to the governments of Vietnam and the Soviet Union. In addition State Department representatives and a Defense Department medical team were dispatched to Thailand to interview H'Mong refugees claiming to have knowledge of chemical attacks.

As the evidence grew, the Carter Administration decided to press for an impartial investigation of the use of chemical weapons in Laos, Kampuchea and Afghanistan. In August 1980, the United States circulated a compendium of reports and other relevant information to UN member states. That same month, the Committee on Disarmament in Geneva decided to include language in its annual report to the UN on the need for an impartial international investigation of the problem of chemical weapons use.

At the General Assembly in the fall of 1980 New Zealand introduced a resolution requesting the U.N. Secretary General to undertake an investigation of the reported use of chemical weapons in Southeast Asia and Afghanistan, with the assistance of qualified medical and technical experts. This resolution, which was encouraged by the United States and supported by Western delegations and a handful of nonaligned, provoked a vigorous and sometimes heated debate. It was adopted in its final form by the General Assembly, despite all-out Soviet opposition, by a substantial margin of 78 in favor of 17 opposed, with 36 abstentions. The vote, however, did not reflect the drama of the fight for the resolution's passage, which involved numerous procedural struggles and several attempts to

amend it radically. Moreover, adoption of the resolution was merely the first hurdle that the investigation had to clear.

Difficulties in finding qualified experts who were able to serve and numerous other organizational problems caused the U.N. Group of Experts to get off to a late start. In fact, when the next General Assembly session was well under way, at the end of October 1981, the group was just making its first visit to Thailand. It had not yet completed arrangements for visiting Pakistan and had no prospects for visits to Loas, Kampuchea or Afghanistan.

The inability of experts to complete their task necessitated a new resolution extending their mandate. Again the Soviets and their supporters made a vigorous effort to defeat the resolution; but it was adopted by a slightly larger vote than that of the previous year.

The extension allowed the Group of Experts to accomplish enough work to present a reasonably detailed report to the 37th General Assembly in 1982. The investigation, however, fell far short of fulfilling the optimum objectives. The experts were not permitted to visit any of the areas where chemical attacks were alleged to have occurred. Great difficulties were encountered in handling and transporting samples of alleged toxic substances, blood and tissue that the experts had acquired in their visit to Thailand. Even more frustrating was the task of arranging to have these specimens analyzed by qualified laboratories. Logistic and scheduling difficulties also hampered their work in Pakistan and Thailand. Several pages of the final report are devoted to a description of the Group's bizarre negotiations with Kampuchean authorities for permission to visit the site of a reported attack, negotiations which ended in total frustration. Likewise the report contains a long account of the experts' misadventures in trying to nail down a laboratory to examine the samples acquired in Thailand. They eventually succeeded but the long delay contributed to the degrading of the usefulness of the laboratory results. Under the circumstances, and given the fact that they were dealing with a political hot potato, it is remarkable that the experts accomplished as much as they did.

The experts did not find a smoking gun, i.e., they did not find direct evidence to prove that chemical or toxin weapons had been used. On the other hand, the experts said they could not disregard the circumstantial evidence suggesting the possible use of "some sort of toxic chemical substance in some instances." These findings were cited as support for their positions by both the suspected perpetrators of chemical warfare (the Soviet Union and its Vietnamese allies) and those who had brought the charges before the court of world opinion (the Western allies and some non-aligned nations). One UN official privately characterized this as a happy outcome since it gave a measure of satisfaction to both sides. But clearly this result was not satisfactory from the point of view of effective implementation of arms control agreements.

THE COMPLIANCE PROBLEM

The UN investigation of the possible use of chemical and toxin weapons illustrates the key problem of the existing multilateral agreements on these weapons: the lack of the mechanism to ensure compliance. Even if the Group of Experts had come up with an absolutely clear-cut finding that toxic substances had been used, the Group had no mandate even to make recommendations on follow-up steps. The only compliance mechanism provided for in the 1975 Biological Weapons Convention (BWC) is for a nation with evidence of violations of the convention to raise the matter with the Security Council. For the U.S. to do so in the case of Soviet or Vietnamese actions would simply invite a Soviet veto. (This dilemma also arose in connection with the still unresolved mystery of what happened at Sverdlovsk in April 1979. After a series of unsatisfactory consultations with the Soviet Union, the United States found itself stymied unless it wanted to bring the Sverdlovsk case, which was based on ambiguous evidence, to the Security Council.)

At bottom, all multilateral treaties relating to arms control and disarmament rely on the self-interest of the contracting parties and on the restraining effects of world opinion on would-be violaters. Unfortunately, as the chemical weapons controversy shows these restraints are not always sufficient. For many countries, some outside the Iron Curtain as well as those behind it, the opprobrium of world opinion—even backed by heavy votes in the UN—has little effect if the condemned country believes its high national interests are at stake. This is not to say that world opinion is meaningless. But its effect is, at best, hard to measure and is certainly not immediate.

The ultimate sanction is, of course, withdrawal from the treaty. But in a democracy, only a clear and present danger to national security would make withdrawal politically acceptable. The situation will usually be much more ambiguous.

The Group of Experts' experience in Southeast Asia and Afghanistan illustrates these limitations on the international community's ability to deal with compliance problems. Whether one is convinced or not about the accuracy of the charges or about the use of chemical weapons (and for the record the author is persuaded that toxic substances have been used in hostilities in Southeast Asia and Afghanistan) the adamant refusal of the governments of Laos, Kampuchea and Afghanistan—all closely linked to the Soviet Union—to permit neutral investigations on their soil has left the atmosphere still clouded. As long as this situation remains unchanged the doubts will linger.

Unfortunately, the weaknesses of the Geneva Protocol and the Biological Weapons Convention are not unique. Multilateral treaties governing certain forms of military activity on the seabed, in Antarctica, and in outer space are equally deficient on the matter of verification. Fortunately no suspicion of violation of these treaties has arisen thus far. The 1978 Environmental Modification Treaty which prohibits such things as rain making and creating artificial tidal waves for hostile purposes, took a small step forward by adding a provision for a Consultative Committee of Experts to act as a fact finding body, but the procedures for convening the Committee are cumbersome and the terms of reference imprecise.

MAKING IMPROVEMENTS

How then can confidence be increased in the effectiveness of the 1925 Geneva Protocol and treaties like the Biological Weapons Convention? Clearly new procedures need to be developed, but there is no consensus on the forms they might take. This question was addressed with regard to both these treaties at the most recent General Assembly.

In an attempt to strengthen the Geneva Protocol, and to avoid the problems the Group of Experts suffered in Southeast Asia, a resolution (37/98D) was adopted requesting the Secretary General to:

(a) Undertake investigations of any reports of violations of the Protocol;

(b) Draw up a list of qualified experts who could be regularly available to conduct investigations;

(c) Designate laboratories which would have the capability of analyzing samples;

(d) Appoint a committee of experts to study the question of procedures for conducting investigations of reported violations of the Protocol.

This resolution was adopted by a vote of 86 in favor, 19 against and 33 abstentions. The "no" votes included all of the Eastern European countries as well as Afghanistan, Vietnam and Laos.

Another resolution (37/98C) recommended that the parties to the BWC holds a special conference to strengthen its compliance provisions.

While these are welcome developments, the possibility of a great leap forward in the near future is remote. The mechanics of modifying a multilateral treaty or of establishing new institutions to enforce any existing agreement are of themselves daunting. Somehow all of the parties must be brought to accept both the need for change and the form it is to take. Not all countries are agreed that new compliance provisions are needed. The vote on the resolution pertaining to the Biological Weapons Convention was 126 to 15 with one abstention. Again, "no votes were cast by the Soviet Union, and its client states.

While the actions of the Soviets and their clients is a matter for serious concern, the picture is not entirely bleak. The support of the majority of nations voting in the General Assembly for more effective verification is encouraging. This general support needs to be harnessed to practical measures similar to those which have been developed in the many arms control negotiations that have been conducted over the last two decades. The Standing Consultative Commission (SCC) established to consider compliance problems arising out of the SALT I and ABM Treaties has considerable relevance to compliance mechanisms for multilateral treaties. The techniques being investigated by a group of seismic experts, under the aegis of the Committee on Disarmament, for the international exchange of seismic data and the effort by ACDA and the IAEA to develop a remote sensing system to monitor peaceful nuclear installations (Project Recover) show what can be done in the way of international cooperation in verification. A group of chemical experts has been meeting under the auspices of the Committee on Disarmament to work on technical problems relating to the effective functioning of a future treaty banning chemical weapons. The Soviet Union and other communist countries have been participating in all these efforts. Granted that cooperation in more or less theoretical exercises is not the same as cooperating in an investigation when violation of an agreement is at issue, still the signs point to the fact that the Soviets are not oblivious to the importance of being seen to be cooperative in these areas of arms control.

There is another aspect of Soviet behavior that is highly relevant to the question of how to ensure compliance with international agreements. They have repeatedly demonstrated a preference for arrangements negotiated in confidence on a bilateral basis to those in which the whole world is involved.

In the still unratified U.S.-Soviet treaty governing peaceful nuclear explosions, for example, they agreed to some rather elaborate procedures for verifying the location and size of such explosions. It is unlikely that they would have accepted similar provisions in a treaty negotiated multilaterally.

In the field of chemical weapons, the United States and the Soviet Union negotiated intensively for more than three years up through the summer of 1980 on a treaty banning the development, production and stockpiling of lethal and highly toxic chemical weapons. (The Geneva Protocol applies only to use, not to possession of chemical weapons). These bilateral negotiations, which have been suspended since then, did not achieve agreement on the problem of verification but did resolve some other issues on this complex subject. In fact the Committee on Disarmament, which has been considering the CW problem for some time and is now charged with drafting a treaty, has drawn heavily on the joint U.S.-Soviet progress report submitted to the Committee in August 1980.

It is a fact of life, although not always enthusiastically embraced by the non-aligned nations, that the sine qua non for progress on multilateral treaties in the field of arms control and disarmament is prior agreement by the United States and the Soviet Union on its major provisions. While the fact that the Committee on Disarmament (CD) has now entered full scale negotiations on a CW treaty is a welcome development (Vice President Bush stated U.S. support for this effort when he spoke before the Committee on February 4 and the U.S. delegation has tabled detailed views on the contents of a chemical weapons ban), the prospects for success of these negotiations are tied to the ability of the U.S. and Soviets to work out mutually acceptable vertification procedures regarding the destruction of stockpiles and the non-production of prohibited chemicals.

A realistic assessment would not rate the chances of early agreement as being very high. The kinds of activities involved will require verification measures that are highly intrusive. On this point the Soviet position in the bilaterals was rather rigid, but their position does not enjoy general approbation as shown by the discussions in the Committee on Disarmament. Nearly all the non-aligned countries as well as the Western delegations have come down on this side of some sort of international inspection mechanism which the Soviets have resisted. The Soviet position has been made less comfortable by the evidence that they have been providing chemical weapons to be used against people in under-developed countries. Thus the pressure is on them to move toward a position that will make an agreement banning chemical weapons possible, an agreement that is overwhelmingly desired by the world community.

In these circumstances a renewal of private discussions between the U.S. and Soviets is both necessary and inevitable. Such discussions need not be in the form of formal negotiations but they should be conducted in a manner which could lead to an agreement. The United States, with the backing of its allies and many other influential countries, would be in a strong position in such negotiations. If the Soviets were not willing to show some give, this would soon become apparent. If there were no progress at the bilateral level, the reason would be well understood by the rest of the countries involved in the multilateral negotiations.

Eliminating the scourge of chemical warfare is as difficult a test as any the world faces in the realm of arms control. Success is by no means a certainty, but if it is to be achieved, a broad range of actions will be required. The United States and other countries, such as Thailand, which have undertaken independent investigations of chemical weapons use will have to make their case more effectively in order to generate the kind of pressure that might produce a change in the actions and attitudes of the governments implicated by the evidence. More resources will have to be devoted in the United States and elsewhere to the search for better verification techniques relating to the destruction and nonproduction of chemical weapons.

Finally, United States policies will have to be geared to take advantage of the synergistic relationship between multilateral negotiations in the CD and bilateral negotiations with the Soviet Union as a way of trying to break the deadlock on verification which stands as the main obstacle to the achievement of a satisfactory agreement on the prohibition of chemical weapons.●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, May 3, 1982, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 4

9:00 a.m.
Armed Services
Sea Power and Force Projection Subcommittee
Closed business meeting, to mark up certain provisions of S. 675, authorizing funds for fiscal year 1984 for military programs of the Department of Defense.
SR-222

9:30 a.m.
Appropriations
To continue hearings on Senate Concurrent Resolution 26, approving the obligation and expenditure of funds for MX missile procurement and full-scale engineering development of a basing mode.
SD-192

Labor and Human Resources
Business meeting, to mark up S. 1008, to revise provisions for financial assistance to meet the special educational needs of disadvantaged children, and consolidation of Federal programs for elementary and secondary education, S. 1091, to authorize funds for fiscal years 1984-87 to develop and improve math and science education programs, S. 530, to provide Federal assistance to upgrade instruction in mathematics, science, computer technology and foreign languages in the Nation's institutions, and to provide assistance for employment-based vocational training programs, and S. 1087, to authorize funds for fiscal year 1984 for the National Science Foundation.
SD-430

10:00 a.m.
Banking, Housing, and Urban Affairs
To continue oversight hearings to review the current state of and competition within the financial services industry.
SD-538

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

*Environment and Public Works
To continue hearings on the nomination of William D. Ruckelshaus, of Washington, to be Administrator of the Environmental Protection Agency.
SD-106

Governmental Affairs
Permanent Subcommittee on Investigations
To continue hearings to examine allegations of fraud and misapplication of Government funds in the shipbuilding industry.
SD-342

Judiciary
Criminal Law Subcommittee
To hold hearings on S. 829, proposed Comprehensive Crime Control Act.
SD-226

Joint Economic
To hold hearings to examine certain aspects of the proposed Federal budget.
SD-124

10:30 a.m.
Judiciary
Separation of Powers Subcommittee
To resume hearings to explore certain Federal court procedures relating to the exclusionary rule, habeas corpus, and related matters.
SR-418

2:00 p.m.
*Appropriations
Defense Subcommittee
To hold hearings on the supplemental budget request for fiscal year ending September 30, 1983, for the defense establishment.
SD-138

Armed Services
Preparedness Subcommittee
Closed business meeting, to mark up certain provisions of S. 675, authorizing funds for fiscal year 1984 for military programs of the Department of Defense.
SR-222

Judiciary
To hold hearings on pending nominations.
SD-226

*Labor and Human Resources
To hold hearings on proposed legislation authorizing funds for the Legal Services Corporation.
SD-430

MAY 5

9:30 a.m.
Appropriations
To continue hearings on Senate Concurrent Resolution 26, approving the obligation and expenditure of funds for MX missile procurement and full-scale engineering development of a basing mode.
SD-192

Banking, Housing, and Urban Affairs
Housing and Urban Affairs Subcommittee
To hold hearings to review certain secondary market and mortgage foreclosure issues.
SD-538

Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings to examine the effects of coal slurry pipelines on the rail industry, shippers, and consumers.
SR-253

Labor and Human Resources
To hold hearings on S. 772, to establish an Interagency Committee on Smoking and Health to coordinate Federal and private activities to educate the public about the health hazards of smoking.
SD-430

10:00 a.m.
Armed Services
Manpower and Personnel Subcommittee
Closed business meeting, to mark up certain provisions of S. 675, authorizing funds for fiscal year 1984 for military programs of the Department of Defense, and S. 989, proposed Omnibus Military Personnel Act.
SR-232A

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

*Environment and Public Works
To continue hearings on the nomination of William D. Ruckelshaus, of Washington, to be Administrator of the Environmental Protection Agency.
SD-106

Foreign Relations
Business meeting, to resume mark up of S. 637, authorizing funds for fiscal years 1984 and 1985 for international security and developing assistance programs, S. 638, authorizing supplemental funds for fiscal year ending September 30, 1983, for international security assistance, S. 701, authorizing funds for fiscal years 1984 and 1985 for the Peace Corps, and S. 714, authorizing funds for fiscal years 1984 and 1985 for the Inter-American Foundation.
SD-419

Governmental Affairs
To hold hearings on S. 20, to provide for a 2-year budget process.
SD-342

11:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1984 for the Office of Revenue Sharing (New York City loan program), Federal Home Loan Bank Board, National Credit Union Administration, and the Environmental Protection Agency.
SD-124

2:00 p.m.
Armed Services
Tactical Warfare Subcommittee
Closed business meeting, to mark up certain provisions of S. 675, authorizing funds for fiscal year 1984 for military programs of the Department of Defense.
SR-222

Foreign Relations
Business meeting, to resume markup of S. 637, authorizing funds for fiscal years 1984 and 1985 for international security and development assistance programs, S. 638, authorizing supplemental funds for fiscal year ending September 30, 1983, for international security assistance, S. 701, authorizing funds for fiscal years 1984 and 1985 for the Peace Corps, and S. 714, authorizing funds for fiscal years 1984 and 1985 for the Inter-American Foundation.
SD-419

3:00 p.m.
Judiciary
Juvenile Justice Subcommittee
Business meeting, to mark up S. 53, to establish an Office of Justice Assistance to assist local law enforcement officials in fighting crime, and S. 57, to increase penalties for the sexual exploitation of children.
SD-226

MAY 6

9:00 a.m.
Armed Services
Military Construction Subcommittee
Closed business meeting, to mark up S. 720, authorizing funds for fiscal year 1984 for military construction programs of the Department of Defense.
SR-222

9:30 a.m.
Joint Economic
To hold hearings on the employment-unemployment situation for the month of April.
SD-106

10:00 a.m.
Energy and Natural Resources
Energy and Mineral Resources Subcommittee
To hold oversight hearings on the strategic petroleum reserve to review financing mechanisms, interim storage, fill capacity, and other related issues.
SD-366

Governmental Affairs
Information Management and Regulatory Affairs Subcommittee
To hold oversight hearings on the implementation of the Paperwork Reduction Act of 1980.
SD-342

MAY 9

8:30 a.m.
Armed Services
Strategic and Theater Nuclear Forces Subcommittee
Closed business meeting, to mark up certain provisions of S. 675, authorizing funds for fiscal year 1984 for military programs of the Department of Defense, S. 1106, authorizing funds for the fiscal year ending September 30, 1983, for national security programs of the Department of Energy, and S. 1107, authorizing funds for fiscal years 1984 and 1985 for national security programs of the Department of Energy.
SR-222

9:30 a.m.
Finance
Health Subcommittee
To hold hearings on the administration's budget proposals for fiscal year 1984 to revise beneficiary cost-sharing requirements under the medicare and medicaid programs.
SD-215

Labor and Human Resources
Handicapped Subcommittee
To hold hearings on proposed legislation authorizing funds for the Education for the Handicapped Act, and proposed legislation authorizing funds for the Rehabilitation Act.
SD-430

10:00 a.m.
Labor and Human Resources
Employment and Productivity Subcommittee
To resume hearings on S. 811, proposed Health Care for Displaced Workers Act.
SD-628

Rules and Administration
To hold hearings to review recommendations of the Senate study group on U.S. Senate practice and procedure.
SR-301

3:00 p.m.
Energy and Natural Resources
Public Lands and Reserved Water Subcommittee
To resume hearings on S. 916 and S. 848, bills to provide for the orderly termination, extension, or modification of certain contracts for the sale of Federal timber.
SD-366

MAY 10

8:30 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1984 for certain programs of the Departments of Labor, Health and Human Services, Education, and Related Agencies.
SD-116

9:00 a.m.
Commerce, Science, and Transportation
To hold hearings on the nomination of E. Pendleton James, of California, to be a Member of the Board of Directors of the Communications Satellite Corporation.
SR-232A

9:30 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on S. 999, proposed International Telecommunications Act.
SR-253

10:00 a.m.
Appropriations
Defense Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1984 for certain defense related programs, focus-

ing on arms control and military strategy.
SD-192

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Environment and Public Works
Business meeting, to consider pending calendar business.
SD-406

Foreign Relations
Business meeting, to consider pending calendar business.
SD-419

Judiciary
Business meeting, to consider pending calendar business.
SD-226

Rules and Administration
To hold hearings on certain matters relating to the Senate media galleries, including membership, rules and procedures, outside activities of gallery staff, space and facilities, and security clearances for gallery members.
SR-301

2:00 p.m.
Foreign Relations
Business meeting, to consider pending calendar business.
SD-419

Governmental Affairs
Intergovernmental Relations Subcommittee
To hold hearings on proposed legislation to transfer authority for the Catalogue of Federal Domestic Assistance from the Office of Management and Budget to the General Services Administration.
SD-342

MAY 11

9:30 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To continue hearings on S. 999, proposed International Telecommunications Act.
SR-232A

Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

10:00 a.m.
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on oil pipeline deregulation.
SR-253

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Governmental Affairs
To resume hearings on S. 121, to establish a U.S. Department of Trade as an executive department of the Federal Government.
SD-342

Governmental Affairs
Governmental Efficiency and the District of Columbia Subcommittee
To hold hearings on the District of Columbia school system's career oriented curriculum.
SD-124

Judiciary
Criminal Law Subcommittee
To resume hearings on S. 829, proposed Comprehensive Crime Control Act.
SD-226

Veterans Affairs
Business meeting, to mark up S. 992 and S. 1033, bills to provide emergency job training and employment programs for veterans.
SR-418

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

MAY 12

9:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on certain tragedies involving children.
SD-562

Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on computerization of criminal history.
SD-226

Labor and Human Resources
To resume hearings on S. 772, to establish an Interagency Committee on Smoking and Health to coordinate Federal and private activities to educate the public about the health hazards of smoking.
SD-430

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1984 for the Department of Housing and Urban Development.
SD-124

Environment and Public Works
Business meeting, to consider pending calendar business.
SD-406

Governmental Affairs
To continune hearings on S. 121, to establish a U.S. Department of Trade as an executive department of the Federal Government.
SD-342

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1984 for territorial affairs.
SD-192

Governmental Affairs
To hold hearings on the nomination of David H. Martin, of Maryland, to be Director of the Office of Government Ethics.
SD-342

Judiciary
Constitution Subcommittee
To resume hearings on S. 81 and S. 141, bills to revise current law relating to civil actions for the deprivation of rights.
SD-226

MAY 13

9:30 a.m.
Finance
Taxation and Debt Management Subcommittee
To hold hearings on S. 137, to permit the continued issuance of mortgage revenue bonds after December 31, 1983, and S. 1061, to revise certain IRS provisions relating to the tax treatment of bonds that are guaranteed by certain Federal agencies.
SD-215

Labor and Human Resources
Business meeting, to mark up S. 772, to establish an Interagency Committee on Smoking and Health to coordinate Federal and private activities to educate the public about the health hazards of smoking.
SD-430

10:00 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Labor and Human Resources
To hold hearings to examine fire safety matters.
SD-430

10:30 a.m.
Judiciary
Separation of Powers Subcommittee
To resume hearings to explore certain Federal court procedures relating to the exclusionary rule, habeas corpus, and related matters.
SD-226

MAY 16

10:00 a.m.
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To resume hearings to examine the effects of coal slurry pipelines on the rail industry, shippers, and consumers.
SR-253

Labor and Human Resources
Aging Subcommittee
To hold hearing to discuss the progress made in the treatment of Alzheimer's disease.
SD-430

2:00 p.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on patent term restoration.
SD-226

MAY 17

9:30 a.m.
Energy and Natural Resources
Public Lands and Reserved Water Subcommittee
To hold hearings on S. 285, to designate certain lands in New Mexico as the Bisti Badlands Wilderness, S. 626, to designate certain lands in Arizona as the Aravaipa Canyon Wilderness, S. 862, revising certain provisions of the Omitted Lands Act of 1962 with respect to omitted lands along the Snake River in Idaho, and S. 1042, to convey certain lands in Lane County, Oregon.
SD-366

Rules and Administration
To hold hearings on S. 85, to provide for public financing of U.S. Senate general election campaigns, S. 151, to limit contributions to U.S. Senate campaigns by certain multicandidate political committees, S. 732, to increase individual and party participation, to provide for the adjustment of contribution limits, and to allow candidates to control expenditures made on their behalf, S. 810, to provide for certain adjustments in campaign contribution limits, and other pending legislation.
SR-301

10:00 a.m.
Judiciary
Business meeting, to consider pending calendar business.
SD-226

2:00 p.m.
Environment and Public Works
Water Resources Subcommittee
To hold hearings on S. 1031, S. 970, and S. 865, bills to provide for the operation, maintenance, and construction of national waterways.
SD-406

Governmenal Affairs
To hold hearings on the nomination of Stephen F. Eilperin, to be an associate judge of the Superior Court of the District of Columbia.
SD-342

MAY 18

9:30 a.m.
Governmental Affairs
Governmental Efficiency and the District of Columbia Subcommittee
To resume hearings on the status of emergency preparedness in the Washington, D.C., metropolitan area.
SD-562

Labor and Human Resources
To hold oversight hearings on activities of the Equal Employment Opportunity Commission.
SD-430

10:00 a.m.
Judiciary
Criminal Law Subcommittee
To resume hearings on S. 829, proposed Comprehensive Crime Control Act.
SD-226

Veterans Affairs
To hold oversight hearings to review adverse health effects from exposure to agent orange, and other related matters.
SD-628

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

Veterans Affairs
To continue oversight hearings to review adverse health effects from exposure to agent orange, and other related matters.
SD-628

MAY 19

9:30 a.m.
Commerce, Science, and Transportation
To resume hearings on S. 372, to promote interstate commerce by prohibiting discrimination in the writing and selling of insurance contracts.
SR-253

Governmental Affairs
To resume oversight hearings on the management policies of the Department of Defense, focusing on the implementation of cost accounting standards.
SD-342

Judiciary
Criminal Law Subcommittee
To continue hearings on S. 829, proposed Comprehensive Crime Control Act.
SD-226

Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on computer chips protection.
SD-226

9:45 a.m.
*Labor and Human Resources
To hold hearings on health care cost.
SD-430

10:00 a.m.
Environment and Public Works
Environmental Pollution Subcommittee
To hold hearings on S. 696, to provide for the ratification of the memorandum of agreement between the U.S. Department of the Interior and the State of Texas for the management of the Matagorda Island State Park and Wildlife Management Area a unit of the national wildlife refuge system in Calhoun County, Tex.
SD-406

*Judiciary
Courts Subcommittee
To hold hearings to discuss bankruptcy matters relating to the Manville Corp. in Denver, Colo.
SR-418

10:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the geopolitics of strategic and critical minerals.
SD-366

2:00 p.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To consult with administration officials on the midyear refugee numbers
SD-226

MAY 20

10:00 a.m.
Judiciary
To resume oversight hearings on organized crime in the United States.
SD-226

MAY 23

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1984 for certain programs under the subcommittee's jurisdiction.
SD-124

*Judiciary
To resume hearings on S. 610, to encourage college student-athletes to complete their undergraduate education before becoming professional athletes.
SD-226

MAY 24

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold oversight hearings on the Employee Retirement Income Security Act (ERISA).
SD-430

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1984 for certain programs under the subcommittee's jurisdiction.
SD-124

Governmental Affairs
Permanent Subcommittee on Investigations
To resume hearings to investigate the use of offshore banks, trusts, and companies to facilitate criminal activity in the United States.
SD-342

Judiciary
Business meeting, to consider pending calendar business.
SD-226

MAY 25

9:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on the problem of parental kidnapping.
SD-226

Labor and Human Resources
To continue hearings on health care cost.
SD-430

10:00 a.m.
Governmental Affairs
Permanent Subcommittee on Investigations
To continue hearings to investigate the use of offshore banks, trusts, and companies to facilitate criminal activity in the United States.
SD-342

Governmental Affairs
Energy, Nuclear Proliferation, and Government Processes Subcommittee
To hold oversight hearings to review Federal debt collection policy.
Room to be announced

10:30 a.m.
Judiciary
Separation of Powers Subcommittee
To resume hearings to explore certain Federal court procedures relating to the exclusionary rule, habeas corpus, and related matters.
SD-628

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

MAY 26

10:00 a.m.
Judiciary
Constitution Subcommittee
To hold hearings on the constitutionality of private lobby with public funds.
SD-226

2:00 p.m.
Judiciary
To hold hearings on plea bargaining matters.
SD-226

MAY 27

9:30 a.m.
Judiciary
*Constitution Subcommittee
To hold hearings on S.J. Res. 10, proposing an amendment to the Constitution of the United States relative to equal rights for women and men, and on related measures.
SD-562

10:00 a.m.
Judiciary
Separation of Powers Subcommittee
To resume hearings to explore certain Federal court procedures relating to

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the exclusionary rule, habeas corpus, and related matters.
SD-226

JUNE 7

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on the proposed Single Employer Pension Plan Termination Insurance Improvements Act.
SD-430

JUNE 8

9:30 a.m.
Labor and Human Resources
To hold hearings on food safety.
SD-430

10:00 a.m.
Veterans Affairs
To hold hearings on proposed legislation providing for certain veterans' compensation.
SR-418

JUNE 9

9:30 a.m.
Labor and Human Resources
To continue hearings on food safety.
SD-430

JUNE 10

9:30 a.m.
Labor and Human Resources
To continue hearings on food safety.
SD-430

JUNE 13

9:30 a.m.
Finance
To hold hearings to examine the tax structure applicable to property and casualty insurance companies.
SD-215

*Labor and Human Resources
To hold hearings on home health care services.
SD-430

JUNE 14

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on proposed legislation revising certain provisions of the Labor-Management Reporting and Disclosure Act (Landrum-Griffin Act).
SD-430

JUNE 15

9:30 a.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To resume oversight hearings on activities of the Patent and Trademark Office, Department of Commerce.
SD-226

Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

10:00 a.m.
Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To hold hearings on the proposed Alien Education Assistance Act.
SD-430

Veterans Affairs
To hold oversight hearings to review certain health care and other services provided Vietnam veterans.
SR-418

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

JUNE 16

9:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on the deinstitutionalization of certain status offenders.
SD-226

Labor and Human Resources
Labor Subcommittee
To resume hearings on proposed legislation revising certain provisions of the Labor-Management Reporting and Disclosure Act (Landrum-Griffin Act).
SD-430

JUNE 20

9:30 a.m.
Finance
To hold hearings on S. 19 and S. 888, bills to revise current Federal pension law with respect to the rights and benefits of working and nonworking women.
SD-215

10:00 a.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To hold hearings on proposed authorizations for refugee programs.
SD-226

JUNE 21

9:30 a.m.
Finance
To continue hearings on S. 19 and S. 888, bills to revise current Federal pension law with respect to the rights and benefits of working and nonworking women.
SD-215

JUNE 22

9:30 a.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on patent term restoration.
SD-226

Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

10:00 a.m.
Labor and Human Resources
Family and Human Services Subcommittee
To resume oversight hearings on the breakdown of the traditional family unit, focusing on causes and remedies.
SD-430

Veterans' Affairs
To hold oversight hearings on certain health care services for veterans.
SR-418

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

JUNE 23

10:00 a.m.
Labor and Human Resources
Family and Human Services Subcommittee
To continue oversight hearings on the breakdown of the traditional family unit, focusing on the role of Federal policy.
SD-430

JUNE 27

10:00 a.m.
Judiciary
Immigration and Refugee Policy Subcommittee
To resume hearings on proposed authorizations for refugee programs.
SD-226

JUNE 28

9:30 a.m.
Labor and Human Resources
Labor Subcommittee
To hold hearings on S. 1173, proposed Federal Mine Safety and Health Amendments.
SD-430

JUNE 29

9:30 a.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on Federal Government patent policy.
SD-226

10:00 a.m.
Veterans Affairs
Business meeting, to consider proposed legislation providing for certain veterans' compensation.
SR-418

JUNE 30

9:30 a.m.
Judiciary
Juvenile Justice Subcommittee
To hold hearings on juvenile offenders of serious and violent crimes.
SD-226

JULY 6

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

JULY 13

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

JULY 20

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

JULY 27

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

SEPTEMBER 20

11:00 a.m.
Veterans Affairs
To hold hearings to receive legislative recommendations for fiscal year 1984 from the American Legion.
SR-325

CANCELLATIONS

MAY 3

10:00 a.m.
Joint Economic
Economic Goals and Intergovernmental Policy Subcommittee
To hold hearings on international comparisions of student achievement, and to examine the shortage of teachers in the math and science fields.
SR-232A

MAY 4

10:00 a.m.
Appropriations
District of Columbia Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1984 for the government of the District of Columbia.
SD-138

MAY 5

10:00 a.m.
Appropriations
District of Columbia Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1984 for the government of the District of Columbia.
SD-138

MAY 20

9:30 a.m.
Labor and Human Resources
To hold hearings on the effects of chemotherapy in the treatment of cancer.
SD-430