

HOUSE OF REPRESENTATIVES—Monday, January 30, 1984

The House met at 12 o'clock noon.

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

We gather each day, O God, as people seeking to do the right, the good, and the true. We speak and act in ways that we pray will give hope to the anxious and ease the burden of hurt or pain. Yet, we know that we too often miss the mark through what we have done or what we have left undone. Forgive us, O God, our faults and instill in us Your spirit of reconciliation and peace. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was 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 a bill of the following title, in which the concurrence of the House is requested:

S. 2211. An act to reduce the rates of pay of Members of Congress by the amount of the increase taking effect on January 1, 1984, and for other purposes.

The message also announced that the President pro tempore, pursuant to the provisions of Public Law 98-162, appointed Mr. D'AMATO and Mr. MOYNIHAN to be members, on the part of the Senate, of the Commission on the Eleanor Roosevelt Centennial.

NATIONAL FEDERATION OF THE BLIND

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

Mr. KILDEE. Mr. Speaker, this week marks the sixth consecutive year that members of the National Federation of the Blind have gathered for their annual march on Washington.

The federation is the oldest and largest organization of the blind in the United States and represents blind

persons from all walks of life including students, professionals, sheltered workshop employees, and—all too often—the unemployed.

Many of us will be visited this week by members of the federation seeking to present their concerns on such fundamental issues to the blind as nondiscrimination in employment, adequate insurance coverage, and equality of opportunity in business. I am confident my colleagues will give their attention and serious consideration to these proposals to insure that blind persons receive the equal treatment and opportunities that are their right as citizens of our Nation.

DISCRIMINATORY INSURANCE PRACTICES AGAINST THE BLIND

(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, blindness can be, and often is, a severe obstacle in life. Rather than make their lives more difficult, we should do what we can to eliminate the unnecessary burdens such as discriminatory insurance practices imposed on the blind.

Today about 300 members of the National Federation of the Blind have come here to urge your support of the Fair Insurance Coverage Act, a bill I introduced to prohibit discrimination in insurance on the grounds of any degree of blindness. To illustrate the type of discrimination my bill would correct, I cite a case where a husband and wife attempted to buy flight insurance before boarding an airplane. Although the man was permitted to purchase \$325,000 in flight insurance for his sighted wife, he could only obtain \$20,000 coverage for himself because he could not see. Based on this example, a commercial airline is more likely to crash if there is a blind person on board than if all the passengers are sighted. My bill would correct this type of discrimination.

The need for legislation to prohibit discrimination in insurance based on blindness was documented by the National Association of Insurance Commissioners. As the commissioners noted, there is no factual basis for the "belief" that blindness constitutes an increased risk. If the blind were a greater risk, and if the actuarial tables justified a different form of treatment for the blind, this would not be discrimination. But mere classification of the blind into a category of increased

risk without sound actuarial evidence constitutes discrimination.

The National Federation of the Blind supports this legislation. I urge my colleagues to join me in supporting the Fair Insurance Coverage Act. (H.R. 4642).

OUR NOTORIOUS FEDERAL WELFARE LAWS

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

Mr. PETRI. Mr. Speaker, our current Federal welfare laws are notorious for the ways they help to disrupt the families of recipients. For example, the Government actually encourages minor unmarried parents to move away from home by providing substantially higher welfare benefits if they do so.

Clearly, children who have children need the guidance of their parents. The Government should not tempt them into leaving home in order to receive larger welfare payments.

In the near future I intend to propose legislation that will require unmarried minor parents to stay with their parents or legal guardian in order to receive AFDC benefits. Naturally, there is an exception for children whose health or safety would be endangered if they stayed with their parents.

Mr. Speaker, Senator MOYNIHAN developed this idea and Senator DOLE has included it in legislation which has passed the committee level in the other body. I am inviting my colleagues to join me in cosponsoring this bill in the House. A change in the law is long overdue.

□ 1210

BALANCED BUDGET CONSTITUTIONAL AMENDMENT

(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, the other night when the President of the United States came before us he suggested that one of the things that this Congress should pass in this year was a balanced budget amendment to the Constitution.

Mr. Speaker, at this time I would hope to offer a unanimous-consent request calling for consideration of an

□ 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.

amendment to require a balanced budget.

The Chair has ruled that in order to make this request I must have the clearance of the majority and the minority leadership.

This request has been cleared by the minority leadership.

I would now be happy to yield to any spokesman from the majority leadership for appropriate clearance.

Mr. Speaker, I hear no response. That should make it clear to the American people who stands in the way of a balanced budget: The Democratic leadership of this House.

VOLUNTARY SCHOOL PRAYER CONSTITUTIONAL AMENDMENT

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

Mr. MACK. Mr. Speaker, this morning as we started our session and as we do every morning as we start our session, we started with a prayer. It also reminds me that every day that I started my class in school I also started with a prayer.

As many people have asked time and time again: If it is good enough for Congress, why is it not good enough to continue in our schools today? Certainly, the President brought it to the attention of the American people the other night during his state of the Union message.

Mr. Speaker, at this time I would hope to offer a unanimous-consent request calling for consideration of an amendment to permit voluntary school prayer.

The Chair has ruled that in order to make this request I must have the clearance of the majority and the minority leadership.

This request has been cleared by the minority leadership. I would now yield to a spokesman from the majority leadership for an appropriate clearance.

Mr. Speaker, hearing no response, I guess it is clear once again that it is the Democratic leadership that is blocking this important legislation.

FOOTBALL IN FLORIDA IS NO. 1

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

Mr. LEWIS of Florida. Mr. Speaker, there can be little doubt—considering the achievements of the past year—that football in Florida is No. 1 in the United States.

Floridians only have to point to a collegiate national championship team, which lost its only game to another Florida university, the bowl game victories of all three of our football-playing universities, and the selec-

tion of nine Florida players to Parade's All-America High School Football Team.

I am especially proud because three of my constituents were named to the Parade magazine team.

Cleveland Gary of South Fork High School in Stuart, Wycliffe Lovelace of Clewiston High School in Clewiston, and Rhondy Weston of Glades Central High School in Belle Glade have made their communities, their counties, and the 12th Congressional District of Florida very proud.

We will long remember the excitement and thrills these fine young men provided us and we will continue to cheer for their success both on the playing field and in life.

IN MEMORY OF PRESIDENT WILLIAM MCKINLEY

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

Mr. REGULA. Mr. Speaker, in his state of the Union address last week President Reagan said, "People everywhere hunger for peace and a better life. The tide of the future is a freedom tide, and our struggle for democracy cannot and will not be denied."

Today I rise to honor the memory of another President, William McKinley. He, too, was a man of peace and I believe he would have endorsed President Reagan's comments. His own words, spoken 77 years ago, echo a similar sentiment and speak to us now with even greater meaning: "Our interest is concord, not conflict * * * our real eminence rests in the victories of peace, not those of war."

Yesterday, January 29, marked the anniversary of President McKinley's birthday. Each year, as many of you know, we honor his memory with the red carnation, the Ohio State flower and a particular favorite of the former President. The carnations you see in the House dining room today pay tribute to President McKinley.

This man, who won fame for his Canton, Ohio, front-porch campaigns, ably served 13 years as a Member of this body from Ohio's 16th District, including 2 as chairman of the Ways and Means Committee. He also had a distinguished career as a trial lawyer and served as Governor of Ohio prior to becoming the Nation's 25th President.

It has been said that more than any President since Lincoln, McKinley was a man of the common people, close to their aspirations and able to articulate their deepest yearnings.

He left behind him a legacy of trust, affection, and honor such as few statesmen have inspired and it is this legacy to which we continue to pay tribute today. Visiting today is Dawn Boyce, reigning Carnation Queen of the Carnation City, Alliance, Ohio,

who graciously helped distribute the carnations. The carnations were donated by Anderson Floral Co., of Alliance.

GRACE COMMISSION REPORT

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

Mr. ZSCHAU. Mr. Speaker, last week the Grace Commission released its final report. Based on 18 months' work of more than 2,000 private sector volunteers, the report contains nearly 2,500 specific recommendations for reducing Federal spending.

Critics of the report say these money saving ideas are "nothing new" and that many are "politically infeasible." They also claim that the estimated savings of \$400 billion over 3 years are "grossly exaggerated."

Maybe such criticisms are valid—I do not know for sure. But rather than dismiss the Grace Commission report out of hand I hope that each committee of this House will immediately review those recommendations under its jurisdiction and pass any legislation needed to implement those that are feasible and that could have a near term impact.

Mr. Speaker, the enormous Federal deficits that we face will not disappear by wishful thinking or be eliminated by a single stroke. It will take thousands of individual actions by all of us in government. The Grace Commission volunteers have done their job. Now it is time to do ours.

LINE-ITEM VETO CONSTITUTIONAL AMENDMENT

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

Mr. GEKAS. Mr. Speaker, I understand that the Chair has ruled that in order for a unanimous-consent request to be made that we must obtain the clearance of both the minority leadership and the majority leadership.

The SPEAKER. The gentleman is correct.

Mr. GEKAS. In that regard, then, having had the good fortune to have received the clearance of the minority to offer a unanimous-consent request to consider line-item veto legislation, I would now ask if the majority leadership, through one of its spokesmen, would also concede a unanimous-consent request for that purpose.

The SPEAKER. Has the gentleman's leadership put that request in writing?

Mr. GEKAS. No; it has been represented to me.

The SPEAKER. It would be nice to get him on record.

Mr. GEKAS. Is there someone here representing the leadership who can?

I represent to the Speaker that that consent has been given to me.

The SPEAKER. I thank the gentleman.

Mr. GEKAS. I hear no response from the majority leadership, however.

If that be the case, I would have to then say that the case for the line-item veto has met with an obstacle from the failure of the majority to respond to this unanimous-consent request.

THE DEFICIT "DOWN PAYMENT"

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

Mr. BROWN of Colorado. Mr. Speaker, today's Wall Street Journal reports some Democratic leaders remain unconvinced of the President's sincerity in seeking to achieve a down payment reduction of deficits. No party has a patent on sincerity when it comes to the welfare of our Nation.

It would be a tragedy if progress toward reducing the deficit is halted by pressures emanating from Presidential candidates. This House must not be held hostage to the ambition of Presidential candidates no matter what party.

I hope we will be willing to put aside partisan considerations and end the sniping about the possibility of a down payment. When the American people see such sniping before we have even begun to sit down and talk, they may sadly conclude that some of our Members are more concerned about partisan politics than reducing the deficit.

Our citizens deserve better.

RESIGNATION AS CHAIRMAN AND APPOINTMENT OF CHAIRMAN OF HOUSE DELEGATION TO CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER laid before the House the following resignation as Chairman of the House delegation to the Canada-United States Interparliamentary Group:

COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C., January 27, 1984.

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

DEAR MR. SPEAKER: I hereby resign as Chairman of the House delegation to the Canada-United States Interparliamentary Group.

With best wishes, I am,

Sincerely yours,

DANTE B. FASCELL,
Chairman.

The SPEAKER. Without objection, the resignation is accepted.
There was no objection.

□ 1220

The SPEAKER. Pursuant to the provisions of 22 U.S.C. 276d, the Chair appoints as Chairman of the U.S. delegation to attend the 25th meeting of the Canada-United States Interparliamentary Group March 8 through 12, 1984, in Puerto Rico the gentleman from Maryland, Mr. BARNES.

APPOINTMENT AS MEMBER OF THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER. Pursuant to clause 6(f), rule X, and clause 1, rule XLVIII, the Chair appoints the gentleman from California, Mr. BELENSON, as a member of the Permanent Select Committee on Intelligence to fill the existing vacancy thereon.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C., January 27, 1984.

HON. THOMAS P. O'NEILL, Jr.,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5, Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit sealed envelopes received from The White House as follows:

(1) At 12:45 p.m. on Friday, January 27, 1984 and said to contain a message from the President wherein he transmits the 37th Annual Report on U.S. participation in the U.N.; and

(2) At 12:45 p.m. on Friday, January 27, 1984 and said to contain a message from the President wherein he transmits the 2nd Annual Report of the Tourism Policy Council.

With kind regards, I am,
Sincerely,

BENJAMIN J. GUTHRIE,
Clerk, House of Representatives.

REPORT OF ACTIVITIES OF U.S. GOVERNMENT IN THE UNITED NATIONS DURING 1982—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs.

(For message, see proceedings of the Senate of Friday, January 27, 1984, at page page 673.)

SECOND ANNUAL REPORT OF TOURISM POLICY COUNCIL, FISCAL YEAR 1983—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the

President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Energy and Commerce.

(For message, see proceedings of the Senate of Friday, January 27, 1984 at page 673.)

TWELFTH ANNUAL REPORT ON ADMINISTRATION OF FEDERAL RAILROAD SAFETY ACT OF 1970—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Energy and Commerce.

(For message, see proceedings of the Senate of today, Monday, January 30, 1984.)

ANNOUNCEMENT BY THE SPEAKER

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

Such rollcall votes, if postponed, will be taken on Tuesday, January 31, 1984.

AGENT ORANGE AND ATOMIC VETERANS RELIEF ACT

Mr. MONTGOMERY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1961) to amend title 38, United States Code, to provide a presumption of service connection for the occurrence of certain diseases related to exposure to herbicides or other environmental hazards or conditions in veterans who served in Southeast Asia during the Vietnam era, as amended.

The Clerk read as follows:

H.R. 1961

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 "Agent Orange and Atomic Veterans Relief Act".

Sec. 2. The purpose of this Act is to provide certain benefits—

(1) to veterans and the survivors of veterans who served in Southeast Asia during the Vietnam era and suffer from diseases that may be attributable to exposure to Agent Orange; and

(2) to veterans and the survivors of veterans who participated in atomic tests or the occupation of Hiroshima and Nagasaki and suffer from diseases that may be attributable to ionizing radiation,

notwithstanding that there is insufficient medical evidence to conclude that such diseases are service connected.

SEC. 3. (a) Title 38, United States Code, is amended by inserting after chapter 13 the following new chapter:

"CHAPTER 14—DISABILITY AND DEATH ALLOWANCES FOR CERTAIN VETERANS AND SURVIVORS

- "Sec.
- "451. Agent Orange veterans and survivors.
- "452. Atomic veterans and survivors.
- "453. Rates of disability and death allowances.
- "454. Other benefits.
- "455. Termination of chapter.
- "§ 451. Agent Orange veterans and survivors

"(a) In the case of a veteran who served on active duty in Southeast Asia during the Vietnam era and who after such service suffers from a disease described in subsection (b) of this section, the Administrator shall pay a disability allowance to the veteran and, if the veteran dies from such disease, a death allowance to the survivors of the veteran. Such allowances shall be paid at the rates prescribed in section 453 of this title.

"(b) The diseases referred to in subsection (a) of this section are the following:

"(1) Soft-tissue sarcoma becoming manifest within twenty years from the date of the veteran's departure from Southeast Asia.

"(2) Porphyria cutanea tarda becoming manifest within one year from the date of the veteran's departure from Southeast Asia.

"(3) Chloracne becoming manifest within one year from the date of the veteran's departure from Southeast Asia.

"(c) Benefits may not be paid under this section with respect to a veteran—

"(1) where there is affirmative evidence that the disease described in subsection (b) of this section was not incurred by the veteran during service in Southeast Asia during the Vietnam era; or

"(2) where there is affirmative evidence to establish that an intercurrent injury or disease which is a recognized cause of any of the diseases described in subsection (b) of this section has been suffered between the date of the veteran's separation from service and the onset of such disease.

"§ 452. Atomic veterans and survivors

"(a) In the case of a veteran who while on active duty participated in the testing of an atomic bomb or device, or who while on active duty participated in the occupation of Hiroshima or Nagasaki during World War II, and who within twenty years from the date of the veteran's participation in the test or occupation suffers from a disease described in subsection (b) of this section, the Administrator shall pay a disability allowance to the veteran and, if the veteran dies from such disease, a death allowance to the survivors of the veteran. Such allowances shall be paid at the rates prescribed in section 453 of this title.

"(b) The diseases referred to in subsection (a) of this section are the following:

- "(1) Leukemia.
- "(2) Polycythemia vera.
- "(3) Carcinoma of the thyroid.

"(c) Benefits may not be paid under this section with respect to a veteran—

"(1) where there is affirmative evidence that the disease described in subsection (b) of this section was not incurred by the veteran during service described in the first sentence of subsection (a) of this section; or

"(2) where there is affirmative evidence to establish that an intercurrent injury or disease which is a recognized cause of any of the diseases described in subsection (b) of

this section has been suffered between the date of the veteran's separation from service and the onset of such disease.

"§ 453. Rates of disability and death allowances

"A disability allowance payable to a veteran under this chapter shall be paid at the rates provided in chapter 11 of this title, based upon the degree of disability of the veteran attributable to the disease establishing eligibility for such allowance. A death allowance payable under this section to the survivors of a veteran shall be paid to such survivors based upon the eligibility requirements and rates applicable to payments under chapter 13 of this title.

"§ 454. Other benefits

"A disease establishing eligibility for a disability allowance under this chapter shall be treated for purposes of all other laws of the United States (other than chapters 11 and 13 of this title) as if such disease were service connected, and receipt of a disability allowance under this chapter shall be treated for purposes of all other laws of the United States as if such allowance were service-connected compensation under chapter 11 of this title. Receipt of a death allowance under this chapter shall be treated for purposes of all other laws of the United States as if such allowance were dependency and indemnity compensation under chapter 13 of this title.

"§ 455. Termination of chapter

"This chapter shall terminate on the first day of the first month beginning after the end of the one-year period beginning on the date the Administrator submits to the appropriate committees of Congress the first report required by section 307(b)(2) of the Veterans Health Programs Extension and Improvement Act of 1979 (Public Law 96-151)."

(b) The tables of chapters at the beginning of title 38, United States Code, and at the beginning of part II of such title, are amended by inserting after the item relating to chapter 13 the following new item:

"14. Disability and Death Allowances for Certain Veterans and Survivors..... 451"

SEC. 4. This Act shall take effect on October 1, 1983. No benefit may be paid for any period before such date by reason of the enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. HAMMERSCHMIDT. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered. There was no objection.

The SPEAKER. The gentleman from Mississippi (Mr. MONTGOMERY) will be recognized for 20 minutes and the gentleman from Arkansas (Mr. HAMMERSCHMIDT) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Mississippi (Mr. MONTGOMERY).

GENERAL LEAVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on the subject of the bill under consideration.

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

There was no objection. Mr. MONTGOMERY. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, following extensive hearings by the Committee on Veterans' Affairs, I am pleased to bring to the floor of the House H.R. 1961, a bill that would provide a temporary disability, or death, allowance for veterans who served in Southeast Asia during the Vietnam era and were exposed to agent orange, and who later suffered from three specific disabilities.

The bill would also provide a disability, or death, allowance for veterans who participated in the testing of nuclear devices or in the occupation of Hiroshima or Nagasaki during World War II, and who later suffered from three serious conditions.

Mr. Speaker, there has been much controversy concerning the long-term health effects that may be related to service in Vietnam and exposure to agent orange. The reported bill is a compromise measure that we worked out in the full committee. The bill we bring to the floor today passed the full committee by vote of 30 to 0. Some Members feel the measure is inadequate, and they will speak later in the debate. Some Members feel we should not enact legislation until the agent orange study, now being conducted by the Centers for Disease Control in Atlanta, has been concluded.

Mr. Speaker, the CDC study is not expected to be completed until 1988 or 1989. The measure before us today is clearly a compromise pending the final results of the CDC study. This bill is not an expensive measure. The first full year cost of this bill would be \$4.7 million. Those costs are assumed in the first concurrent budget resolution adopted by the Congress.

As chairman of the committee, I am pleased with the progress we have made to bring to the floor a measure focusing attention on this issue. I want to thank the ranking minority member of the full committee, Mr. HAMMERSCHMIDT, for his cooperation; the distinguished chairman of the subcommittee, Mr. APPLIGATE, for the leadership he has shown; for the cooperation and support given by the distinguished gentleman from Ohio, the ranking majority member of the subcommittee, BOB McEWEN.

Finally Mr. Speaker, I want to compliment the chief sponsor of the bill, TOM DASCHLE, a distinguished member of the committee, for the major role he played in this legislation. He has certainly been a strong advocate in the committee to move the bill to the House floor. In addition, I want to thank Dr. ROY ROWLAND, the distin-

guished gentleman from Georgia, who has just completed his first year as a member of our committee.

I am most grateful to all members of the committee who have given so much of their time attending hearings, and markup sessions in order to get this bill to the floor. The attendance of our members has been outstanding.

I now yield 4 minutes to the distinguished gentleman from Ohio (Mr. APPLGATE), the chairman of the Subcommittee on Compensation, Pension and Insurance.

Mr. APPLGATE. Mr. Speaker, thank you, Chairman MONTGOMERY, for yielding to me this time.

Mr. Speaker, I am very happy to be able to stand here today and present the bill, H.R. 1961, to my colleagues in the House of Representatives.

When I came here in 1977, I made a commitment to the Vietnam veterans that there should be some kind of a compensation program to take care of a disease which was first officially diagnosed many years after service but undoubtedly had its start during that service. Although this is not something new, the highly complex medical questions presented by agent orange are so novel and unique that innovative approaches by the Congress are warranted.

Unlike injuries incurred during conflict, medical problems which might be related to exposure to this toxic chemical may not surface many times until years after the veteran has returned home. It is these veterans, our Vietnam veterans, who were exposed to agent orange and who suffer from the specific disabilities listed in the bill which are our concern today.

Members of our committee have demonstrated their strong desire to respond to the apprehension and concern among some Vietnam veterans and their families. During the 97th Congress, we enacted legislation giving medical care to Vietnam veterans whose medical problems could possibly be related to exposure to agent orange or to radiation while in service. We are spending close to \$100 million on a study by the Centers for Disease Control to find the answers. But these answers will not be available for several years.

The bill we are considering today is a stopgap measure. As Chairman MONTGOMERY said, it will provide a temporary disability or death allowance for veterans who served in Southeast Asia during the Vietnam war and may have been exposed to agent orange or who were exposed to low-level ionizing radiation while participating in testing of nuclear devices or in the occupation of Hiroshima or Nagasaki. The bill would provide effective October 1, 1983, monetary benefits for agent orange veterans if they are shown to have soft tissue sarcoma within 20 years from the time they

left Vietnam or if they have a liver condition called PCT or the skin condition chloracne within 1 year from leaving. Similarly, benefits would be provided for veterans who participated in the testing of nuclear devices while in service or occupied Hiroshima or Nagasaki and who suffer from leukemia, cancer of the thyroid, or polycythemia vera, a bone marrow disease, within 20 years from their exposure to such radiation. If the disabilities are shown to exist within the time limits in the bill, payments would be at the same rates as if the disabilities were service connected.

I also want to point out that this bill has a sunset clause. Benefits would terminate 1 year after the agent orange study is received by the Congress. This means that we will have 1 full year in which to decide what we need to do after we have what we hope will be the answers to a lot of our questions.

The bill has a modest cost of \$4.7 million for the first year, increasing to only \$5.4 million 5 years from now.

Mr. Speaker, as Chairman MONTGOMERY said, this has been a highly emotional issue, but I want to point out again that the Veterans' Affairs Committee is nonpartisan and pro-veteran and while we had considerable disagreement during our consideration of the bill, we recognized that something had to be done. We worked out a compromise which some members of the committee feel does not go far enough. Others feel maybe it goes too far. But in the end, we all knew we had to act and it was in this spirit that agreement was reached. I just want to say that the final committee vote on ordering the bill reported was 30 to 0, once again showing how the Veterans' Affairs Committee works together for veterans.

I would be remiss if I did not say at this time how much assistance I received from my colleague from Ohio, BOB McEWEN, the ranking minority member on the subcommittee as well as Chairman MONTGOMERY and Mr. HAMMERSCHMIDT, the ranking minority member of the full committee. Mr. ROWLAND of Georgia gave us the benefit of his experience in the field of medicine. And it goes without saying that without the perseverance and vigor of the gentleman from South Dakota, TOM DASCHLE, this bill would never have gotten off the ground.

Mr. Speaker, this is a reasonable and limited approach to a problem which will not go away. It is a good bill and I urge my colleagues in the House to join me in giving overwhelming approval of H.R. 1961.

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

Mr. Speaker, I join with my colleague, the distinguished chairman of the House Veterans' Affairs Commit-

tee, the gentleman from Mississippi (Mr. MONTGOMERY), in support of the legislation before the House, H.R. 1961. My colleague from Mississippi has, as usual, provided diligent and responsible leadership in shepherding this matter through the committee, and I offer only the highest praise for his efforts.

Many members of the committee are to be commended for their contributions in bringing this legislation to the floor.

The gentleman from Ohio (Mr. APPLGATE), chairman of the Subcommittee on Compensation, Pension, and Insurance, has worked long and diligently toward the resolution of a very complicated issue. His leadership has been of great value.

The Subcommittee's ranking member, the gentleman from Ohio, Mr. BOB McEWEN, has also contributed much time, energy, and guidance in assuring that this bill is the best possible solution to a complex problem.

The gentleman from South Dakota, of course, has played a major role on H.R. 1961. He and others have had and retain very strong concerns about one of the most perplexing veterans issues of our time. They would have gone further on this bill than most of us.

On the other hand, Mr. Speaker, there are many—and I am among them—who feel strongly that we ought to legislate very cautiously in a field of medicine that thus far is devoid of the scientific expertise that ought to be available before laws are passed by the Congress.

Mr. Speaker, a sense of cooperation and compromise caused a broad committee consensus on this bill. We cast a 30-to-0 vote to report the bill to the floor. We did this after hearing many witnesses from the Veterans' Administration and other Government and civilian medical experts. Veterans appearing alone or represented by the several major veterans organizations, offered valuable testimony and insight into this important matter.

Mr. Speaker, during the hearings on this bill, I made it very clear that I had serious reservations about providing compensation for diseases not yet scientifically linked to the dioxin known as agent orange.

I reminded my colleagues that the Congress, through previous legislation, had authorized comprehensive studies to be carried out to determine the relationship, if any, between those diseases and agent orange, and that we ought to be very cautious as to preempting the study results. But, Mr. Speaker, we all knew that data from many of these studies would not be available for some time and that some data already existed even though it was not accepted by some as being actually valid and even though it was

said to be in need of further scientific analysis.

Simply stated, our committee was faced with setting a precedent in veterans legislation by providing compensation to a limited number of veterans prior to conclusive evidence about the source or etiology of their disease. The question therefore came down to whether or not we ought to wait for those study results or whether we ought to do at least that which is called for by the bill before us. We chose the latter course. In so doing, we recalled that a spokesman from the Veterans' Administration testified before our committee—and I quote him.

It may well be that the Congress cannot wait for scientific answers in the short term, in which case it may well be that the sociopolitical aspect of this problem will have to be addressed.

We do that addressing in this bill.

There is another aspect of the bill, Mr. Speaker, that, in my view, was not as difficult to resolve, and that is the relief sought for certain veterans exposed to ionizing radiation, either during atomic testing or while part of the Armed Forces occupying Hiroshima and Nagasaki. Medical evidence has detailed many health and life-threatening aspects of such radiation exposure although again, even on this issue, we do not have a complete scientific picture.

But certainly, Mr. Speaker, it is well-known that radiation exposure has caused some types of cancer. I think that the proponents of this aspect of H.R. 1961 stand on a well-built platform of knowledge as compared to the one still under construction for agent orange. In this connection I want to commend the gentleman from Georgia, Dr. ROWLAND, for this contribution as to this aspect of the bill.

Finally, Mr. Speaker, the sunset provision of this bill does offer the Congress an opportunity to reexamine the issue upon completion of the studies now underway. At that time, we may see that our action here today was both beneficial and foresighted and even that much more will have to be done. Of course the opposite may be true and we hope that it is, for then the very real fears and apprehensions of a large number of veterans and their families would be overcome.

Mr. Speaker, the Veterans' Affairs Committee is dedicated to serving the best interests of the men and women who served their country. They did not ask for the conditions military duty imposed on them, but accepted those conditions without hesitation. They stood tall and many endured hardships and suffered disabilities beyond description. Sometimes those disabilities came into view later in life and this may be true of the Vietnam and atomic veterans covered by H.R. 1961. These kinds of individuals are

the very special charges of the Congress of the United States and we ought to resolve reasonable doubt in their favor as to the origin of their difficulties. Just as their service is record of faith in this Government, we have a duty to stand tall with them. It is therefore my position on H.R. 1961 that, while it is imperfect as to science, it is mandated by our country's obligation to a special group of veterans and I urge its passage by the House.

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

□ 1240

Mr. MONTGOMERY. Mr. Speaker, I yield 4 minutes to the gentleman from South Dakota (Mr. DASCHLE), the chief author of H.R. 1961.

Mr. DASCHLE. Mr. Speaker, I rise in support of H.R. 1961, the Agent Orange and Atomic Veterans Relief Act. This legislation is the culmination of several days of often contentious hearings and a great deal of hard work. It is far from a perfect bill and I alert my colleagues to a special order at the close of business on Tuesday, where we hope to elaborate on this legislation. But this is a beginning and its adoption will further the reconciliation process between this Government and the veterans who fought in the unpopular Vietnam war. House approval will be a landmark decision and an implicit acknowledgment that their are long-term health effects from exposure to the dioxin contaminated defoliant, agent orange.

Is agent orange really the culprit? The experts say they do not know for certain as exposure is difficult to measure. There were many new, experimental drugs, herbicides, and insecticides used in large quantities in Southeast Asia that could be combining to have a synergistic effect on these men and women. Though these chemicals may very well have saved lives in the short term, they may be responsible for a national tragedy in the long term. Studies conducted over the next 5 years should greatly improve our existing knowledge of the chemicals used in Vietnam as well as about the health of the Vietnam veteran as a population.

Despite the nay-sayers claims that the modest benefits awarded in H.R. 1961 are not deserved, one thing is for sure, the past few years have produced a legitimate list of scientific evidence and professional concern to indict both the herbicide agent orange, and its chemical contaminant, dioxin, to the degree that it will probably never be used nor produced in this country again.

If this fact, coupled with unusual circumstances where young men who served their Nation valiantly in an unpopular war, are now sick with old men's diseases, is not enough basis to warrant compensation, this Nation has

no title to the greatness we all claim for it.

Veterans with soft-tissue cancer, liver disorder known as porphyria cutanea tarda, and a skin condition called chloracne will be eligible for compensation and other benefits from the Veterans' Administration.

I have been contacted by a number of veterans who have these conditions: veterans like Thomas Radon, of Orlando, Fla.; David Maier, of Bay Village, Ohio; Monte Baird, of Sacramento, Calif.; Bill Poe, of Mesquite, Tex.; Jim Blackmore, of Oak Forest, Ill.; Sandy Buselli of Dunmore, Pa., who has only a few months to live, and others. These are men who have been permanently disfigured, in some cases are unable to work, and have accumulated staggering medical costs. This legislation will help defray future medical costs and provide a modest income for those unable to provide for their families.

Though very few will benefit, an important addition to this legislation is congressional recognition of certain claims filed by World War II and Korean era veterans with conditions related to radiation exposure. Veterans who served in Japan with the occupation forces or witnessed nuclear testing during the 1950's and early 1960's who have leukemia, thyroid cancer, or polycythemia-vera—a blood disorder—will also be eligible for compensation. Such recognition is overdue as medical science has long recognized these conditions as radiation related.

It has been nearly 6 years since the concerns about possible long-term health effects from exposure to the dioxin-contaminated defoliant, agent orange, first came to light. Concern continues to grow about the potential health effects of exposure to dioxin as exemplified by the Government's decision to buy out Times Beach, Mo. We also know from the Air Force that over a 9-year period—late 1961-71—herbicides containing 368 pounds of pure dioxin were dumped in Vietnam on an area the size of Connecticut. Dioxin, known as the most toxic synthetic chemical known to man, has caused cancer in test animals at the parts per trillion level. For these reasons and others, concerns among Vietnam veterans about the effects of this chemical on their health have justifiably heightened as well. I wish my speech on the House floor today could signal the end of these concerns about agent orange, but unfortunately it cannot.

We nonetheless have taken an important interim step today, a step which builds on earlier actions required by Congress which include: authorization of the largest epidemiology study ever attempted, and authorization of priority health care in the VA system for veterans who believe

their health infirmities were caused by exposure to toxic chemicals during the war.

Despite the limited scope of this legislation, there are those who insist that we should have incontrovertible proof that agent orange is the culprit before awarding benefits. Unfortunately, as former HHS General Counsel Joan Bernstein has testified, "even the best efforts of which our scientists are capable may not produce definitive, incontrovertible scientific information about the medical effects of agent orange" and that "full answers may never be found." The principal tool of scientists studying agent orange and dioxin, epidemiology studies, are not even designed to elicit a cause and effect relationship, rather they try instead to determine risk levels. Those who desire vigorous, incontrovertible proof are expecting more than science can deliver and are therefore setting standards that will be virtually impossible to meet. Those who thus insist on incontrovertible proof before providing the modest benefits available in H.R. 1961 in my opinion would probably also insist on witnessing the second coming of Christ before believing in God.

I salute Members of the House for not requiring such impossible standards.

This is not to say that we do not have a substantial record of evidence which already links agent orange to long-term health effects. We do. The current record reveals herbicide-related cancers in Western Europe, cancers in occupationally exposed U.S. workers, excessive cancers among white women in Midland, Mich.—where herbicides have been produced—and cancer in multiple animal species by multiple routes of exposure. This record will expand as a number of scientific studies currently underway provide additional information over the next few years.

I would also like to comment on the Ranch Hand study, which many people believe will be an important indicator in determining the health effects of agent orange. Though I do not believe that one can casually assume that the type, level, and length of exposure of these Air Force personnel can be extrapolated to the exposure experience of ground units, important information will nonetheless result from this study. Though it is too soon to draw firm conclusions on mortality figures, initial findings are of interest. Enlisted personnel, which the Air Force admits were "far more exposed than the officer personnel," had a less favorable mortality rate than their nonherbicide exposed peers. In addition, there was an excess of digestive disorder deaths. The Air Force claims, however, that digestive mortality and a paucity of cancer deaths are statistically nonsignificant. Morbidity data

from this study of those who dispensed agent orange in Vietnam will be available late in February and should provide further information on these concerns.

Though I support the bill we approved today, I do have some concerns about it as it now exists.

One significant addition to the bill will result in compensation for a modest number of World War II and Korean era veterans suffering from leukemia, thyroid cancer, and polycythemia-*vera*—a blood disorder—conditions related to atomic radiation exposure. This is a long-overdue action that should greatly assist a few very ill veterans.

Unfortunately, the bill significantly restricts eligibility for benefits to these "atomic veterans" by limiting payments to those whose condition first originated within 20 years of their services discharge. The vast majority of veterans with radiation-induced conditions were discharged during the 1940's and 1950's. The 20-year restriction for initial manifestation of these conditions has expired for the vast majority of these men a long time ago. In my view, the Veterans' Committee should seriously consider extending the 20-year limit by at least 10 years.

Similar restrictions were applied to agent orange claims as well. Though I believe a 20-year "presumptive period" is reasonably accurate for soft-tissue cancer, I am concerned about 1-year limitations on porphyria cutanea tarda and chloracne. Hearings on H.R. 1961 revealed that most soldiers in Vietnam did not bother to have what were considered at the time, minor ailments, such as skin conditions and rashes, recorded in their service records. Though a 1-year "presumptive period" perhaps accurately reflects the time when the condition would ordinarily first occur from the point of exposure, chloracne is known to persist for 25 to 30 years. Thus, a chloracne-type condition may have originated well within the 1-year limitation period but was never recorded. I believe we could have been more generous in this instance.

Finally, Representative CHRIS SMITH and I offered an amendment to require establishment of an independent advisory committee and guidelines for resolution of agent orange claims. Though our amendment was defeated in a committee vote, I would like to have printed in the RECORD the additional views of several committee members in support of this effort.

ADDITIONAL VIEWS

The Veterans' Affairs Committee took an important first step in reporting an amended version of H.R. 1961. However, even with the passage of this legislation, questions relating to Agent Orange compensation will be considered for some time. Many veterans will continue to be frustrated by the inability

of this legislation to meet their legitimate needs.

Two steps in our view would greatly address these concerns. One is the creation of an independent advisory committee to objectively analyze all new and existing scientific evidence pertaining to dioxin exposure. The second would create an open, public procedure by which the VA can clarify how much and what kind of proof is still necessary before additional Agent Orange claims can be approved. These proposals were offered in the form of an amendment to H.R. 1961 during committee consideration of the bill. They were rejected on a 17-13 vote of the committee.

Results from several scientific studies are expected in the months ahead which should reveal a great deal more about Agent Orange and its effects on humans. Yet, in the words of the Congressional Research Service the impact of these studies will be unclear, as "the VA has not established any formal criteria for how their policies might be altered by scientific findings." Therefore, the discovery of illness in a medical or scientific study could easily go ignored. The proposal offered in the committee would have ensured that as these new studies are published there will be a certain and orderly process to determine study conclusions and their relevancy to veterans' compensation claims.

There is also a great deal of concern about the decisionmaking process within the Veterans Administration with respect to Agent Orange compensation. There are no standards or guidelines available by which the agency justifies its position that no illness, except chloracne, results from Agent Orange exposure. The Daschle/Smith amendment would have established a procedure by which the agency would provide justification for their decision with regard to compensation for various disease categories. Other federal agencies such as the Environmental Protection Agency and Occupational Safety and Health Administration involved in assessing toxic chemical risk follow clear and established guidelines for making such determinations. It is a matter of sound policy and we see no reason why the Veterans Administration should be exempt from such a requirement.

After several days of hearings on H.R. 1961 it became abundantly clear that an Advisory Committee was necessary simply to sort out the conflicting viewpoints on the many scientific studies and their relationship to Agent Orange claims. Independent analysis of this information would ensure that viewpoints contrary to agency positions receive fair and expeditious consideration.

There are also distinct advantages in this approach for the Veterans Administration. The VA Administrator ultimately selects Advisory Committee members, determine when they meet and whether or not compensation is even warranted. Agency decisions on compensation could be corroborated by Advisory Committee recommendations.

It is therefore our belief that as additional scientific studies are released, the Advisory Committee would have ensured fair and expeditious analysis of information directly relevant to Agent Orange claims. It is our hope that the committee will renew consideration of these proposals during the second session of the 98th Congress.

Tom Daschle, Christopher Smith, Robert Edgar, Marcy Kaptur, Matthew Martinez, Harley Staggers, Jr., Jim Slattery, Bill Richardson, John

Bryant, Frank Harrison, Tim Penny, Lane Evans.

Though there were disagreements about the scope of this legislation, a number of individuals deserve recognition for helping this legislation get to where it is today. The distinguished and able chairman of the committee, **SONNY MONTGOMERY**, as well as the ranking minority member, **JOHN PAUL HAMMERSCHMIDT**, deserve much credit for insuring unanimous committee approval of the bill. Compensation and Pensions Subcommittee chairman, **DOUG APPLIGATE**, and ranking minority member, **BOB McEWEN**, were active hearing participants and instrumental in seeing the bill through subcommittee. Also deserving thanks is **BOB EDGAR** for his commitment and support during this lengthy process.

Finally, the Vietnam Veterans of America, American Legion, Veterans of Foreign Wars, **AMVETS**, Jewish War Veterans, and Vietnam Veterans Agent Orange Victims, deserve a great deal of credit for their support and efforts on behalf of H.R. 1961.

It is my hope that these members and organizations will now commit themselves to encourage Senate passage and President Reagan's endorsement.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield 3 minutes to the very able chairman of the Subcommittee on Hospitals and Health Care, the gentleman from Pennsylvania (Mr. **EDGAR**).

Mr. EDGAR. Mr. Speaker, as an original cosponsor of H.R. 1961, the Agent Orange and Atomic Veterans Relief Act, I rise in full support of the legislation.

As chairman of the House Veterans' Affairs Subcommittee on Hospitals and Health Care and a member of the committee since 1975, I can attest to the fact that the subject of agent orange has been one of the most serious and persistent problems we have faced.

In 1978, our colleague, the gentleman from California, **DON EDWARDS**, and I were the first members of the committee to call for hearings on the issue of agent orange.

We have, since that time, held at least nine hearings reviewing scientific data, and the concerns of veterans and their families in attempting to reach a consensus on the issue.

Where the scientific community was uncertain as to the range of disabilities which could be attributed to exposure to agent orange in humans, there was general agreement on three basic points:

Dioxin is one of the most highly toxic substances known to man.

Second, during a 10-year period from 1961 to 1971 approximately 52 million pints of the herbicide were sprayed in South Vietnam.

Third, there was a growing concern among the Vietnam veteran population that not only their health, but the welfare of their families had been adversely affected by exposure.

The VA has conducted over 130,000 agent orange health screening examinations.

Nearly 11,000 Vietnam veterans in my own State of Pennsylvania have gone to the Veterans' Administration for examinations and agent orange counseling.

During the 97th Congress the Congress approved our legislation, now law, Public Law 97-72 which provides health care in VA medical facilities for veterans who have disabilities which could be associated with exposure to agent orange and ionizing radiation.

Based on far less evidence than this, last year, the present administration awarded \$33 million to relocate the families of Times Beach, Mo., who only may have been exposed to dioxin in the soil around their homes.

On these precedents and further scientific evidence it only seems appropriate that we move forward at this point with the presumptions for compensation for three specific diseases: Chloracne—a skin condition, porphyria cutanea tarda—a liver disorder, and soft tissue sarcomas.

In the same vein, our committee has attempted to deal with the residual effects of exposure to ionizing radiation among the "Atomic Veteran" population. Between 1945 and 1963 the U.S. Government exploded approximately 235 atmospheric nuclear devices. Approximately 200,000 American service personnel were exposed to ionizing radiation during that time, or during the clean-up operations in Hiroshima and Nagasaki. Again, as with the agent orange question, there has been disagreement in the scientific community as to the exact disabilities brought on by varying degrees of radiation. But still, the existing evidence was strong enough to warrant, at a minimum at this time, a presumption of disability for three specific diseases: Cancer of the thyroid, polycythemia vera—a bone disease, and leukemia if those disabilities appear within 20 years of exposure.

Mr. Speaker, it is very clear that we have taken an important first step in bringing this bill to the floor. It does not go as far as the bill we originally introduced nor does it include additional means of requiring that the VA submit additional disabilities which could be compensable as a result of exposure to these environmental hazards that was contained in an amendment before the committee. There are many of us on the committee who are also concerned that the presumptive periods called for, for both Vietnam veterans and atomic veterans, are unrealistically short. Still, the bill is a beginning, and the House, at least, is taking

this important first step in behalf of those who have served their country and now seek our help.

I would like to express my deep appreciation to the gentleman from South Dakota, the original author of this legislation, **TOM DASCHLE** for his persistence and his dedication to this issue.

I would also like to thank the leadership of the committee, Chairman **MONTGOMERY**, and Ranking Minority Member **JOHN PAUL HAMMERSCHMIDT** for their leadership and willingness to compromise to seek this solution.

Mr. MONTGOMERY. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. **FAZIO**).

Mr. FAZIO. Mr. Speaker, today we are considering legislation that will provide a measure of relief that is long overdue for the thousands of veterans suffering from illnesses attributable to agent orange and atomic radiation exposure.

These veterans provided our country with patriotic service under hazardous conditions. Indeed, the full extent of the hazards faced by Vietnam veterans exposed to toxic herbicides containing dioxin, such as agent orange, and who suffer from illnesses linked to that exposure is not yet fully known. Likewise, veterans who served in the occupation forces in Hiroshima and Nagasaki immediately following World War II and those who have since participated in atmospheric nuclear tests were serving in the midst of hidden dangers that are only now coming to light.

This legislation, which provides disability benefits to these veterans or their survivors, is only the first step we must take to insure that this type of hazard is never faced by our service men and women in the future. There is a growing concern and interest in Congress to find out all we can about the potential health effects of exposure to nuclear radiation and agent orange—both manmade environmental hazards of military service. These veterans served their country in good faith and honorably fulfilled their obligations. With the passage of H.R. 1961 Congress can demonstrate that we will not turn our backs on our responsibilities to those who served their country at a great personal sacrifice.

Mr. MONTGOMERY. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. **ROWLAND**), a member of the committee, who has been very helpful on this legislation.

Mr. ROWLAND. Mr. Speaker, I thank my good friend and distinguished chairman of the full committee for his strong support and for giving me this time. I also thank my good friend, the gentleman from Arkansas (Mr. **HAMMERSCHMIDT**), for the great part that he has played in this, as well as the gentleman from Ohio

(Mr. APFLEGATE), the gentleman from New York (Mr. McHUGH), and other members of the committee for the work that they have done.

Mr. Speaker, I rise today in support of the Agent Orange and Atomic Veterans Relief Act. Legislation which I introduced with my good friend and colleague, Mr. HAMMERSCHMIDT, H.R. 3909, has been incorporated, in part, in this legislation.

While I am fully supportive of the provisions in the bill pertaining to veterans exposed to agent orange, I want to address the portions of H.R. 3909 that have been made a part of this important legislation.

The bill represents a landmark in that, at long last the Government is recognizing the unknown risks to which some of our soldiers were exposed in the line of duty. Over 220,000 military personnel have been exposed to varying levels of ionizing radiation. Even though we do not know the name of every person who was exposed, and in most cases, we do not know the extent of the exposure, the carcinogenic effects of radiation have been accepted for many years. In 1934, after prolonged exposure to X-rays, Madame Curie died from leukemia. Radiation exposure has a documented effect on the reticulo endothelial system.

H.R. 1961 establishes a temporary disability program for veterans who have manifested one of three diseases within 20 years of their exposure to radiation: Leukemia, which is the proliferation of the white cell producing elements in bone marrow; polycythemia vera, the proliferation of the red blood cell producing elements in bone marrow; and thyroid cancer. Studies by the Center for Disease Control in Atlanta have shown the incidence of leukemia to be three times as high for veterans exposed during the Smoky nuclear test in Nevada, and for polycythemia vera, 10 times as high.

It is interesting to note that during the Baker tests in the South Pacific, contaminated salt-water was ingested by military personnel. Saltwater which has a heavy concentration of iodine, when radiated turns to I_{131} , a radioisotope. This radiated iodine is then stored in the thyroid glands of those who ingested the salt-water spray.

The problem with identifying the cause and effects of radiation induced cancers and disorders is that it takes years for the original injury to manifest itself as an observable malignant neoplasm. Beta emitters can even be incorporated into parts of the body to irradiate internally. These problems with just identifying the disorders in a timely manner are compounded by the factors other than scientific which have entered into the research on this subject.

However, it is the responsibility of the Government to at least give the benefit of the doubt to those veterans who have risked their lives for our common good. Although the 20-year manifestation period is too short to do many veterans any good, perhaps their survivors will find some solace in the inclusions of death benefits in this legislation.

This is a bipartisan bill that offers hope to a large group of patriotic veterans who have for too long felt that their pleas for recognition and accounting have gone unheeded.

The Agent Orange and Atomic Veterans Relief Act is the cornerstone upon which we can build the truth, determine responsibility, and provide appropriate compensation. I urge my colleagues' support of this modest bill.

□ 1250

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield 2 minutes to a very able member of our committee, the gentleman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, as a cosponsor of the Agent Orange and Atomic Veterans Relief Act, I rise to urge my colleagues to vote for this vital piece of legislation and compliment our distinguished chairman, the gentleman from Mississippi (Mr. MONTGOMERY), for his strong leadership on this, as well as the ranking minority member, the gentleman from Arkansas (Mr. HAMMERSCHMIDT), and the gentleman from South Dakota (Mr. DASCHLE).

Mr. Speaker, I must admit that I am both pleased and saddened to be standing here today speaking in support of this bill. I am pleased that we in Congress are taking a step to try to help the Vietnam and atomic veterans. But I am saddened that it has taken so long to take such a small step. Passage of this bill must be only the first step in a series of moves to bring justice to these veterans. I am also saddened that the Veterans' Administration, the Government agency which is supposed to abide by its motto, "To care for him who shall have borne the battle," seems to care very little.

The plain and hard fact is that we have not been keeping our commitment to Vietnam and atomic veterans. It is not enough for statements to be issued each and every Memorial Day or each and every Armistice Day on behalf of these people who bravely served their country. It is time for action and the action should be passing this legislation.

Many of us in Congress have heard from Vietnam and atomic veterans who are discouraged, disappointed, and disgusted with the inertia exhibited by the VA. Regrettably, their outrage is extremely justified. These veterans have been turning to their Government for answers and assistance, and they have received neither. The

result has understandably been anxiety and despair.

Some people who oppose this bill have argued that it has the potential for alarming millions of veterans and perhaps the population as a whole. But we are alarmed already, and not only at the specter of dioxin and radiation. We are also alarmed at the specter of an indifferent Government which inflicts enormous suffering and is too callous to assume responsibility. Rather than alarming Americans, passage of this bill will bring relief. Americans will be relieved to know that we are finally taking action on this lingering problem which will not disappear.

Others who oppose this bill argue that we are abandoning reason for the sake of compassion. They want us to wait until all the evidence is in, which perhaps will never occur for some opponents. This House must draw a distinction between what is scientifically proven "beyond a shadow of a doubt," and what is morally responsible under the laws of this land. I believe that at some point a line must be drawn as to how much evidence must be obtained, before action can be taken to assist dying and seriously ill Vietnam and atomic veterans. I need only to point to the massive cleanup and relocation effort at Times Beach, MO, following the discovery in that community of the same deadly dioxin known to have been present in agent orange. Clearly, other branches of the Federal Government recognize the serious health risks associated with dioxin exposure.

At issue is the integrity and credibility of the VA's compensation program. Enactment of this bill would restore credibility to the VA's policies and to our commitment to compensate veterans for injuries incurred in the service of our country. It is time to shift the burden of proof from the veteran to the VA in awarding service-connected disability claims for illnesses attributable to dioxin and radiation.

In my home area of Toledo, Ohio, I have heard more individual horror stories from families, concerning exposure to radiation and agent orange, than I can recount here. Tragically, suicide has been the answer for some. Others have withstood the pain and medical bills, both of which are deadly. The problems, of course, are compounded by the high unemployment rate in the area.

Repeatedly, my constituents have explained to me that this legislation would do more than provide them with desperately needed benefits. For the first time, they say, it would begin to relieve some of their anxiety. I know many Vietnam veterans currently suffering from chloracne, who served with others who are currently dying of soft-tissue sarcoma. Since cancer often does not show up for quite a while, many veterans justifi-

ably worry that chloracne is only the beginning of their problems. This legislation would relieve some of their anxiety, by proving that Americans are concerned about them, and that they will be able to afford proper treatment if further service-connected disabilities appear.

I urge my colleagues on both sides of the aisle to support this vital legislation. For as Mr. Harry Walters, the Administrator of the VA, has so aptly stated: "America is No. 1 thanks to our veterans." In appreciation of their valiant service, we must insure that they receive the care, support, and recognition they have earned. The Agent Orange and Atomic Veterans Relief Act is long overdue.

The SPEAKER pro tempore. The Chair will advise that the gentleman from Mississippi has 6 minutes remaining and the gentleman from Arkansas has 9 minutes remaining.

Mr. MONTGOMERY. Mr. Speaker, I yield 3 minutes to the chairman of the Congressional Vietnam Veterans, the gentleman from Michigan, Mr. DAVE BONIOR.

Mr. BONIOR of Michigan. Mr. Speaker, I would like at this time to commend the distinguished chairman of the full committee, the gentleman from Mississippi (Mr. MONTGOMERY), and the distinguished chairman of the subcommittee, the gentleman from Ohio (Mr. APPLIGATE), for their leadership and active support of this legislation, as well as the gentleman from Arkansas (Mr. HAMMERSCHMIDT), particularly for his interest in the atomic veterans part of this legislation.

Mr. Speaker, I would also like to commend the distinguished gentleman from South Dakota, the present chairman of the Vietnam Veterans in Congress TOM DASCHLE, and the author of the original bill, for his persistent work on behalf of Vietnam veterans.

Mr. Speaker, H.R. 1961 addresses the dual problem of exposure to agent orange and atomic radiation. The bill is not the hurried answer to a new problem. It does not open the flood gates to future claims nor does it reject science in the name of compassion.

At a yearly cost of just \$6 million or less, the bill's agent orange presumptions are carefully focused on only three specific disabilities: Soft tissue sarcomas, chloracne, and porphyria. In each case, substantial evidence exists relating the disabilities to exposure to agent orange.

Some 4 years ago, two independent Swedish studies related exposure to 2,4,5-T—a main ingredient in agent orange—and soft tissue cancers.

Following the Swedish studies, an independent review of four additional groups of exposed American workers found the same correlation.

In the distinguished New England Journal of Medicine, two doctors from

Emory University completed the circle, reporting on three Vietnam veterans with soft tissue sarcomas.

Yet even today, the Veterans' Administration repeats its call for more research—and more delays—before any compensation is granted.

Mr. Speaker, there is much we do not know about agent orange. Aggressive research is required. Nevertheless, there are some things we do know and some things we can do.

For Vietnam veterans to trust the call for more research, they must believe that new findings will produce new policy.

They must believe that new evidence will not disappear behind an ever escalating burden of proof and the constant call for yet more research.

For Vietnam veterans to trust their Government, they must believe that somewhere, somehow, there will be an end to delays and a time for action.

It is possible to argue that the evidence supporting the disabilities addressed in H.R. 1961 is not adequate. It is not possible, however, to avoid the next question.

If this evidence is not enough, then how tall a mountain of material will finally be required?

H.R. 1961 will insure compensation for several thousand Vietnam veterans. This is an important step, but the bill's importance goes beyond the aid it offers individuals.

H.R. 1961 seeks to demonstrate that whoever else may hesitate, Congress, at least, is prepared to draw a line and act.

I urge adoption of the measure.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield 3 minutes to the distinguished chairman of the Committee on Education and Labor, the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. I thank the gentleman for yielding this time to me.

Mr. Speaker, I am pleased that Congressman DASCHLE and the Committee on Veterans' Affairs has brought to the House H.R. 1961, legislation which addresses the problems suffered by our veterans from exposure to agent orange during the Vietnam war, as well as those veterans who were exposed to radiation after the atom bombings of Japan and during the nuclear testing until 1963. As an original cosponsor of this legislation I believe that it addresses a major problem which our veterans are suffering. My only criticism is that it needs to go much further but it is definitely a major step forward.

The committee acted wisely in adding the section concerning atomic veterans and survivors. Just a few years ago I visited a neighbor of mine in the hospital who had been diagnosed as having cancer. This man had served his country for many years as an enlisted man in the Air Force until his retirement. While I was talking

with him he told me for the first time that he had participated in several nuclear tests in Nevada. During these tests he and his fellow soldiers were required to stand up with their backs to the blast. The shock wave was so strong that it knocked his helmet off even though he was holding on to it. Before this person was stricken with cancer he was one of the most robust men I have known. He could engage in hard physical labor all day without slowing down. After the blast this individual and his colleagues were given sandwiches which they ate and ingested the radioactive dust which covered them. Late in the day they were loaded in trucks and driven many miles away to an Air Force base. While they were in the truck they passed other soldiers going through decontamination. Finally, late in the evening when they marched in the barracks, they had an opportunity to clean up. They did not go through any formal decontamination procedures. This was not the only test that this individual participated in.

At my recommendation this individual filed a claim for service-connected disability with the Veterans' Administration. He claimed service connection for the cancer he was suffering as a result of the nuclear tests he participated in during the 1950's. This case, under the guidelines then in effect, was denied by the regional office of the Veterans' Administration. During this period I did everything I could to assist my constituent and friend. When the case was before the Board of Veterans Appeals I appeared personally at the hearing with this individual to assist him. The Board of Veterans Appeals remanded the case to the regional office for the development of further information. The long and the short of this was he was denied by the Veterans' Administration after he died. I considered at that time, and I still do, that the denial of this individual for service connection is arbitrary and capricious. I believed at that time, as I still believe, that the denial of benefits to people like this individual, as well as the other atomic veterans, was based upon calculations by so-called budget analysts as to its impact on the Treasury of granting these veterans the benefits they deserve. I asked the General Accounting Office to investigate and see if they could find evidence of this occurring. GAO reported back to me that they could not document that this was the case although one individual at GAO privately told my assistant that he believed I was correct but they could not find the necessary proof.

I hope that this legislation will be passed unanimously. It is a step forward. The people who will benefit have served their Nation and have been stricken with dread diseases

caused by chemicals and nuclear radiation. It is indeed a tragedy that such legislation is necessary. The denial of benefits to the victims of agent orange and to the victims of nuclear radiation is an inhumane act. I hope that this legislation will speedily become law and will send a message to the Veterans' Administration that they are to serve the veterans and not some individual's misguided opinion as to budgetary priorities.

□ 1300

Mr. MONTGOMERY. Mr. Speaker, I thank the gentleman from Connecticut for his patience and I now yield 2 minutes to the gentleman from Connecticut (Mr. RATCHFORD).

Mr. RATCHFORD. Mr. Speaker, I rise in strong support of H.R. 1961, legislation proposed by my friend and colleague from South Dakota to provide a presumption of service connection for certain diseases related to agent orange exposure in veterans of the Vietnam era.

Mr. Speaker, there are an estimated 50,000 to 60,000 Vietnam veterans in the State of Connecticut alone. The experiences of many of those veterans, in my own district, and throughout the State have been a source of concern for many years. A statewide investigation into the problem, mandated by Connecticut's Legislature in 1982, has already begun to bear fruit in data which cannot be ignored. Although H.R. 1961 is a good beginning, I believe it will need to be broadened, and that analysis of the growing national data will support it. In addition to liver and skin disorders, in Connecticut birth defects among exposed veterans' children are alarmingly frequent, and yet this bill unfortunately does not include them among the compensable diseases. Several veterans in my own district, who were crew members for Operation Ranch Hand, the agent orange spraying missions, have had children with severe multiple birth defects. These tragedies have occurred in many families with no previous history of birth defects on either side. The individual horror stories of chronic maladies among veterans exposed to agent orange, and severe birth defects among their children, are forming a pattern typical of findings across the country. They may very well represent only the tip of the iceberg.

The Government has not been fulfilling its obligations to its citizens in Connecticut or the rest of the country. It is time for Congress to step in and fill the gaps, and H.R. 1961 is a good beginning. Veterans are asking themselves: If the Government is offering presumptive treatment, why not presumptive compensation? And if the citizens of Time Beach, Mo., were compensated, citizens exposed to dioxin at 120th the level in agent orange, why

not the citizens who served in Vietnam? Let the studies continue, by all means, and I regret that the bill as reported does not provide for a special advisory committee to analyze the evidence. But let us not quibble. Dioxin is a killer and acrippler, and compensation is needed now. I urge my colleagues to support this legislation, which takes a thoughtful and balanced approach to a very difficult problem.

● Mr. UDALL. Mr. Speaker, I rise today in support of the bill, H.R. 1961, Agent Orange and Atomic Veterans Relief Act. This legislation is a first step toward acknowledging the suffering of many of our Vietnam veterans. Specifically, it will provide relief for those individuals who served in Southeast Asia during the Vietnam era and were exposed to the herbicide, agent orange.

The bill provides benefits to Vietnam veterans and/or their survivors, who within 20 years of their departure from Vietnam, must show to have soft-tissue sarcoma cancer. It provides benefits to the Vietnam veteran, who within 1 year of his departure from Vietnam, is shown to have either prophyria cutanea tarda (PCT, a liver condition) or chloracne (a skin condition).

The bill also provides the same disability relief to veterans who participated in the testing of nuclear devices or in the occupation of Hiroshima or Nagasaki; if within 20 years from time of participation they suffer from cancer of the thyroid, leukemia, or polycythemia vera (a bone marrow disease).

The Government's position on exposure to agent orange or the participation in the testing of nuclear devices has frankly been dispiriting. A great many injustices have been inflicted on our Vietnam veterans, high unemployment, inadequate training programs, and unfulfilled promises of rehabilitation and career counseling.

It is time for us to fulfill our obligations to those who served our country in the Vietnam war. This legislation recognizes the long-range effects of exposure to agent orange or nuclear radiation and allows this small group of veterans to receive service-connected disability treatment and benefits. These veterans were willing to risk their lives in Vietnam because they cared; we the Congress should be willing to take the necessary actions to allow for the treatment of their illnesses without requiring them to fight for many years in the courts.

I urge my colleagues to give this legislation favorable support and passage. ●

● Mr. PATTERSON. Mr. Speaker, I rise in support of H.R. 1961, the Agent Orange and Atomic Veterans Relief Act. This legislation addresses serious

problems that began for some veterans nearly 40 years ago.

H.R. 1961 provides assistance to veterans who served their country, contracted illnesses which may be service-related and have not received disability compensation. After years of waiting for help, these veterans were told that they should continue to wait, possibly until the end of this decade, before their eligibility for disability compensation would be determined. This is too great a burden to place on veterans suffering from disabling ailments.

This measure provides much needed relief for two very specific groups of veterans—those who were exposed to agent orange in Southeast Asia, and those who were exposed to atomic radiation, either during the occupation of Japan after the Hiroshima and Nagasaki bombings, or during atmospheric testing of nuclear devices between 1945 and 1963.

Numerous scientific studies are currently underway related to the effects of exposure to agent orange. The Center for Disease Control is currently conducting an extensive study with results expected between 1987 and 1989. While I am hopeful that this and other studies will provide important answers to the agent orange question, there are some veterans who cannot wait that long for our help. H.R. 1961 will provide interim disability compensation to veterans with certain specified illnesses which may have been caused by agent orange exposure. These disability payments will be valid until completion of the CDC study, at which time Congress will have an opportunity to review the findings to determine if further action is needed.

While questions still remain about the effects of exposure to low-level radiation, some evidence has emerged which links such exposure to certain diseases. H.R. 1961 would compensate veterans who contracted these illnesses after exposure to radiation during their time of service. As with the agent orange program, these benefits are temporary pending the results of additional studies.

The legislation before us today takes a balanced approach to a highly complex and controversial issue. It compensates a carefully defined group of veterans who have contracted the diseases considered most likely to result from exposure to agent orange or atomic radiation. The bill includes a sunset provision stating that the compensation provided is temporary, contingent on the final outcome of studies on these situations. This legislation provides a long overdue remedy for America's veterans and takes an important step toward insuring that our Government fulfills its promise to those who served their country, as stated in the motto of the Veterans'

Administration: "To care for him who shall have borne the battle and for his widow, and his orphan."●

● Mr. BONER of Tennessee. Mr. Speaker, I rise in support of the Agent Orange and Atomic Veterans Relief Act.

This bill addresses a problem that many veterans now face as a result of their service either in South Vietnam or the Southwest United States and the South Pacific.

From 1961 until 1971 the herbicide agent orange was used in South Vietnam to eliminate jungle growth. Agent orange contains one of the most highly toxic substances known to man—dioxin. The medical community is unable to come to terms on how dangerous dioxin is to the health, or to what extent exposure results in long-term health problems. There is considerable evidence, however, that dioxin does increase the likelihood of three types of disease: Soft tissue sarcoma, a form of cancer; PCT, a liver condition; and a skin condition known as chloracne.

During the years of 1945 through 1963 the United States exploded approximately 235 nuclear devices in the atmosphere in the Southwest United States and the Pacific Ocean. The Department of Defense estimates that 220,000 military personnel participated in those tests. Additionally, other personnel were exposed to radiation while participating in the occupation of Hiroshima and Nagasaki. Many studies indicate that those participating in the tests have a higher than expected rate of leukemia, as well as a bone marrow disease.

Mr. Speaker, in both of these instances the scientific and medical communities cannot decide if dioxin or radiation has led to the suffering that many of our veterans now experience. Several studies have been conducted and several more are to be completed by 1987 and 1989.

I do not feel that the veterans should wait any longer to receive the benefits that they so rightly deserve. We have waited and researched long enough, it is time we compensate these special Americans and their survivors in some way.

I commend Mr. DASCHLE for introducing this bill, and especially the chairman of the committee, my friend, SONNY MONTGOMERY, for his work on this legislation in addressing this problem and bringing it to the attention of the American people.●

● Mr. KOSTMAYER. Mr. Speaker, I rise in support of H.R. 1961, the Agent Orange and Atomic Veterans Relief Act. I am proud to be a cosponsor of this important legislation.

Recognition of the medical needs of those veterans who served our country in Southeast Asia during the Vietnam era and who participated in the test-

ing of nuclear devices between 1945 and 1963 is long overdue.

I believe that we, as Members of Congress, must respond to the apprehension and concern among Vietnam veterans and their families about the possible long-term health effects that may have been caused by exposure to agent orange while serving in Southeast Asia. In addition, this bill addresses the health concerns of atomic veterans and their families who were exposed to low-level ionizing radiation.

The herbicide agent orange was used extensively in Vietnam over a 10-year period to reduce or eliminate jungle foliage. Agent orange contains dioxin, one of the most toxic substances known to science. At this time, we do not know all the long-term effects of dioxin on humans, nor do we know how much exposure can be expected to harm human health. However, agent orange has been linked to at least three types of disease: a form of cancer known as soft-tissue sarcoma, a liver condition known as porphyria cutanea tarda or PCT, and a skin condition known as chloracne.

It is estimated that 220,000 military personnel may have been exposed to radiation effects between 1945 and 1963. Studies have shown that those persons involved in the nuclear testing have a higher than expected rate of leukemia and bone marrow disease known as polycythemia vera.

This bill provides that retroactive to October 1, 1983, a temporary disability (or death) allowance would be payable to veterans who served in Southeast Asia during the Vietnam era and who later suffer from one of three conditions—soft-tissue sarcoma, porphyria cutanea tarda, or chloracne. The soft-tissue sarcoma must be shown to exist within 20 years from date of departure from Southeast Asia while the other two conditions must be shown to exist within 1 year from date of departure.

The bill also provides that retroactive to October 1, 1983, a temporary disability (or death) allowance would be payable to veterans who participated in the testing of nuclear devices or who participated in the occupation of Hiroshima or Nagasaki immediately after World War II and, within 20 years from time of participation, suffer from cancer of the thyroid, leukemia, or polycythemia vera.

Under the bill, these benefits would be terminated 1 year after the Veterans' Administration submits to Congress a study now being prepared by the Centers for Disease Control on the effect of agent orange exposure on veterans' health. This study is expected to be completed between 1987 and 1989. Public Law 98-160, which was signed into law on November 21, 1983, already requires the Administrator of Veterans' Affairs to consider the feasibility of conducting an epidemiological study on the effects of low-level ioniz-

ing radiation on veterans who participated in the testing of nuclear devices or who were in the occupation forces at Hiroshima and Nagasaki immediately after World War II. It is estimated that this study, if undertaken, would be completed before the agent orange study.

I am concerned, as are others, Mr. Speaker, about the fact that the benefits authorization in this bill terminates 1 year after the agent orange study is completed. Therefore, it will be important for the Veterans' Affairs Committee and the Congress to carefully follow the progress of the studies to insure their objectivity and accuracy, and then to be prepared to pass the appropriate legislation expeditiously upon learning of the findings.

This legislation is an important first step regarding compensation for exposure to agent orange and low-level radiation. However, this bill is not a cure-all and questions relating to this compensation for veterans will continue after the bill is passed. I join several of my colleagues on the Veterans' Affairs Committee in urging the creation of an independent advisory committee to objectively analyze all new and existing scientific evidence pertaining to dioxin exposure. I believe this would insure that viewpoints contrary to VA positions receive fair and expeditious consideration. In addition, I support an open, public procedure by which the VA can clarify how much and what kind of proof is still necessary before additional agent orange claims can be approved.

Mr. Speaker, I know as a cosponsor of this bill that it has been carefully examined by veterans and veterans' groups throughout our Nation. The bill is supported by such veteran organizations as the Vietnam Veterans of America, the American Legion, and the Veterans of Foreign Wars. Many of the veterans I represent from Bucks County and eastern Montgomery County in Pennsylvania have impressed upon me the importance of this bill.

Vietnam and atomic veterans' loyal service to America was without question a display of courage, strength, and devotion. As elected representatives, we have an obligation to defend the interests of veterans who have already made great sacrifices in serving and protecting our country and I encourage my colleagues to support H.R. 1961.●

● Mr. CORRADA. Mr. Speaker, I rise in strong support of H.R. 1961, the Agent Orange and Atomic Veterans Relief Act which establishes a presumption of service-connection for certain diseases present in Vietnam veterans and veterans who participated in the detonation of an atomic bomb or device or in the occupation of Hiroshima or Nagasaki, that may be attribut-

able to the exposure to agent orange or ionizing radiation.

I believe that it is only fitting and just to compensate veterans who suffer certain diseases which have been reasonably linked to the veterans' exposure to agent orange and atomic radiation during their time in military service. While these illnesses stand officially unrecognized due to the lack of conclusive scientific evidence of their service connection, they are real, they are painful, they have been reasonably established as service-incurred diseases and therefore, during the absence of scientific proof to the contrary, the ailing veteran should be compensated.

The Federal Government has the responsibility to compensate our soldiers for all service-connected disabilities and whenever we are in doubt as to the service connection of a disease, the benefit of the doubt should rest with the veteran; they have rightfully earned this deference.

I urge my colleagues to vote for the passage of this legislation which places the responsibility for the health damaging results the use of herbicides and ionizing radiation yielded where it belongs.●

● Mr. STARK. Mr. Speaker, I support the passage of this legislation. It is becoming increasingly clear that the costs of the Vietnam war will be even more horrendous than we realized—but they are costs which all of society must share, not just those who served their country by going to Vietnam.

The full magnitude of the health disaster created by agent orange is still unfolding. One of my constituents was in a supply company (the 570th) in Vietnam in 1967 and 1968, which was involved in fighting a chemical fire in which a huge cache of agent orange was burned. He has come down with a very serious skin and nerve (and possibly other) disorders. In contacting other members of his unit, he has found four out of the approximately 200 men of the unit to be seriously ill. He had not found any of his colleagues who are fully well. I have asked the VA to find the men of this unit and poll them as to their health, to determine whether this is a cohort which should be especially watched over the years.

I suspect that this bill will be the first of several we will need over the years to be fair to the men and the families of those who served in Vietnam.

To reject this bill would be the most serious breach of faith.

I urge its passage.●

● Mr. DORGAN. Mr. Speaker, for more than a decade veterans of the Vietnam war had been neglected veterans.

Recognition for their deeds and actions has finally come with the dedication of a Vietnam Veterans Memorial

in Washington. But that is not enough. Congress must take action now to help those men and women who suffer physical ailments from exposure to the toxic herbicide "agent orange" during the Vietnam war.

I am proud to vote for the Agent Orange and Atomic Veterans Relief Act, H.R. 1961, because I believe it is critically important. This legislation provides compensation to veterans who served in Southeast Asia during the Vietnam era and who suffer from certain agent orange-connected conditions. It also provides benefits to veterans who participated in the testing of nuclear devices or who served in the occupation of Hiroshima or Nagasaki and who suffer from certain cancers.

Although I support H.R. 1961, the legislation—particularly in the case of Vietnam veterans—could have been better. I backed proposals before the U.S. House Veterans' Affairs Committee to strengthen the legislation and supported many members of the committee who pushed for more comprehensive legislation.

Agent orange will continue to be of great concern to veterans in North Dakota and across the country. A special agent orange hearing I held in Bismarck, N. Dak., in 1982 showed the need for stronger legislation.

Although rejected by the Veterans' Committee, I continue to support the following two additions to the legislation.

First, an independent advisory committee must be established to objectively analyze all new and existing scientific evidence pertaining to dioxin exposure.

Second, an open, public procedure should be set up by which the Veterans Administration can clarify how much and what kind of proof is still necessary before additional agent orange claims can be approved.

Results from several scientific studies are expected in the months ahead which should reveal a great deal more about agent orange and its effects on humans. Even the Congressional Research Service concludes the impact of these studies will be unclear because the Veterans Administration has not established any formal criteria for how their policies might be altered by scientific findings.

The discovery of illness in a medical or scientific study could easily go ignored.

If the committee had adopted our proposal, veterans would have been assured that as new studies are published, there would have been an orderly process to determine study conclusions and their relevancy to veterans' compensation claims.

There is also a great deal of concern about the decisionmaking process within the VA with respect to agent orange compensation. While the Environmental Protection Agency and the

Occupational Safety and Health Administration follow clear and established guidelines in assessing toxic chemical risks, the VA does not.

After my hearing in Bismarck and congressional hearings in Washington, it became clear that an advisory committee is necessary simply to sort out the conflicting viewpoints on many scientific studies and their relationship to agent orange claims. Independent analysis of this information would insure that viewpoints contrary to VA positions receive fair and expeditious consideration.

It is my hope that the Veterans Affairs Committee will renew its consideration of these two important proposals during the 2d session of the 98th Congress.●

● Mr. CONTE. Mr. Speaker, I rise in support of H.R. 1961, the Agent Orange and Atomic Relief Act.

Veterans exposed to nuclear weapons testing and the defoliant agent orange have unique needs that ought to be addressed by the Federal Government. Their concerns about the health effects from exposure to radioactivity and dangerous herbicides—as a result of military service—are sincere and have merit.

Between 1945 and 1963, the U.S. Government conducted hundreds of nuclear weapons tests in various parts of the world. Approximately 235 nuclear devices were detonated over the American Southwest and the Pacific Ocean. As a result of these experiments, about 220,000 Department of Defense personnel were potentially exposed to low levels of ionizing radiation. Additional personnel may have been exposed during the occupation of Hiroshima and Nagasaki.

Even though there is no conclusive scientific evidence connecting this exposure to disease, the incidence of certain cancer seems to be higher among the "atomic veterans" than the national average. As the Veterans' Administration studies this connection, however, there should be some compensation for veterans who served under these special circumstances.

Military personnel exposed to agent orange also served under special circumstances that should be recognized by the Federal Government. During a 9-year period from 1961 through 1969, agent orange and other herbicides were used by the military in Vietnam as a defoliant. Thousands of our servicemen were exposed to this chemical. To assess the possible connections between the use of agent orange and diseases among veterans, the Center for Disease Control with the Veterans' Administration, is conducting a comprehensive study that began in January of last year.

Even though testing and studies have not been completed, Vietnam veterans seem to suffer a higher inci-

dence of cancer, skin conditions, and liver ailments. Some veterans experience nervousness, headaches, or fatigue along with paralysis or numbness. Considering these symptoms, significant evidence exists, in my mind, to warrant benefits for these servicemen.

This legislation provides temporary disability compensation or death allowances to Vietnam-era veterans if they suffer from any one of these named illnesses, within a specified time period. H.R. 1961 also provides the same benefits to veterans who participated in the testing of nuclear devices or the occupation of Hiroshima and Nagasaki who can demonstrate symptoms of certain ailments.

These benefits terminate when the C.D.C. report is finally submitted to Congress. At that time, a program based on conclusive scientific data can be developed for these veterans.

There is, however, a need to address the special problems of Vietnam veterans exposed to agent orange and nuclear radiation during this interim period. H.R. 1961 addresses these special problems. I urge my colleagues to support this legislation.●

● Mr. McGRATH. Mr. Speaker, I rise in strong support of H.R. 1961, the Agent Orange and Atomic Veterans Relief Act. The Committee on Veterans' Affairs is to be commended for bringing this important measure to the floor for a vote early in the session, and I hope the other body will be convinced to complete action on it as well.

H.R. 1961 provides relief to two groups of veterans, from different wars, whose disabilities or medical problems would appear to be service connected, atomic veterans and those who were exposed to agent orange. In both these cases, relief seems to be long overdue.

During the 1960's, countless thousands of Americans were exposed to the herbicide agent orange, which contains dioxin, one of the most toxic substances known to man. Studies which have been commissioned to study the effects of agent orange have not been completed, much to everyone's regret, but it is clear that Vietnam veterans who have been exposed to the defoliant have experienced a higher than normal incidence of chloracne, PCT, and soft-tissue sarcoma.

Mr. Speaker, in the years 1945 to 1963, 220,000 U.S. military personnel participated in nuclear weapons tests in the Southwestern United States and the Pacific, and still others were exposed to radiation as a result of participation in the occupation of Hiroshima and Nagasaki. Conclusive findings have been hard to establish because most of the personnel involved in the tests were exposed to low levels of radiation and the amount of radiation was poorly monitored or not

monitored at all. But the fact is that some studies have shown a higher than expected rate of certain types of cancer.

To those who have served their country in time of conflict, we owe the best care we can possibly afford. This legislation provides to atomic veterans and those exposed to agent orange care which they have been too long denied. It sets fair standards for the payment of compensation for medical conditions which may be directly attributable to service in the military. It denies payment to those who cannot establish a reasonable link between their service and their disability.

Mr. Speaker, a \$25 million, 5-year cost is not too much to pay to keep faith with our veterans.●

● Mr. COLEMAN of Texas. Mr. Speaker, I rise today in strong support of H.R. 1961 and commend the chairman and members of the House Committee on Veterans' Affairs as well as the gentleman from South Dakota (Mr. DASCHLE), for their leadership on this important issue.

As a cosponsor of this legislation, I believe it is incumbent upon Members of this body to provide service-connected disability benefits to our American military personnel who served in Southeast Asia during the Vietnam era and later suffered from exposure to agent orange. This herbicide was used extensively in South Vietnam as a jungle defoliant over a 10-year period to the detriment of human health in still unknown proportions. Exposure to agent orange has manifested itself in the occurrence of certain diseases such as cancer, liver ailments, and skin conditions. Questions still exist about the complete ramifications of agent orange dioxin exposure.

This bill also recognizes for disability compensation the hazardous exposure to nuclear testing suffered by thousands of veterans between 1945 and 1963. It is believed that participation in these tests has greatly enhanced the likelihood of leukemia, certain bone marrow diseases, and cancer of the thyroid. This recognition is long overdue and proper.

H.R. 1961 sets reasonable criteria for compensation eligibility and encompasses ongoing studies on the effects of exposure to agent orange.

I urge my colleagues to support this vital piece of legislation and the veterans who fought for our country.●

● Mr. JEFFORDS. Mr. Speaker, on behalf of the veterans of my great State of Vermont, I urge my colleagues to join in full, unqualified support of the Agent Orange and Atomic Veterans Relief Act.

At long last, veterans exposed to agent orange in Vietnam, and those exposed to ionizing radiation during atomic testing and during the occupation of Hiroshima and Nagasaki, will be entitled to disability compensation.

Our moral obligation to these men is clear, and the years we have wasted at their expense are tragic. Vermont veterans have worked hard to inform one another of the consequences of exposure to agent orange and atomic testing, and can take great pride in their diligence. But there are times when they become discouraged because their Government has failed to respond to their great needs. By passing this bill, we will tell veterans from Vermont, and from every other State in the Union, that we care, and that we will do whatever can be done in the effort to right a wrong.

Last summer, hearings were held on this bill before the Subcommittee on Compensation, Pension, and Insurance of the House Veterans' Affairs Committee. An impressive number of experts stepped forward to pass their findings on to the subcommittee.

I became even more convinced of the clarity of our obligation on this issue when I read the information sent by the Environmental Protection Agency, which stated that, "The Agency began its risk/benefit evaluation of 2,4,5-T in 1978 due to evidence from laboratory studies indicating that the chemical posed risks of tumor formation, birth defects and other adverse reproductive effects." The real experts, our veterans, have been telling us this for years.

Our obligation to atomic veterans is similarly clear. During an 18-year period, 235 nuclear devices were exploded with nearly a quarter of a million military personnel participating. Scientific studies show that veterans involved in nuclear testing have a higher risk of leukemia and bone marrow disease. Unfortunately, these veterans have had a more difficult time in proving their claims because the amount of their exposure was either poorly monitored or not monitored at all.

It is axiomatic that we, as a society, can never adequately repay our debt to those who have made great personal sacrifices for our Nation. But we have to try. We have to do what we can. This bill is a step in the right direction.●

● Mr. RICHARDSON. Mr. Speaker, I rise in strong support of H.R. 1961, the Agent Orange Relief Act. I want to commend our distinguished colleague from South Dakota, Mr. DASCHLE, for his outstanding and tireless work on this important legislation which was unanimously approved by the Committee on Veterans' Affairs.

On September 16, 1983, veterans from all across the Nation gathered in Washington to bring this issue to the attention of all Americans and to encourage the Congress to enact H.R. 1961. As an original cosponsor and strong supporter of this bill, I attended that rally on the steps of the Capitol. And there was no ambiguity in

the message I heard that day—Vietnam veterans are indeed suffering and they need help now. I stood next to Mr. Dwight Scaffinger, representing my home State of New Mexico. He told me about the hundreds of New Mexicans who were exposed to agent orange in Vietnam. There are over 45,000 Vietnam veterans in New Mexico. Twenty-six thousand fought in ground combat zones and many of them were exposed to this deadly poison. I have heard from victims of agent orange whose health problems include a rare form of cancer, skin disease, liver ailments, depression, and birth defects in their children. But time and time again, their claims for compensation are denied by the Veterans' Administration. They faithfully and honorably served their Government, but their pleas for assistance go unanswered. This legislation will make certain that the victims of agent orange are no longer ignored.

H.R. 1961 provides disability benefits to veterans who served in Vietnam and who later suffered from one of the afflictions associated with exposure to agent orange—soft-tissue sarcoma, porphyria cutanea tarda, and chloracne. Furthermore, this legislation provides compensation to veterans who are suffering from cancer as a result of being present during the testing of nuclear weapons or serving in the occupation of Hiroshima or Nagasaki.

Mr. Speaker, the effects of agent orange have been studied and restudied. I think we should continue to study the effects of agent orange and the many other chemicals veterans were exposed to in Vietnam. I am disappointed that the Veterans' Affairs Committee rejected, by a vote of 17 to 13, an amendment to H.R. 1961 to establish a special advisory committee to objectively analyze all new and existing scientific evidence pertaining to dioxin exposure. This committee would have assured effective and coordinated analysis of the many forthcoming agent orange studies.

Nevertheless, the harmful effects of agent orange can be seen in thousands of veterans who served in Vietnam. They answered the call of their Government. Let us act today to answer the call of these veterans and their survivors by passing H.R. 1961.●

● Mr. STOKES. Mr. Speaker, I rise in strong support of H.R. 1961, the Agent Orange and Atomic Veterans Relief Act. This legislation would compensate veterans who served in Southeast Asia during the Vietnam era and who later suffered from serious and debilitating diseases which may be a result of their exposure to toxic herbicides containing dioxin while serving in Vietnam.

Initially, I would like to take this opportunity to commend Representatives TOM DASCHLE and LEON PANETTA

for their outstanding leadership in the development of this legislation, now cosponsored by more than 200 Members of the House.

Mr. Speaker, the possible adverse health effects of exposure to agent orange is and has been of great concern to Vietnam-era veterans, their families and the general public. The deadly contaminant dioxin, present in certain herbicides used in Vietnam, including agent orange, has been labeled the most toxic synthetic chemical known to man. During the period of 1961 to 1971, thousands of Vietnam veterans were exposed to this phenoxy herbicide by virtue of the widespread use of the defoliant by U.S. military forces in Vietnam.

According to the Vietnam Veterans of America in Ohio, more than 120,000 Vietnam veterans in this State may have been exposed, to one extent or another, to agent orange.

In 1979, following reports of various health problems in some Vietnam veterans, widespread concern about the possible health effects of agent orange was expressed to the Congress. The Congress responded to these alarming reports by enacting Public Law 96-151, which mandated the Veterans' Administration to conduct a worldwide literature review of research conducted on phenoxy herbicides and dioxin. This review documented a number of adverse health effects resulting from exposure to dioxin and related compounds. These include soft-tissue, lymphatic and stomach cancer, liver abnormalities, nerve damage, neurasthenia—insomnia and fatigue—and others.

However, despite this evidence, the Veterans' Administration (VA) has continually dismissed Vietnam veterans' claims that their adverse health problems resulted from exposure to dioxin and other chemicals in Vietnam. Instead, the VA and the Reagan administration have chosen to deliberate over still more studies, searching for more "conclusive" evidence of the dangers of agent orange. Meanwhile, as the VA conducts its studies, the lives of thousands of Vietnam veterans and their families hang in the balance.

Mr. Speaker, the sponsors of H.R. 1961 do not claim to correct all of the problems associated with agent orange. H.R. 1961 would, however, provide limited compensatory relief to Vietnam veterans based on the evidence we have now. Most importantly, the bill begins by shifting the burden of proof from the veteran to the Government.

Specifically, H.R. 1961 would provide disability benefits to veterans who served in Southeast Asia during the Vietnam era and who later suffered from one of three conditions—soft-tissue sarcoma, PCT, and chloracne. Under the legislation, if a veteran had died from any of these conditions, the

veteran's survivors would receive a death allowance. In addition, the bill would provide benefits to veterans who participated in the testing of nuclear devices or who served in the occupation of Nagasaki, Japan. Under this provision, benefits would be available to these veterans or their survivors if the veteran suffered from cancer of the thyroid, polycythemia vera, or leukemia, and would be payable as of October 1, 1983. The Agent Orange and Atomic Veterans Relief Act would terminate benefits 1 year after the Veterans' Administration submits to Congress its report on the effect of agent orange exposure on the veteran's health as mandated by the Veterans Health Programs Extension and Improvement Act of 1979.

According to estimates by the House Veterans' Affairs Committee, as many as 3,000 veterans would benefit from this modest effort. Moreover, H.R. 1961, would cost less (\$20 million) than what will be paid the residents of Times Beach, Mo.

Mr. Speaker, those who participated in the Vietnam conflict risked their lives to uphold the honor of our country. This Nation has never really acknowledged their efforts and in fact, many of our Vietnam veterans feel that their problems have been ignored. It is time that we not only say "Thank you" but also provide economic assistance to help Vietnam veterans overcome the serious health problems many of them now face.

I urge my colleagues to stand behind the Vietnam veteran and vote yes on H.R. 1961.●

● Mr. GILMAN. Mr. Speaker, I rise in strong support of H.R. 1961, the Agent Orange and Atomic Veterans Relief Act. This measure is long overdue, and is but one small step in the compensation by this Government of those who have served our country without question during times of conflict.

The bill before us provides a presumption of service connection for the occurrence of certain diseases related to exposure to herbicides or other environmental hazards or conditions in veterans who served in Southeast Asia during the Vietnam era, as well as those who participated while on active duty in the testing of an atomic device or in the occupation of Hiroshima or Nagasaki during World War II. Compensation or death allowances are authorized for those who suffer from any of three illnesses from which it has been found that veterans contract more so than the population at large. Soft tissue sarcoma, porphyria cutanea tarda (PCT) and chloracne have plagued many veterans since their return from Vietnam.

The exposure to such deadly herbicides such as agent orange, used to defoliate vegetation and destroy crops, has taken its toll on otherwise healthy

young men. In addition, the passage of time has made clear that some of our military personnel serving in the South Pacific during World War II have contracted serious illnesses as a result of their occupation of Hiroshima and Nagasaki, in concert with those who were present at the detonation of atomic weapons during testing.

H.R. 1961 formulates a payment schedule based on the degree of disability attributable to the disease, and benefit eligibility will terminate 1 year after the study authorized by Congress is submitted. This study, currently being conducted by the Centers for Disease Control in Atlanta, is expected to be completed before the end of this decade. However, the measure before us provides temporary disability presumption beginning immediately—fiscal year 1984.

Mr. Speaker, last Congress, I introduced legislation that would have mandated a study of agent orange, and was extremely pleased that my colleagues joined me in that effort. As a result, in January 1983, the Veterans' Administration entered into an agreement with the CDC to study the adverse health effects resulting from exposure to phenoxy herbicides such as agent orange. H.R. 1961 is the subsequent step in helping to alleviate this serious health problem, and I urge my colleagues' support for its passage. ●

● Mr. LELAND. Mr. Speaker, I rise in wholehearted support of H.R. 1961, the Agent Orange and Atomic Relief Act. This bill will provide a temporary disability allowance for veterans who were exposed to agent orange or radiation by their own Government while serving that Government and its people during the Vietnam era and World War II.

Because the administration has once again failed to respond in a just, humane, and expeditious manner, Congress must move to reassure our veterans that the American people have not forgotten their selfless dedication to the public welfare.

This bill is not unlimited in its scope. It will terminate when the administration files its report to this body as required by public law since 1979—5 years ago. Until that time, however, it is up to us to see that veterans exposed to these hazards are treated fairly, and therefore I urge my colleagues to support this bill. ●

● Ms. OAKAR. Mr. Speaker, yesterday the House took an important step toward remedying a calamitous problem. H.R. 1961 provides remedies for Armed Forces personnel exposed to some of the worst horrors of 20th century warfare—radiation and chemical contamination. In many instances we are talking about vets or their families fearing to have children or examining newborn babies for deformities, despairing about their future and constantly living with their "peculiar

problem." However, the bill we passed falls far short in both money and mercy. It is commendable, but \$4.7 million during the next fiscal year hardly reassures those bearing the mental and physical traumas.

We have all heard constituents tell us and the House of literally "bathing" in agent orange while serving our country in Vietnam. We now know that there was no adequate testing for long-range effects of dioxin, nor were soldiers given any special protection from this potentially lethal weapon. No one expected long term effects. Yet here are our courageous men and women faced with a silent killer of bodies and minds.

When they came home, they had to fight a longer—and in many ways a more difficult—battle with the Veterans' Administration and others to recognize their grievance. How ironic that in a war that was so visible, the combatants returned to near anonymity.

When I review the bill I am struck by the small amount of money concerned. The Pentagon spent almost as much money advertising for new enlistees during the last two Super Bowls as the bill will cost in the upcoming fiscal year. Yet some would begrudge our veterans even this amount. What are we afraid of? How do we honor people who have been described as "an army waiting to die."

I have always believed that the touchstone of a society is how it treats its most needy and aggrieved citizens. Our veterans earned much more in the way of responsibility from us than this bill allots to them. ●

● Mr. HILLIS. Mr. Speaker, H.R. 1961, the Agent Orange and Atomic Veterans Relief Act, was approved by the House Committee on Veterans' Affairs in early November by a vote of 30-0. The overwhelming support for this bill reveals the concern that members of the committee have for the thousands of veterans who may be suffering adverse side effects from a chemical defoliant we know little about.

I am happy to join my colleagues in support of this bill which addresses a problem that is both controversial and difficult to solve. The Committee on Veterans' Affairs worked long and hard to produce this legislation, recognizing the need to view this situation from both a humanitarian and a practical standpoint.

What we are doing here is quite unusual. We are providing compensation to a select group of veterans for three specific ailments which may or may not be service connected. While we lack conclusive evidence that agent orange has led to the development of soft-tissue sarcoma, PCT, and chloracne, we acknowledge that these diseases do not tend to immediately manifest themselves following contact with the defoliant.

In the next few months, we should know a great deal more about the effects of agent orange. It is my hope that the Congress will view these results scientifically and compassionately—not politically. A real possibility exists that the results from the second phase of the Ranch Hand study will show that Congress needs to amend H.R. 1961. But we cannot, in good conscience, wait for the Ranch Hand study to come out before taking some action. Numbers can be deceiving but, in this case, they are revealing.

The National Cancer Institute estimates up to 650 Vietnam-era veterans have developed soft-tissue sarcoma—about twice the national average for that age group. We do not know that agent orange caused this significant difference but we do not know it did not either.

The effects of radiation exposure are much easier to chronicle and I am pleased the committee chose to address them in H.R. 1961. The 230,000 military personnel exposed to ionizing radiation deserve to be helped by a grateful nation if, indeed, they are suffering from service-connected illnesses.

America owes no greater obligation than that to the men and women who have served the cause of freedom. These brave soldiers went into an unpopular war and many of them came home with terrible disabilities. We do not know what agent orange did to them and we may never really know.

But I think we owe them the benefit of the doubt which is why I urge all of you to give favorable consideration to H.R. 1961. Thank you, Mr. Speaker. ●

● Mr. PANETTA. Mr. Speaker, as vice chairman of the Vietnam-era veterans in Congress and an original sponsor of H.R. 1961, I rise in strong support of the Agent Orange and Atomic Veterans Relief Act. I would like to thank the distinguished chairman and ranking minority member of the Committee on Veterans' Affairs, Mr. MONTGOMERY and Mr. HAMMERSCHMIDT, for the leadership they have shown in bringing this legislation to the floor of the House. I would also like to pay a special tribute to the chairman of the VVIC, TOM DASCHLE, for his foresight and commitment to the needs of our Nation's veterans.

Mr. Speaker, today we are considering legislation that attempts to return a modicum of fairness to the compensation policies of the Veterans' Administration. The enactment of this bill would restore credibility to the VA's policies and to our commitment to compensate veterans for injuries incurred in the service of our country. It is high time to shift the burden of proof from the veteran to the VA in awarding service-connected disability claims for illnesses attributable to dioxin and radiation.

However, it is my hope that the bill we are considering today is just the first step in the painful but necessary effort to recognize our Government's responsibility for the exposure of our service people to agent orange and low-level ionizing radiation. I know that many members of this body shared my hope that we would be able to approve more comprehensive and long-term compensation for these veterans, but I am pleased that we are making a concerted effort to address this issue.

As amended by the Committee on Veterans' Affairs, H.R. 1961 would provide a retroactive temporary disability or death allowance for veterans who served in Southeast Asia during the Vietnam war and may have been exposed to agent orange. Effective October 1, 1983, the bill would provide compensation for victims of agent orange if they are shown to have soft tissue sarcoma within 20 years from the time they left Vietnam, or if they have a liver condition known as PCT or the chronic skin condition chloracne within 1 year after leaving Southeast Asia. While I am pleased that the committee adopted a 20-year presumptive period for the soft-tissue sarcoma, I believe that the 1-year limitation on PCT and chloracne compensation is simply not adequate. Testimony from many Vietnam veterans indicates that minor skin rashes and irritations they experienced during service in Vietnam were thought to be inconsequential, and as a result were never recorded on their service records. Thus, while their chronic chloracne may persist for more than 25 years, many exposed veterans will have no hope for compensation if we continue to mandate the 1-year presumptive period.

H.R. 1961 would also provide temporary compensation to those veterans who were exposed to low-level ionizing radiation during Government testing of nuclear devices or in the occupation of Hiroshima or Nagasaki, and who later suffered from one or more of three specific conditions. Though very few will benefit from this provision, it represents an important step in the effort to have Congress recognize the validity of claims filed by World War II and Korean-era veterans with conditions attributable to radiation exposure. Under this provision, compensation would be provided for those who suffer from leukemia, polycythemia vera, and carcinoma of the thyroid within 20 years from the time they were first exposed to radiation. While I am encouraged by this attempt to formulate an honest policy with respect to these atomic veterans, the fact remains that the vast majority of veterans exposed to radiation were discharged 30 or more years ago. In this connection, it is my sincere hope that in the future, we will consider extend-

ing the 20-year limit by another 5 to 10 years.

Mr. Speaker, this legislation is indicative of the progress we have made in recognizing our responsibilities to the victims of agent orange and radiation exposure. But I urge my colleagues not to stop here. Let us go forward from this initial step, and with the help of medical science, fully examine the effects of agent orange and radiation exposure on those who proudly served our country. It is our duty not only to provide temporary compensation to veterans exposed to these deadly substances, but to adopt a long-term policy of education, treatment, and compensation for the veterans and their families. I strongly urge my colleagues to support H.R. 1961, and to fulfill the mandate "To care for him who shall have borne the battle and for his widow, and his orphan."

● Mr. HOYER. Mr. Speaker, I rise in strong support of H.R. 1961, the Agent Orange and Atomic Veterans Relief Act, and its objectives. Just last week before this body, the President pointed out that one of the principal responsibilities of the Federal Government is to provide for the common defense. I submit to my colleagues that if provision for the common defense is a paramount responsibility, then provision for the care of our defenders must be equally as important.

Today we face a complicated question. How do we care for our defenders when we do not have incontrovertible evidence that health problems—both mental and physical—they may have are directly related to their service? The answer is simply this: We review the facts that we do have and fashion our response accordingly. I believe the Agent Orange and Atomic Veterans Relief Act is the result of such an analysis.

The facts as we have them regarding agent orange are:

Between 1961 and 1971 approximately 52 million pounds of 2,4,5-T containing dioxin were sprayed in South Vietnam.

As evidence of the growing apprehension among some veterans of the Vietnam conflict, more than 18,000 claims had been filed with the Veterans' Administration for disorders believed to have been caused by exposure to agent orange.

Current law provides that treatment be provided for veterans whose disorders may have been caused by such exposure.

Over \$300 million are expected to be spent by at least five Federal agencies over the next 10 years to determine the link between agent orange and its long-term health effects.

Until the results from the studies are submitted to the Congress, I believe that the committee is justified in proposing temporary payments of benefits for certain disabilities.

The facts for atomic veterans are as follows:

Between 1945 and 1963 approximately 235 nuclear devices were tested in the atmosphere over the Southwest United States and Pacific Ocean.

More than 200,000 military personnel participated in those tests.

In the aftermath of the atomic bombings of Hiroshima and Nagasaki, additional personnel may have been exposed to low-level ionizing radiation while in occupation there.

Tests of the participants of one explosion indicated a higher incidence of leukemia and polycythemia—inappropriate increase in number and production of red blood cells.

Current law requires the Administrator of the VA to consider the feasibility of conducting a study on the long-term effects of exposure to this low-level radiation.

If the study is conducted, its results will not be available in the near future.

For too long have the veterans who participated in these events waited for their Government to recognize their difficult situations. Many have suffered their pain and anguish in private; others have bounced from office to office seeking relief for ailments that often were nonspecific by medical terms but very real to the men and women who suffered from them, ailments that sometimes proved fatal.

The Veterans' Administration has a clear record of foot dragging in its mandated responsibility to study the effects of agent orange, in particular. Now this study has been shunted off to the Center for Disease Control for who knows how much longer.

In the meantime, we have enough evidence to show that we must certainly provide these temporary benefits for our atomic veterans and Vietnam veterans. This legislation goes far toward providing some peace of mind to the thousands of men and women who saw their duty to fight for their country. Mr. Chairman, it is time that we in Congress do our duty and adopt this legislation. I urge my colleagues here today to support this effort.●

● Mr. DOWDY. Mr. Speaker, I rise in support of the Agent Orange and Atomic Veterans Relief Act.

H.R. 1961 provides relief for those Vietnam veterans who served in Southeast Asia during the Vietnam-era and were exposed to the herbicide agent orange.

Although the study now being conducted by the Centers for Disease Control in Atlanta will not be complete until 1988 or 1989, I feel the measure reported by our committee and approved by the House is clearly a compromise pending the final results of the CDC study. There are serious reservations about providing compensation for diseases not yet scientific-

ly linked to the dioxin known as agent orange. Chloracne is the only condition contained in the bill to which a link has been definitely established. I believe we should be very cautious in what we do until the study results of the relationship between the health effects of agent orange are made available to the committee and to the Congress.

This measure provides much needed relief for two very specific groups of veterans—those who were exposed to agent orange in Southeast Asia, and those who were exposed to atomic radiation, either during the occupation of Japan after the Hiroshima and Nagasaki bombings, or during atmospheric testing of nuclear devices between 1945 and 1963.

I believe that we have the obligation to compensate veterans who are suffering from the disabilities contained in the bill.

All benefits would terminate 1 year after the results of the epidemiological study is submitted to Congress, which is now being conducted by the Centers for Disease Control in Atlanta.

As others have stated, the bill is a good beginning and I strongly support its passage.

Mr. Speaker, I want to compliment the very able and distinguished chairman of the committee, my colleague from Mississippi, **SONNY MONTGOMERY**, for the strong leadership he provided in working out a compromise in the committee that is supported unanimously in the House. We had some heated debate in the committee and there were times when we were split on the issue, but the chairman and ranking minority member of the full committee (Mr. **HAMMERSCHMIDT**), and the chief sponsor of the bill, the distinguished gentleman from South Dakota (Mr. **TOM DASCHLE**), worked things out and brought us all together. I applaud the efforts of all our Members and am delighted to join my colleagues in the House in support of the bill.●

● Mr. **McEWEN**. Mr. Speaker, as a cosponsor of H.R. 1961, the Agent Orange and Atomic Veterans Relief Act, I rise in strong support of this legislation. It addresses perhaps the most perplexing issue to confront the Veteran Affairs' Committee, the House of Representatives, and, indeed, all veterans during the 98th Congress.

Mr. Speaker, this legislation is the work of many members of our committee. The distinguished chairman, Mr. **MONTGOMERY**; Mr. **HAMMERSCHMIDT**, the committee's ranking member; Mr. **APPLEGATE**, chairman of the Subcommittee on Compensation, Pension, and Insurance, have all demonstrated responsible leadership and have put forth a concerted effort to resolve this issue.

The bill's principal sponsor, the gentleman from South Dakota, **TOM**

DASCHLE, deserves much credit for his dedication and perseverance to this cause. I commend him for his efforts.

This bill has had a long and arduous history. It has had very dedicated supporters and enthusiastic opponents. This bill is an effort by our committee to arrive at a compromise that recognizes the needs of the affected veterans as well as the responsibility to protect America's compensation program through the Veterans' Administration.

Under the provisions of this legislation, H.R. 1961 would provide a temporary disability or death allowance for veterans who served in Southeast Asia during the Vietnam war and may have been exposed to agent orange. Additionally, veterans who were exposed to low-level ionizing radiation while participating in the testing of nuclear devices or in the occupation of Hiroshima or Nagasaki, would also receive the same monetary benefits as if the disabilities were service connected.

Vietnam veterans would receive benefits if they are shown to have soft tissue sarcoma within 20 years from the time they left Vietnam or if they have a liver condition called PCT or the skin condition chloracne within 1 year of leaving Vietnam.

Also, veterans who suffer from leukemia, cancer of the thyroid, or polycythemia vera, which is a bone marrow disease, within 20 years from their exposure to ionizing radiation would also be eligible.

As the distinguished chairman of our subcommittee has indicated, these benefits would be effective October 1, 1983, and would terminate 1 year after the agent orange study is completed and received by the Congress. The Congress will then utilize the scientific evidence provided by the study to decide what action may be necessary.

Mr. Speaker, I believe that the scope and limits of this bill are fair. It is an effort to show compassion where compassion is needed. And I believe that our committee has done the right thing by going as far as it has in an area in which there is still much question.

The committee on Veterans' Affairs held several hearings on agent orange. Many in the Congress have an open and very inquisitive mind on this issue. We want to do what is right. As the ranking member of the Subcommittee on Compensation, Pension, and Insurance. I have heard the testimony of men of science, veterans organizations, and combat Vietnam veterans. All of these exceptional people have afforded the committee the opportunity to make the best informed judgment we can. The elements of this measure are medical in nature, scientific in nature, and statistical in nature. Moreover, they involve resolving reasonable doubt in favor of veterans.

Mr. Speaker, I would be remiss if I did not express my personal apprecia-

tion and thanks for the dedication of the various veterans organizations and the contribution that they have made under very difficult circumstances. These fine people reminded us that our responsibility is to all veterans, and in so doing we here today protect the interests of all veterans as well as the special needs of the Vietnam veteran and the agent-orange affected veterans.

I urge my colleagues to support this worthwhile legislation.●

● Mrs. **SCHNEIDER**. Mr. Speaker, I rise today in strong support of H.R. 1961, the Agent Orange and Atomic Veterans Relief Act. This legislation is particularly important to the Second Congressional District of Rhode Island which has one of the largest per capita populations of veterans in the Nation. Clearly, passage of this bill is long overdue for many of the 16,000 Rhode Island veterans who served in Vietnam who are now, as they approach middle age, discovering that their health and their children's health may be threatened by the effects of exposure to a chemical which they came in contact with 12 to 20 years ago.

The concern about agent orange, a highly potent chemical widely used as a herbicide during the Vietnam war, is very real. The substance was sprayed from airplanes to defoliate trees and deprive the enemy of cover. Since the war, more than 95,000 Vietnam veterans have reported debilitating health effects ranging from cancer and birth defects to liver damage and skin disease which they believe were caused by exposure to agent orange.

Unfortunately, the Federal Government's response to these veterans claims had been both shoddy and lethargic. It was not until 1979 that the Department of Defense (DOD) even admitted that American soldiers had been exposed to the chemical. After the DOD admitted that as many as 2 million Americans had come in contact with agent orange, the Veterans' Administration (VA) was directed by Congress to begin a comprehensive study of the long-term health effects of exposure to the substance. For the next 3 years, the VA dragged its feet until finally, in the fall of 1982, the General Accounting Office chastised the VA for conducting inadequate physical examinations of veterans exposed to agent orange, and for keeping unreliable documentation of the results of those physicals. Veterans groups were outraged by the fact that 3 long years had been wasted. Their anger was further inflamed when Robert Nimmo, the former director of the VA, compared the health effects of agent orange to teenage acne.

Over the past year, veterans have finally begun to hear some good news about agent orange. Responding to pressure from myself and 100 other

Members of Congress, the VA agreed to transfer the agent orange study to the Center for Disease Control (CDC) in Atlanta, Ga. The CDC is a highly respected institution, noted for their scientific research. This study is scheduled for completion by 1987. In addition, the VA has also begun to give veterans who have been exposed to agent orange priority in receiving medical treatment for their health problems.

While treatment may be easier to obtain now than it was 5 years ago, many veterans justly believe that they also deserve some type of monetary compensation for the physical disabilities and emotional trauma associated with illnesses such as cancer, liver disease, and birth defects. More than 13,000 veterans have been denied compensation because the VA has placed an impossible two-step burden on veterans to prove they deserve compensation. First, the individual veteran must prove that he personally came in contact with agent orange in Vietnam. This is virtually impossible because the DOD has never provided information detailing the specific troops which were exposed to the chemical. According to the calculations of the American Medical Association, as many as 2.4 million Americans definitely came in contact with the substance. And, even if the soldier could prove that he swam in agent orange, he would be denied compensation because the VA refuses to accept any connection between the presence of certain illnesses and exposure to agent orange until the CDC study is completed. Is this fair? It may be for many diseases that have yet to undergo vigorous scientific testing. Yet, in the case of agent orange, independent scientific studies conducted over the past 10 years have, time and time again, shown a link between agent orange and three specific illnesses: Chloracne, soft tissue cancer, and liver disorder.

The legislation before us today would mitigate this injustice by removing the two-pronged burden of proof currently imposed by the VA. H.R. 1961 recognizes the existing evidence that connects service in Vietnam with exposure to agent orange and the subsequent development of these three specific illnesses. This presumption of service connection will allow Vietnam-era veterans to receive the disability payments which they have sought for so long. Benefit eligibility under H.R. 1961 is only temporary expiring 1 year after the CDC submits to Congress the results of its agent orange study. It does, nevertheless, represent an important first step toward meeting the legitimate and long unanswered demands of the men and women who served our country in Vietnam. ●

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield back the balance of my time.

Mr. MONTGOMERY. Mr. Speaker, I rise in strong support of this bill and yield back the balance of my time.

The SPEAKER pro tempore (Mr. MOAKLEY). The question is on the motion offered by the gentleman from Mississippi (Mr. MONTGOMERY) that the House suspend the rules and pass the bill, H.R. 1961, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend title 38, United States Code, to provide disability and death allowances to veterans and the survivors of veterans who served in Southeast Asia during the Vietnam era and suffer from diseases that may be attributable to exposure to the herbicide known as 'Agent Orange' and to veterans and the survivors of veterans who participated in atomic tests or the occupation of Hiroshima and Nagasaki and suffer from diseases that may be attributable to ionizing radiation."

ANNUAL REPORT OF PIPELINE SAFETY FOR CALENDAR YEAR 1982—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 Energy and Commerce and the Committee on Public Works and Transportation.

(For message, see proceedings of the Senate of today, Monday, January 30, 1984.)

LIBRARY SERVICES AND CONSTRUCTION ACT AMENDMENTS OF 1983

The SPEAKER pro tempore. Pursuant to House Resolution 397 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2878.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2878) to amend and extend the Library Services and Construction Act, with Mr. FAZIO in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from Kentucky (Mr. PERKINS) will be recog-

nized for 30 minutes and the gentleman from Missouri (Mr. COLEMAN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, I rise in support of H.R. 2878, the authorization for the Library Services and Construction Act Amendments of 1983. This important piece of legislation provides funding through fiscal year 1988 to continue services and to provide access to these services for unserved and underserved population groups.

Since 1956, this program has provided 17 million Americans with library services for the first time, and another 90 million Americans have received improved and additional services through the provisions of this legislation. Even though we are close to our original goal of providing geographic access to libraries for all Americans—96 percent of the Nation now has access to library services—we know there are still millions of Americans who need to have these services continued and expanded if we are to provide the kinds of informational services and special programs that are needed for today's world.

This bill has attempted to meet that challenge by focusing on underserved and unserved groups with an emphasis on the kinds of services and programs needed by these special populations. That is why we have added two new titles to this bill and changed an existing title to serve another underserved group, native Americans.

Some of our colleagues like to say we have met our goal, and we no longer need to provide Federal support for libraries, but I would like to point out that we have new needs, as well as expanding technologies which must be made accessible to all Americans, not just those citizens who can purchase these technologies and services privately.

Briefly, I would like to comment on two of these special population groups who need special materials and library programs which are not adequate today. In the new title V of H.R. 2878, provisions are made to provide discretionary grants to libraries for purchasing foreign language materials. This acquisition is needed for the increasing number of Americans who speak English as a second language.

The other underserved population group is composed of those Americans who have inadequate literacy skills for our complex society. It is estimated that there are over 23 million Americans who are illiterate or functionally illiterate, and Mr. Harold McGraw, Jr., chairman of McGraw, Hill, Inc., and founder of the New Business Council for Effective Literacy, states that there are another 47 million Americans who are only marginally compe-

tent in performing basic literacy-related tasks. Also, estimates project that an additional 2 million Americans are being added to this group yearly. We have created title VI to provide support for libraries to become an important adjunct to our national effort to reduce illiteracy by instituting literacy training programs through libraries.

I do not see how we can say that we do not need to provide all the available resources possible toward helping this large and growing group of citizens in becoming more productive members of our society.

Some additional provisions of H.R. 2878 include funds for library construction and remodeling. Libraries, like much of the public infrastructure of this country, are in dire need of repairs, renovations, and remodeling. This bill will give flexibility to local libraries to improve their access for those groups who are now limited by the physical conditions of the buildings.

Forward funding is added to H.R. 2878 in order to provide more stability and continuity in improving planning for the increased and demanding role of libraries as we move rapidly into the information age with increased demands for improved literacy and better technology. I sometimes think we are not always thoughtful about the implications of our decisions as we sit at the threshold of the 21st century.

This is a major reason for the emphasis on libraries as community information centers and with a continued effort to support resource sharing among all libraries.

This bill is a modest attempt to continue our national commitment to provide vital learning resources for all of our citizens, but especially those special population groups who are still in need of access and special learning programs which can best be provided by public libraries. I urge my colleagues to support H.R. 2878.

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Mr. COLEMAN of Missouri. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill before us today is an important one, for it represents the major Federal effort to assist our Nation's public libraries. The stimulation of Federal funds provided by the Library Services and Construction Act has greatly strengthened State library agencies and made it possible to serve communities that were previously poorly served or without the benefit of any library services. I believe few programs of Federal assistance have won such widespread support as has the Library Services and Construction Act.

H.R. 2878 encompasses the strengths of the present law and identifies new or emerging needs that this legislation

should address. The bill contains several amendments to broaden, improve, and extend the original act.

A new title would be established to help provide public library services for Indians living on or near reservations. Funding for this program would be 2 percent of the total appropriated dollars for the act. We found that most Indian tribes receive very little funding for libraries and that the majority of Indians living on reservations have little or no access to libraries. They are seldom eligible for direct allocations from the States. The lack of a tax base on reservations and isolation have exacerbated the problem. We have, therefore, included a new title IV to promote the extension of library services to Indian peoples living on or near reservations.

Provision and extension of services to older Americans would be strongly encouraged. The current law includes title IV, library services to older readers program, but this title has never been funded. The reauthorization would authorize the extension of library services to older readers as part of the current title I, library services. By including services for older readers in this title, we hope that libraries will concentrate more of their efforts on serving senior citizens.

We also expand the library services title to encourage libraries to become community information centers and to help the public understand and process the vast amounts of information available to them today. In addition, this title would support assistance to libraries in providing literacy programs for adults and school dropouts in cooperation with other agencies and organizations.

In title II, H.R. 2878 clarifies exactly which are allowable construction expenses and states that the Federal share of the cost of construction shall not exceed 50 percent. Up until inclusion of a \$50 million appropriation in Public Law 98-8, which provided emergency appropriations for fiscal year 1983, the construction title of LSCA had not been funded since fiscal year 1973. H.R. 2878 authorizes to be appropriated \$50 million for each of the fiscal years 1984 through 1988.

In title III of the bill we aim to increase interlibrary cooperation, resource sharing, and networking at the local, State, regional, and national levels. This is a very effective way of disseminating information and cutting costs.

In a new title, the legislation will provide for discretionary grants directly to libraries to be used for purchasing foreign language material.

Another new title addresses the worsening problem of illiteracy. The seriousness of the situation demands special emphasis. Under the provisions of this title, both State and local libraries can apply directly to the Secre-

tary of Education for grants to be used to provide and coordinate literacy programs.

Illiteracy is both a serious problem to the Nation and a debilitating handicap to the individual. It is a problem of very special concern to me. In fact, I have joined with the distinguished chairman of the Postsecondary Subcommittee, the gentleman from Illinois (Mr. SIMON), and others in a bipartisan initiative on adult illiteracy. We are trying not only to focus increased attention on the enormity and consequences of the problem, but also to initiate new approaches for combating it.

Mr. Chairman, the Library Services and Construction Act has been an unusually successful program. We have seen 25 years of limited Federal assistance to libraries under this act with a solid record of benefits derived from the stimulation of Federal grants matched by State and local tax effort. This is the only Federal program providing aid to the thousands of public libraries across the country. Since its enactment by the 84th Congress, there have been dramatic improvements in both the quality and availability of library services.

The passage of H.R. 2878 is needed in order to extend LSCA past its present expiration date of September 30, 1984, and broaden its scope to encompass changing needs. I urge my colleagues to approve this bill so that our libraries can continue to meet the increasing demands placed upon them.

Mr. PERKINS. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. WALKER).

Mr. WALKER. I thank the gentleman for yielding.

I have a couple of questions. I am looking through the committee report here and, taking a look at the required reports with regard to the Budget Office, it is indicated here that the cost of this bill falls within function 500, but that, as I understand it, when the Budget Committee was asked to take a look at this they did not have the final draft of the bill available.

Can the gentleman assure us that all of the authorization levels within this bill do not put the spending in function 500 over the levels that were included in the congressional budget?

Mr. PERKINS. Will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Kentucky.

Mr. PERKINS. It does not.

Mr. WALKER. It does not?

Mr. PERKINS. The gentleman is correct.

Mr. WALKER. I thank the gentleman.

It also indicates under the inflationary impact that the committee estimates enactment of H.R. 2878 will

have a modest inflationary impact on prices and costs in the operation of the national economy.

Could the gentleman give me an idea of what the definition of "modest" is? Many of us have a feeling we ought not be doing things which do hike up the inflationary impact. Can the gentleman tell me what we mean by "modest"?

Mr. PERKINS. Let me say to the gentleman that to define precisely would be very difficult in this case, but it is contemplated here only reasonable increases. We think the increases that we have provided fall within the terminology the gentleman is questioning me about.

Mr. WALKER. I thank the gentleman. I guess the problem is that one man's reasonable increase is another man's questionable increase. A couple of years ago we were running inflation at 12 and 13 percent a year as we expanded all of these programs. Is the gentleman saying we are going to increase the overall inflation rate of the economy by a tenth of a percent or by 1 percent or what?

Mr. PERKINS. Let me say to the gentleman we are not serving all of the rural people or all of the metropolitan areas of the country today that need these services. We are way behind. But today we are spending \$65 million under general assistance. But the authorization that we are expending for 5 years only goes up to \$95 million. We may never appropriate the \$95 million. We may never appropriate more than \$80 million or \$85 million or maybe \$75 million.

I would say to the gentleman from Pennsylvania these figures are very modest in my judgment.

Mr. WALKER. If the gentleman will yield further, is he telling us there is an inflation tradeoff here and that, in fact, the passage of this bill, according to the committee report, will cause some increase in inflation? Is that correct?

Mr. PERKINS. The gentleman is correct.

Mr. WALKER. I thank the gentleman.

Mr. PERKINS. But it also provides additional services.

Mr. WALKER. I thank the gentleman.

Of course, we have been raising inflation rates for years around here on the idea that what we are doing is providing more services.

But one more question, if I could. Under the construction portion of the bill is it anticipated that the Davis-Bacon wage rates would apply to all construction, thereby reducing the amount of construction that we could have of libraries for a certain amount of money, and also limiting the number of jobs that would be made available?

Mr. PERKINS. That is true.

Mr. WALKER. I thank the gentleman.

Mr. COLEMAN of Missouri. Mr. Chairman, I yield 6 minutes to the gentleman from Texas (Mr. BARTLETT).

□ 1320

Mr. BARTLETT. I thank the gentleman for yielding.

I have a good deal of respect for both the chairman of the committee and the ranking Republican on the subcommittee but I rise to oppose this bill, H.R. 2878, and I do not rise to oppose libraries. I support libraries in this country.

Libraries in this country are funded at the current rate at the local level of approximately \$1.5 billion a year. What I oppose, Mr. Chairman, is the refusal of this Congress in bills such as this, including this bill, to prioritize Federal programs and Federal spending as to what is the most appropriate and the best use of Federal funds.

We have a widespread availability of quality libraries and widespread availability throughout the country. And that is important. But I oppose the extension of \$684 million in additional spending over the next 4 years.

Mr. Chairman, I oppose the bill primarily because of its perpetual life feature. Should this bill pass perhaps we should title it, instead of its current title, we should title it the Perpetual Federal Spending Program Act of 1984. I think we should examine what this act would purport to do. I believe the chairman and the gentleman from Missouri eloquently gave us reasons not to reenact this act and pass this bill, because at best, this program over the past 25 years has already accomplished its mission. Beginning 25 years ago, this House, this Federal Government set out to assure the availability of libraries throughout the country and we have largely accomplished that with libraries available in 96 percent of the communities in this Nation. Those libraries are locally administered and locally funded, and their priorities are locally set. Ninety-five percent or more of all funds for libraries in this country, \$1.5 billion annually, come from local needs and we need quality libraries. But that quality should be built in at the local level. So, it is a case of a mission has been attempted, beginning 25 years ago, and the mission has been largely accomplished. But at worst, Mr. Chairman, at worst this is a case of a Federal program which is unnecessary, redundant and costly, a Federal program which has assumed a life of its own.

Now, certainly one could make a case that some of the funds in this bill will do some good. There are few Federal programs that cannot make that case. But what the country is asking us to do, what the American people would have us do in 1984 is to prioritize the spending of American taxpayer's

money and to say is this \$684 million the best use of those funds? We just passed a bill on agent orange, Mr. Chairman, which over a 4-year period would expend \$30 million. and I would ask who among us would say that Federal aid to libraries is 20 times more important than dealing with agent orange? I would ask this Congress today to make a real case for the future, a future of the continued recovery, a future of increasing employment and decreasing inflation and decreasing interest rates. I would ask this Congress to think about, very carefully, the last recession that we have just gone through, the recession that was caused by excessive nonprioritized spending of this body, and I would ask us to take steps to avoid that next recession.

Mr. Chairman, \$180 billion deficits are not created in the aggregate. At no time does a bill's sponsor stand here or in the well and ask for this House to pass \$180 billion expenditure and label that expenditure deficit. No, sir. The Members of this body bring that \$180 billion to us one bill at a time, one act at a time, \$1 billion in one, \$5 billion in another; sometimes they ask for \$684 million. But it is the cumulative effect of each of those pieces of legislation, of each of those perpetual Federal programs that cause that deficit. And the risk, and the effect then, is not so much that there is red ink on the budget or that it shows up in someone's campaign expenditure. The result is in the lives of real American families who cannot find jobs, are thrown out of work. The result of this bill and others like it, the result of this lack of prioritizing responsibility is that more Americans are thrown out of work and more senior citizens cannot cope with inflation and more young families are unable to buy homes. I noted the cries last week that the White House should somehow show sincerity in making a downpayment on the deficit. It is now Congress opportunity today with this legislation, to show that sincerity to the American people, to prove to the American people and to ourselves, that we are serious about a deficit, that we are serious about avoiding the next recession, that we are serious about the future, we are able to prioritize.

The President likes to make remarks to this effect, and his favorite quote is:

There is nothing so immortal in the history of the world as the perpetual life of a Federal program.

And this act, today, is evidence of those words. I urge this House to prove that at least there is one Federal program that does not have to be immortal, that it can be sunsetted, that we can say we have accomplished our goals and we will prioritize public spending of Federal dollars.

I would urge this House to defeat the Perpetual Spending Act of 1984.

Mr. COLEMAN of Missouri. Mr. Chairman, I have no additional requests for time, but I would like to close before I yield back the balance of my time.

Mr. Chairman, I point out to the membership that we are experiencing an explosion of information, an explosion which many of us feel we have not sufficient resources to get a handle on, to refine, to understand. And that means that the libraries of this Nation are going to have more and more of a task in the years ahead in trying to assimilate this information, make some sense of it, put it in form that is useable for people in this country. It is one of the most important things we have facing us in this country and one which we can take a good deal of credit for creating. The fact that man now has the ability to know more things about himself and this world is a good thing. But to put it in some sort of resource fashion that it can be used by individual citizens in making decisions in their own individual lives is still another challenge we must meet. That is what this Library Services Act attempts to do. It has a sunset provision. This is not just ad infinitum, continuing on; it goes through the year 1988 when Congress can reauthorize and question it again. Talking about illiteracy again, there is \$20 million in this bill to try to deal with that problem of illiteracy. We have 26 million Americans who cannot read or write who are a drag on our economy because they cannot fill out job applications, let alone read manuals and information dealing with their job. We have a number of people in our armed services who cannot read the field manuals to operate the sophisticated weapons and arms that are there to defend this country.

So, it is a national problem. This is just a little bit of the national resource we are putting in to try to help libraries come up with volunteer efforts and to organize themselves to help try to reduce down that illiteracy rate.

So, it is an important bill. I do not think it is going to create any inflationary pressures considering the size of the outlays, with respect to the rest of the Federal budget. It was negligible. That is what the report says. I think it is a good bill.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. COLEMAN of Missouri. I yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding to me.

Mr. Chairman, I do want to make clear that I am reading out of the RECORD where it says that:

The Committee estimates that the enactment of H.R. 2878 will have a modest infla-

tionary impact on prices and costs in the operation of the national economy.

Now, the gentleman quotes from the next sentence which says that: "as a component of the Federal budget," the whole thing is negligible.

But, nevertheless, the committee does say this is going to have a modest inflationary impact. That means inflation is going up as a result of this bill. I do not think we want to mislead the Members that there is not some impact here; that is described by the committee.

Mr. COLEMAN of Missouri. I think the gentleman read the statement correctly but I also think we are not going to create any economic manifestations out of this bill; it is just simply not that big a bill as far as dollars go.

I think it is always wise for the gentleman to point out and remind the membership, however, as we go through the spending bills exactly what we are doing and we know what are doing on this one.

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

Mr. PERKINS. Mr. Chairman, I can understand the viewpoint of the gentleman from Texas (Mr. BARTLETT). He comes from one of the most beautiful, most wonderful, and one of the richest cities of the whole country.

□ 1330

It is true that they may have adequate library services in Dallas. I recall when that city was 100,000, and I do not know of any city in this whole country that has grown like Dallas since the early days of World War II.

It is true that most money for libraries comes from State and local sources. In fact, 95 percent comes from these sources, but the money that we first spent on libraries when we enacted this legislation in the fifties was more or less seed money that caused the local governments and the States to participate to a greater degree. It served as an incentive. And as I stated, so many people in those days did not have access to libraries.

The 5 percent from the Federal level is vital. It provides services to the people left behind—rural areas, depressed urban communities, Indians, and as the gentleman from Missouri (Mr. COLEMAN) went into, the illiterate population.

We may be reaching 96 percent of the population, but we cannot forget those people we left behind. And that is the true objective of this bill.

I respect what the gentleman from Texas is saying, but I have to tell him I heard the same point of view when they were opposing this legislation in the 1950's and 1960's. And if we had not gone against that point of view, we would not have had the success that we had, and we would have never enacted the legislation in the first place.

While we may be reaching 96 percent of the people with library services, we cannot neglect the people that we are not presently reaching. And I just wish the gentleman from Texas would apply his standards to the entire Federal budget and not just the libraries for the poor and underserved.

I think I read last week that the Department of Defense spent hundreds of dollars for a screwdriver that cost a few cents. Let us apply a fair standard to all programs and not to just those for the poor.

This legislation should be supported, Mr. Chairman, and I think that all the Members will support this modest increase in the authorizations that we are proposing here today.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Texas.

Mr. BARTLETT. I thank the gentleman for his kind words about my city of Dallas and, in fact, we are fortunate. With the strong economy, the State of Texas as a whole, as the gentleman may know, is lower than the national average in unemployment.

I would also join with the gentleman at any time; as he knows, I do oppose extensions of Federal spending in most areas not out of an opposition to the programs, but out of concern for the double-digit inflation, the tax load, and the double-digit interest rates. So I would join with the gentleman in his concerns about the Defense Department and the procurement procedures which cost taxpayers money, either in taxes or in inflation. And I will join with the gentleman at any time in assisting and working together in demonstrating efficiency by the reduction of tax funds.

I would also comment to the gentleman that I have some experience from Dallas with this program. And these funds just do not go to rural schools. When I was on the Dallas City Council, we had a request at year end from this program, in 1 year in years past, in which they had some money left over. And they called Dallas and wanted to know if we could spend it. We declined, incidentally. But they were apparently making calls all over the country just to see if we could get the money spent.

So I would say to the gentleman we do have good libraries in Dallas and in Texas. They are primarily locally built—many of them with private funds. But also, I commend the gentleman for his concerns about the deficit and Federal spending throughout the Federal budget. And I will join with him in examining each and every area of Federal spending.

● Mr. SIMON. Mr. Chairman, I rise in support of H.R. 2878, the Library Services and Construction Act amendments of 1983. Since the Federal Gov-

ernment began to assist our Nation's libraries in 1957, some 17 million Americans have received library services for the first time. Another 90 million individuals have benefitted from improved services. During the last Congress, the Subcommittee on Post-secondary Education conducted extensive oversight hearings around the country to prepare for reauthorization of the act. We learned that, in general, LSCA programs were very highly regarded and valued. Certain suggestions were made, however, to improve library services under the act. Numerous witnesses pointed out, for example, that:

The focus of LSCA needed to be changed from providing geographic access to a strong emphasis on providing access to services for a wide range of populations;

Libraries should be considered community information centers, not just repositories for books;

There are no provisions for library services for American Indian tribes;

Increased emphasis is needed on interlibrary cooperation; and

Funding is desperately needed for title II construction programs.

H.R. 2878 addresses these needs. It expands the definition of libraries to reflect their new role as information centers; it increases the authorization for library construction and redefines permissible projects to include handicapped access and energy conservation projects; and it encourages greater interlibrary cooperation. One new program in title IV will permit Indian tribes to receive funding directly from the Secretary of Education for the purposes of developing library services. Title V creates a second new program which provides for discretionary grants directly to libraries for the purpose of purchasing foreign language materials. Finally, there is a new program created by a new title VI which allows libraries to apply directly to the Secretary of Education for grants to be used in the coordination of literacy programs.

The administration has expressed its opposition to this bill. Libraries, it argues, are the responsibility of State and local governments and, in spite of the acknowledged success of LSCA programs over the past 25 years, all Federal support should be cut. LSCA, however, requires that States and communities must match the Federal contribution to libraries. In no case can the Federal share of programs on titles I and II be more than 66 percent. Still, Federal funds have proven to be a tremendous stimulus to State and local governments. Often, States over match Federal funds.

In spite of a record of opposition to libraries on the part of the administration, Congress has consistently given library programs strong bipartisan support. In fiscal years 1983 and 1984,

the administration recommended zero funding for library programs. Nonetheless, Congress has kept authorization levels above \$80 million. Given the tremendous cost increases that libraries have faced in recent years, it is time we reconfirm our commitment and put authorization levels for libraries back in step with their needs.

The average cost of a periodical in 1969 was \$9.31. Today it is \$50.23. The average book in 1969 was priced at \$19.37. Today the price tag is over \$25.

If our Nation's libraries are to meet the growing challenge of the new era of information, if they are to attain their full potential as social services to all American citizens, we cannot back down now. We must continue our history of support. I urge you to vote yes on this bill. ●

Mr. PERKINS. Let me say in conclusion, Mr. Chairman, that I feel this modest increase in this authorization will strengthen America and will in the long run reduce the Federal budget by increasing the productivity of our people.

There is nothing here that is bloated. It is modest, and if we are going to have this program at all, we must come forth with some reasonable increases to take care of people who are not presently being served—Native Americans, handicapped, illiterates, and the unserved. It is one of the most worthwhile programs that we have ever enacted in this Congress. And I would hate to see us fail to increase to a modest degree these authorizations.

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

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. DASCHLE) having assumed the chair, Mr. FAZIO, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2878) to amend and extend the Library Services and Construction Act, had come to no resolution thereon.

□ 1340

ORDER OF PRECEDENCE OF SPECIAL ORDERS

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, would there be a way I could allow the gentlewoman from Colorado (Mrs. SCHROEDER) to go ahead with her special order, and then come back to my special order later on?

The SPEAKER pro tempore. Without objection, the gentlewoman from Colorado (Mrs. SCHROEDER) may proceed.

There was no objection.

Mrs. SCHROEDER. Mr. Speaker, I want to thank the gentleman from Pennsylvania (Mr. WALKER) for his very magnanimous agreement to allow my special order to go first, because it is a tribute to a deceased Member of this body who served an incredible amount of time, and I am very touched and moved by his allowing this to be taken up as the first order of business during special orders today.

LET'S GET THE MARINES OUT OF BEIRUT

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

Mr. STRATTON. Mr. Speaker, last Thursday I introduced House Joint Resolution 459, designed to get the marines out of Lebanon on or before April 1, 1984. My resolution would do this by requiring that by the April 1 date the marines currently ashore in Beirut would be reembarked on designated ships of the 6th Fleet. This action would remove the marines from the continuing risk of another terrorist attack, similar to what occurred on October 23, 1983. But we are not "cutting and running." The basic assignment of this Marine unit is on board various ships of the 6th Fleet. By putting the marines back at sea, they are no longer sitting ducks. And if some emergency situation should arise, they can quickly be brought ashore.

Two other crucial points. The current mission of the marines is to be a peacekeeping force. But after 2 years there is still no peace in Lebanon. The Marine visible presence has not brought an end to the fighting. And after months of futile negotiation, it is obvious that a reconciliation of all the diverse religious groups in a Lebanese Government is virtually impossible.

Second, House Joint Resolution 459 is based on article I, section 8, of the U.S. Constitution, that gives Congress "the power to raise and support armies; to provide and maintain a Navy;" and "to make rules for the Government and regulation of the land and naval forces."

Some Members have felt that redeploying the marines would infringe on the powers of the President as Commander in Chief. But the Constitution clearly gives Congress specific authority to make rules for the regulation of the marines. That is precisely what House Joint Resolution 459 does.

One final point: The House Armed Services Subcommittee's investigation of the October 23 bombing also made it clear that our top military experts, the Joint Chiefs of Staff, never approved the Lebanon mission for the

Marines. They considered it a political, not a military, mission.

I would welcome your cosponsorship of House Joint Resolution 459, which I am sure reflects the majority sentiments of the people of your district, as in mine.

Under leave to extend my remarks, I include the text of House Joint Resolution 459:

H.J. RES. 459

Joint resolution requiring that the Marine Corps contingent presently serving as part of the Multinational Force in Lebanon be reembarked on ships of the Sixth Fleet not later than April 1, 1984

Whereas the Constitution (article I, section 8) provides that "Congress shall have the power . . . to raise and support Armies . . . to provide and maintain a Navy; to make Rules for the Government and Regulation of the land and naval Forces";

Whereas since September 1982, a contingent of United States Marines, numbering between 1,600 and 2,000, has been stationed ashore in Lebanon as part of the Multinational Force in Lebanon with the mission of providing a "visible presence" for the purpose of providing "stability" to Lebanon;

Whereas during that period approximately 258 United States military personnel participating in the Multinational Force have lost their lives in Lebanon, including 241 as a result of a single suicide terrorist attack on the Marine battalion landing team headquarters building at the Beirut International Airport on October 23, 1983;

Whereas the Subcommittee on Investigations of the Committee on Armed Services of the House of Representatives conducted a detailed and in-depth inquiry into this terrorist bombing and concluded that "serious errors" had occurred on the part of individuals in the military chain of command and running through the chain of command all the way to the top as a result of a contradictory "mission" assigned to the Marines participating in the Multinational Force in Lebanon;

Whereas the subcommittee, in its report entitled "Adequacy of U.S. Marine Corps Security in Beirut", dated December 19, 1983, concluded that "Sustained deployment of personnel in the situation of almost certain further casualties should only be undertaken if the policy objectives are visible, profoundly important and clearly obtainable. Failure of the administration to adequately reexamine its policy and relate it to present conditions will only mean that such reexamination will have to be done by Congress";

Whereas the subcommittee further concluded that "Diplomatic pressure of the most serious sort must be brought to bear on the Gemayal government to reach an accord with the warring factions. The solution to Lebanon's problem will only be found at the bargaining table. We must not in any way encourage the perception that a solution can be found on the battlefield with the participation of U.S. Armed Forces";

Whereas the initial mission of the Marines participating in the Multinational Force in Lebanon was not approved by the top United States military experts, the Joint Chiefs of Staff, nor by the Secretary of Defense, but was primarily dictated by the political leadership;

Whereas the Department of Defense Commission on the Beirut International

Airport Terrorist Act of 23 October 1983 (known as the "Long Commission"), in its report dated December 20, 1983, confirmed the conclusions of the report of the Subcommittee on Investigations of the Committee on Armed Services with respect to the flaws in the basic mission assigned to the Marine contingent participating in the Multinational Force in Lebanon, and also spelled out the failure of top officials in the chain of command to recognize the greatly changed circumstances in the position of the Marines in late 1983 as compared with the situation when they were first sent to Beirut and cited the continuing failure even now to provide adequate protection to the Marine contingent in Lebanon;

Whereas a high level of fighting (including increased acts of terrorism) continues in Lebanon, despite the presence of the Marine contingent;

Whereas no substantial progress toward national political reconciliation in Lebanon has occurred and does not appear to be in sight in the immediate future; and

Whereas the continued presence of the Marine contingent in Lebanon under these circumstances is highly likely to result in still further casualties to the Marines: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That pursuant to its constitutional authority to raise and support armies and "to provide and maintain a Navy; to make Rules for the government and Regulation of the land and naval Forces," the Congress determines that the United States Marine Corps contingent participating in the Multinational Force in Lebanon not be subjected to further dangers in an unpredictable military environment. Therefore, the United States Marine Corps contingent presently serving as part of the Multinational Force in Lebanon shall be reembarked on ships of the Sixth Fleet not later than April 1, 1984.

MERCHANTS OPPOSE CREDIT CARD SURCHARGES

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

Mr. ANNUNZIO. Mr. Speaker, the prohibition against surcharges on credit card purchases was imposed in 1976, extended in 1978, and extended again in 1981. The ban is up for reconsideration again this year. In 1981, much debate focused on the impact surcharge legislation would have upon merchants and retailers. Now, the results of a survey conducted by the Federal Reserve are in.

In its study, Credit Cards in the U.S. Economy, the Federal Reserve reports that 71 percent of all merchants believe removing restrictions on credit cards surcharges is a bad idea. The study directly compared the benefits of the cash discount system already in place with a system which would allow surcharges instead. The retailers preferred to keep the cash discount system intact, and not allow surcharges.

In the Federal Reserve's study of retailer attitudes, retailers were asked

whether they thought that a credit card surcharge was a good idea or a bad idea compared to discounts for cash. Seventy-one percent of all retailers responding to the survey replied that a surcharge is a bad idea.

Among gasoline retailers, 67 percent expressed disapproval of a surcharge. In other words, two out of three gasoline dealers oppose surcharges. While I do not find this surprising, it may come as something of a shock to those in the gasoline retail industry who have claimed that dealers would rather be able to impose surcharges upon consumers.

Among other retailers, the opposition to surcharges is even greater. Seventy-two percent of all other retailers oppose surcharges. Strong opposition exists regardless of the size of the retailer. Of those retailers with sales volume in excess of \$100 million, 74 percent thought surcharges were a bad idea. Retailers with volume between \$10 million and \$100 million preferred cash discounts over surcharges by four to one, with 80 percent opposing surcharges. For retailers with sales between \$1 million to \$10 million, the percentages of those who thought surcharges a bad idea are virtually identical, with 79 percent opposed. And among retailer with sales under \$1 million, fully two-thirds, or 67 percent, opposed surcharges.

During the original debate on this legislation, cash discounts were approved to benefit both consumers and merchants. Consumers who choose to pay cash for goods can receive a discount, and merchants can offer discounts to attract customers and avoid the paperwork and assorted costs associated with credit cards. I fully support the cash discount system and think it has functioned well in our economy. I cannot see any reason to disrupt the efficient system already in place by approving credit card surcharges.

There are many potential disadvantages in allowing merchants to tack on a surcharge to their customers who pay with credit cards. The possibility of price confusion regarding an advertised item would be enormous. And while many argue that allowing surcharges would benefit merchants by passing the cost of credit card operations directly to the credit customer, the Federal Reserve study found no evidence to support that claim. In fact, many merchants benefit by permitting customers to use charge cards in their stores. The amount of business in some stores has actually increased because customers may use credit cards, and the effect of the increased business has been lower prices.

Allowing the credit card surcharge prohibition to expire would create a distressful situation. Consumers would be confused by the array of cash,

credit, and regular prices offered. And prices would not necessarily be lower than the prices now. As is evidenced by the survey conducted by the Federal Reserve, merchants would not benefit from surcharges and, in fact, do not want the credit card surcharge prohibition to expire. Our current system of encouraging cash discounts and banning credit card surcharges has been in place and working for over half a decade. There is no reason to disrupt our present successful system.

THE LATE HONORABLE BYRON ROGERS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Colorado (Mrs. SCHROEDER), is recognized for 60 minutes.

Mrs. SCHROEDER. Mr. Speaker, today I take this time to praise the memory and good works of Byron Rogers, who died on December 31. He was a man who took more pride in public service than personal image. Byron held this seat, the First District of Colorado, from 1951 to 1971, longer than any other person. Those 20 years, however, are only one span in a public service career that bridged over 50 years.

Byron served in the U.S. Army Infantry during World War I. After graduating from the University of Denver Law School in 1925, he practiced law in Las Animas, Colo., and in 1929 became the city attorney for Las Animas.

He was elected to the Colorado House of Representatives in 1932 and served until 1935, being elected speaker of the house in 1933. During that same period, he joined the Roosevelt administration, on the legal staff of the Agricultural Adjustment Administration and the National Recovery Administration.

From 1934 to 1936 he was assistant U.S. attorney of Colorado and from 1936 to 1941 he was the attorney general for the State of Colorado. He ran for Congress in southern Colorado in 1940 and lost. In the early 1940's he chaired the Colorado State Democratic Party. He loved Colorado and the city of Denver and worked hard for them. He was a real person. He fought hard for civil rights and handled much of the civil rights legislation we celebrate today on the floor for the Judiciary Committee. His care and concern for his wife and children was very moving. I often saw him shopping in the grocery store in Denver after he left office. That is real life. We will miss him.

In 1950, Byron ran for Congress again, this time in Denver, and won. He was reelected nine times, before being bested in a tight primary race in 1970.

Those are the facts and the statistics.

Byron Rogers' career in the House of Representatives was marked by his service on the House Judiciary Committee. He was a stalwart defender of the Constitution and the Supreme Court. If anyone deserves to be an honorary "Founding Father" for devotion to preserving our government from angry assaults, it is Byron Rogers.

I will remind my colleagues of two examples, and then I will rest my case.

During the 1964 debate on the Tuck amendment, which would have deprived the Supreme Court and the Federal judiciary of jurisdiction over reapportionment cases, Byron was a leader in the fight against the amendment: I quote from a floor speech he made:

Is there anybody so simple-minded as to feel we can deprive the U.S. Supreme Court of the right to protect our constitutional rights? [In attaching the Tuck Amendment] we say then that the Supreme Court shall not have the authority to interpret the Constitution or protect your constitutional rights.

In 1970, in another time of angry assaults on the Constitution and the Supreme Court, an impeachment resolution was introduced in the House against Justice William O. Douglas. Byron was appointed to a special Judiciary subcommittee to investigate the charges, which amounted to nothing more than a partisan, divisive attack on the Court itself. Byron's subcommittee disposed of the matter.

Let me refer to James Madison. Of all the Federalists, Madison was the realist, the expert on human nature. He knew that the fledgling government, to survive, had to take into account the corruptions of power, the tyranny of the majority. He argued for a separation of powers and an ingenious system of checks and balances.

A strong judiciary is key to Madison's plan. "The great difficulty," Madison said, "lies in this: You must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on people, is no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions."

Consider this: That more than 200 years after our revolution we are still living a revolutionary ideal—the rule of law.

We should take a moment here to thank Byron Giles Rogers, for 20 years a defender of the Constitution in the House of Representatives.

Mr. Speaker, I am going to include in the RECORD the very, very touching remarks made by the Honorable William H. McNichols, Jr., former mayor of Denver, at services for the Honorable Byron Rogers, on January 3, 1984.

Mr. McNichols was the mayor during much of Byron Rogers' tenure and knew him very well. At the services, he went into much detail about the care and concern Mr. Rogers always had for the city of Denver and what he did for them.

REMARKS MADE BY W. H. McNICHOLS, JR., JANUARY 3, 1984—SERVICES FOR THE HONORABLE BYRON G. ROGERS

We all know Byron Rogers was an outstanding public servant. He served with distinction in every public trust he undertook. His 20 years as Congressman from Denver was the task he like best and one he excelled in.

He gave the same careful and meticulous attention to all his legislative efforts and he successfully completed scores—like Water Diversion Projects, Post Offices, Federal Buildings, Airport Funds, and especially his handling the legislation that ultimately transformed Denver into the vibrant city it is. I'm referring of course to the Skyline Urban Renewal—had he not achieved credit for Currigan Hall for Denvers match for Federal Urban Renewal Funds that tremendous re-vitalization of lower downtown Denver could never have happened.

But Byron was just as proud of helping some deserving Veteran get a just pension or some widow getting her proper Social Security rights as he was of the more highly publicized projects that he made possible.

He was kindly and easy to approach. He liked people and they liked him. He was highly regarded by his colleagues in the Congress and they respected his considerable legal and legislative abilities.

It's difficult to say goodbye to a friend like Byron—and even more difficult for his family—but it is certainly made easier for all knowing that his lifeswork resulted in tangible things that will endure for many many years—and in intangible memories etched in the hearts of so many remembering his unpretentious demeanor—his kindness and concern for his fellow man.

He was a thoroughbred American and had a deep and abiding love for this great nation.

The Supreme Speaker has called our faithful Chairman to serve a perpetual term in Eternal Peace.

Mr. Speaker, I am also inserting in the RECORD the very moving remarks of former Congressman Donald G. Brotzman, who served with Byron in the House.

REMARKS OF FORMER CONGRESSMAN DONALD G. BROTZMAN

I would like to join my former colleagues in paying tribute to Byron Rogers. It was my good fortune to have known him and his family over a period of 25 years. He was a man of compassion who genuinely cared about his fellowman. He was an able and skillful lawyer and legislator, which enabled him to serve the people of Colorado in its General Assembly, as its Attorney General, and as a long time member of the U.S. House of Representatives. He was a man who had a genuine love for this Nation and its basic institutions. We have all lost a dear friend and our country has lost a faithful and dedicated servant.

Mr. BROWN of Colorado. Mr. Speaker, will the gentlewoman yield?

Mrs. SCHROEDER. I yield to the gentleman from Colorado.

Mr. BROWN of Colorado. Mr. Speaker, today we rise to honor the memory of Byron G. Rogers, who served his State and his Nation through 42 years in public service.

Byron started his public career in 1928 when he sought election to the Colorado General Assembly. He lost that first election but persevered and was elected to the statehouse in 1932. Throughout his life, he pursued those things he knew to be right even though the odds were sometimes against him.

Born to a farm family in Texas on August 1, 1900, he and his family moved to Oklahoma by covered wagon when he was 2 years old. Young Byron had decided as a schoolboy that politics was for him and was actively involved with his family in local political pursuits. He served in the Army during World War I. He attended the University of Arkansas and the University of Oklahoma, but fell victim to tuberculosis. Like thousands others afflicted by this disease, Byron moved to Colorado, where the climate was considered good for the lungs. He finished his education at the University of Colorado and the University of Denver law school and set up his legal practice in the southern Colorado town of Las Animas, where he became city attorney.

He spent 3 years in the Colorado House of Representatives, including one session as speaker. In 1935, Governor "Big Ed" Johnson appointed Byron as Colorado's attorney general, the youngest man in the State's history to hold that post. He was elected to that office in 1936 and reelected in 1938. Between terms in elected office in the 1930's, Byron was an assistant U.S. attorney and was an attorney for the National Recovery Administration and the U.S. Department of Agriculture.

Although he ran unsuccessfully for Congress in 1940, he kept his hand in politics as chairman of the State and Denver Democratic Parties. He finally was elected to Congress in 1950, representing Denver. He served in this House for the next 20 years.

Byron Rogers did not posture for television cameras or conduct fancy reelection campaigns. Elected to 10 terms, his approach to campaigning was to stand on street corners in downtown Denver, talking to his constituents and asking for their vote. The people of Denver knew their Congressman was in Washington the rest of the time doing his work. The evidence of that is visible today throughout Denver.

Because of Byron Rogers, Denver has a new Federal office building, a new U.S. courthouse, an Air Force Accounting and Finance Center and a post office terminal annex. He also was an advocate for construction of the Chatfield Dam, the conversion of

an old Army post at Fort Logan to a mental health center, an expansion of Stapleton International Airport, and Federal funding of Denver's skyline urban renewal project.

In 1970, he lost the Democratic primary for his seat by 30 votes. Even though he had entered his seventh decade, he continued to work in Washington as a lobbyist for Jack Beaty & Associates, a public relations firm that represents wholesale tobacco dealers.

He passed away on the last day of 1983, survived by his wife of 50 years, the former Helen Kepler; a daughter, Mrs. Shirley Ann Martin of Leewood, Kans.; five grandchildren and one great-grandchild.

In 1983, Colorado lost two great veterans of this House, Wayne Aspinall and Byron Rogers. Both had devoted their lives in service to their communities and the Nation. We in this body are richer for their service and poorer at their loss.

Mrs. SCHROEDER. I thank the gentleman for his remarks.

● Mr. PEPPER. Mr. Speaker, I am pleased to join my colleagues in paying tribute to our late distinguished colleague Byron Rogers. Byron was a distinguished and respected Member of this House from 1948 to 1970. The period of his service was one of the critical periods in our Nation's history and Byron played an honorable part in the effort of Congress as it strove to serve America during those crucial days. Byron was a man of great industry, of deep devotion to his duties, proud of the privilege of serving his country in the Congress, a man of outstanding ability, and a fine gentleman. He was not only revered and respected by his colleagues, but loved. He leaves behind him a legacy of which his loved ones can always be proud in the distinguished service he rendered as a Member of this House. Every one of us who knew and served with Byron will always honor his service, revere his name, and cherish the memory of his friendship.

● Mr. SCHAEFER. Mr. Speaker, today I wish to join my colleagues and the people of Colorado in honoring the memory of one of our State's most distinguished citizens, Congressman Byron Rogers.

Congressman Rogers became involved in public service to the people of Colorado early in his life. After coming to Colorado from Texas in 1923 to attend school, Congressman Rogers practiced law in Las Animas until his election to the Colorado House in 1931. After serving two terms in the house, including holding the post of speaker from 1933-35, Congressman Rogers served as assistant U.S. attorney in the mid-thirties before becoming attorney general in 1936. Congressman Rogers also worked for the Department of Agriculture and the War Labor Board before being

elected to the 82d Congress in November 1950.

Congressman Rogers served with distinction throughout his 20 years in Congress. As a member of the Judiciary Committee, Congressman Rogers was at the forefront of the great civil rights debate of the 1960's. However, he never forgot his Colorado ties, and was instrumental in getting funding for the Chatfield Dam and the Big Thompson transmountain irrigation project.

Although we have lost a good friend, those of us who knew Byron Rogers can take consolation that we are better off for that friendship. For those who did not know him, they will be better off because of the work he did in his years of public service.

● Mr. BOLAND. Mr. Speaker, I am pleased to join my colleagues in paying tribute to Byron Rogers, who passed away on December 31, 1983, in Denver.

Byron Rogers had a tremendous record of public service spanning over 40 years. His political career began in 1929 when he was elected to the Colorado Legislature. In 1934 he became the youngest person ever to serve as attorney general of Colorado and in 1950 he was elected to the U.S. House of Representatives.

I had the pleasure and privilege of serving with Byron Rogers during most of the time he worked in this body. I knew him to be a man of high integrity, deep personal conviction, and sound judgment. He labored tirelessly and effectively on behalf of civil rights as a member of the House Judiciary Committee and the Committee on Civil Rights. While never neglecting the particular needs of the people of Colorado who sent him to Congress, Byron Rogers never lost sight of the needs of the Nation. He was a most dedicated public servant whose many achievements will be long remembered, not only in Colorado, but in the Congress as well.

I know that the people of Colorado have been saddened by his passing. I extend my deepest sympathy to the Rogers family.

● Mr. ANNUNZIO. Mr. Speaker, I rise to join with my colleagues in paying tribute to the Honorable Byron G. Rogers, former Member of Congress from the State of Colorado, who died on December 31, 1983, at age 83, after a long and brilliant career of public service spanning more than 40 years. Byron was my friend, and I always shall cherish his advice and counsel during my first 6 years in Congress when we were colleagues in the House of Representatives.

Byron Rogers served our country with distinction in the Army during World War II. After his graduation from the University of Denver Law School in 1925, he became the city at-

torney of Las Animas, and then the county attorney of Bent County, Colo. As a member of the Colorado General Assembly from 1931 to 1935, he earned a reputation as an effective legislator, and was elected speaker of the general assembly in 1933.

During the 1930's, Byron served on the legal staffs of the Agriculture Adjustment Administration and the National Recovery Administration. He was assistant U.S. attorney for the district of Colorado from 1934 to 1936, and attorney general of Colorado from 1936 to 1938.

Byron was also an active leader in his party, serving as State chairman of the Democratic State Central Committee of Colorado from 1941 to 1942, and as the county chairman of the Denver Democratic Central Committee from 1945 to 1950.

Elected to Congress in 1950, Byron Rogers represented his constituents from the First Congressional District of Colorado with distinction for 10 consecutive terms, and was a consistent champion of civil rights and civil liberties as a member of the House Judiciary Committee. He was a conscientious legislator, and one of the most respected and effective Members of the House of Representatives.

Mr. Speaker, Byron was a dedicated American, and a Congressman of outstanding ability, deep compassion, and courage, who served his constituents with a personal touch. He devoted his life to the betterment of his citizens, and compiled an outstanding record of achievement as a Member of the House of Representatives. His dedication to high standards was an inspiration to his friends and all Americans, and his commitment to civil rights and his exemplary service will long be remembered by those of us who had the privilege of working with him.

Mrs. Annunzio and I extend our deepest sympathy to his wife, Helen; his daughter, Shirley; his sister, Mabel; and the other members of his family.●

● Mr. ADDABBO. Mr. Speaker, it is with fond memories that I rise to commemorate the achievements of Byron Rogers. First elected to Congress in 1950, he served this country at a time when many of our basic beliefs were being questioned. As a Member of Congress until 1970, Byron Rogers stood out as a leader who helped steer this country through the midst of turbulent social change.

I had the privilege of serving with Byron in Congress for 10 years. I looked to him as a leader, a teacher, a friend.

In Colorado, his work may be remembered through the physical evidence of the Chatfield Dam and the Colorado Big Thompson transmountain irrigation project.

But Byron was more than just a Member of Congress from Colorado.

He was truly a leader of the people throughout the Nation. As a member of the Judiciary Committee, he was influential in the civil rights debate. He was a mover and was instrumental in many of the great strides made in civil rights in the 1960's.

As we mourn the death of Byron Rogers here today, it is evident that many of his accomplishments will live on. For Byron Rogers helped lay a strong and important foundation on which later Congresses have already expanded. It is a doctrine that seeks to guarantee the civil rights of all people throughout this Nation.

I would like to extend my deepest sympathy to his wife, Helen, his daughter, and others that knew him. Byron Rogers will be remembered in our hearts.●

● Mr. NATCHER. Mr. Speaker, I join with my colleagues in the House of Representatives in paying tribute to Byron Rogers, who was an able and dedicated Member of the House of Representatives.

Byron Rogers was a devoted public servant who demonstrated a tremendous loyalty to and love of his country. In all of his assignments as a Member of Congress, Byron Rogers' service was marked by a high sense of conscience and duty. He established an outstanding record in the House of Representatives and on many occasions was commended for his leadership, judgment, and perseverance. We all considered Byron Rogers one of the outstanding legal authorities and called upon him on more than one occasion for his opinion on complicated legislative proposals.

It was a distinct honor and a privilege to serve with Byron Rogers in the House of Representatives. I regret his death and extend my deepest sympathy to the members of his family.●

● Mr. RODINO. Mr. Speaker, in the death of Congressman Byron G. Rogers this body has lost an illustrious former colleague and a courageous champion of civil rights.

Byron Rogers and I became close personal friends during our years of service together on the House Judiciary Committee. Those were years of difficult conflict. Throughout that period, Byron worked tirelessly to bring about historic changes in the law to guarantee justice and equality to all our citizens.

While serving this broader constituency, Byron was always attentive also to the requirements of the people of his district. Like the civil-rights laws he helped create, the much-needed Federal conservation projects he brought to Colorado stand as monuments to his effectiveness as a lawmaker.

Through it all, whatever the cost or consequences, Byron would never bend on principle or alter his course from what he thought was right. He was a

model legislator, a modest gentleman, a wise colleague, and a good friend.

My deepest sympathies go to his wife, Helen, and to his daughter, Shirley Ann.●

● Mr. DE LA GARZA. Mr. Speaker, I join today in expressing sorrow at the passing on New Year's Eve of Byron Rogers, an outstanding public servant and a member of this body for 22 years. When I came to Congress Byron Rogers had already been a Member of the House for 16 years—liked and respected by his colleagues and his constituency of the First District of Colorado to whom he rendered distinguished service. I benefited greatly from my association and want to say how proud I am to have served with him.

The contributions Byron Rogers made to his country were tremendous—his good work extending far beyond the Colorado district he represented so outstandingly. He will be remembered as a distinguished legislator, an innovator, a community stalwart, and a fine American.

Byron Roger's vision was great, his labors unselfish, and his dedication complete. Such a man always stands tall in the eyes of his fellow Americans and such a man never dies.●

● Mr. BENNETT. Mr. Speaker, I take this opportunity to speak with a heavy heart in the knowledge that former Congressman Byron Rogers passed away this past December 31. However, I do so with the feeling that a tribute to him is well in order. I had the privilege of serving in Congress with Byron Rogers and felt that he was one of the most natural and able leaders that I have seen here in the House since I came here myself in 1949. He was a very kind and delightful friend to everyone who served with him and on behalf of all those who had some problem that he could solve or help to solve.

Congressman Rogers began his political career in 1929 by serving in the Colorado Legislature, became the State attorney general, and was elected to Congress in 1950, with eight more successful elections to Congress. He was a down-to-earth man with great concern for people who needed help and he gave of his energies and efforts with all the strength that he had to help wherever he could. It was a pleasure to serve with him and I join with all of my colleagues here in sending our deepest sympathy to his beloved family.●

● Mr. KRAMER. Mr. Speaker, I appreciate the efforts of my colleague, Mrs. SCHROEDER, to offer an opportunity for this body to memorialize the life and career of former Representative Byron Giles Rogers of Colorado, who died early Saturday morning on December 31, 1983.

Although Byron Rogers' tenure in the House preceded that of every member of our State's current delegation, his work on behalf of Colorado, especially the city of Denver, will most certainly last well beyond the tenure of each of us. His work is perhaps best summarized by former Denver Mayor Bill McNichols, who called Rogers a "quiet and extremely effective man who brought Denver from town to city with urban renewal legislation that never would have gotten through Congress without his guidance."

Mr. Speaker, if there is one thing that the life of Mr. Byron Giles Rogers symbolizes it is that he was a man who, despite the pressures of public office during his 10 terms, never forgot about the folks back home. There can be no better reward for service in this body than the gratitude and respect of one's constituents. Mr. Speaker, Byron Giles Rogers was without doubt a man appreciated and respected by his constituents. ●

GENERAL LEAVE

Mrs. SCHROEDER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the life, character, and public service of the late Honorable Byron Rogers.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

ADDRESSING CONCERNS OF LEGISLATION ON THE HOUSE CALENDAR THIS WEEK

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 am just going to take a few minutes this afternoon to talk a little bit about the schedule for this week, given the fact that some of us announced last week that we would be attempting, insofar as we could, to see to it that the concerns of the American people with regard to the liberal welfare state get addressed on this floor in the course of our legislative scheduling.

So, Mr. Speaker, I thought what I would do today is indicate that as we go through the schedule this week and are looking at bills that have been brought before us by the House leadership this week, I would say that we will attempt in the course of the week to also talk about some of those issues that we believe are more reflective of a conservative opportunity society than the liberal welfare-state practices that are so often represented on this floor.

For example, earlier today we debated in general debate only the library services bill that will come onto the

floor for amendment tomorrow. When that bill comes out for amendment, it would seem to me that we from the conservative opportunity society point of view will want to speak to the issue of jobs in that bill. One of the issues that the chairman from the committee admitted in the debate today that is in that bill is something called Davis-Bacon Act provisions. Those are special interest, big labor provisions that are in there that limit the number of job opportunities and also limit the number of facilities that can be purchased with the money that we spend out of this Congress for libraries.

We will come to the floor tomorrow with a jobs amendment that will indicate that where the States see a potential of creating more jobs as a result of eliminating things like Davis-Bacon, that we will in fact allow them to do that, we will allow them to get a waiver of those provisions, thereby creating more jobs.

Our idea behind the conservative opportunity society is to provide greater job opportunities. This will be a job-opportunity-oriented amendment, and it will be done as a contrast to the bill before us, which specifically has provisions in it which limit the number of job opportunities to be made available with Federal money.

We also understand that tomorrow we will debate a bill and have an opportunity to amend the bill on educational excellence. And that also is something that I think both the liberal welfare state and a conservative opportunity society probably share, but we come at it from different directions. For example, in the conservative opportunity society, we believe that people ought to be judged on their merit. So, therefore, I am certain that there will be amendments brought to the floor that will deal with the merit pay issue and also with the school discipline issue, since one of the things that is impacting on the ability of teachers to do a good job is the fact that we have had a breakdown in discipline within the schools.

□ 1350

So those are amendments that will seek to address some of the agenda that we would like to see brought to this floor.

Later on in the week we are going to be discussing the Earthquake Reduction and Fire Prevention Act. There I think one of the things that we would want to emphasize from the standpoint of the Conservative Opportunity Society is the whole idea of the contribution that volunteer fire companies make in this country. One of the things that we often hear on this floor is that the only way that we can protect the health and safety of people is with some kind of Federal program, and yet for 300 years or so out across

America volunteer fire companies have made a direct contribution to the health and safety of the people of their local communities through their work.

It seems to me that we want to recognize that, and recognize that here is one way where communities are providing for their own needs and providing for it in a way that ought to be commended, so we will probably want to have some language dealing with the outstanding work the volunteer fire companies have done over a period of 100 years or 200 years in providing just that kind of service to their communities.

Then later, Mr. Speaker, scheduled on the floor is a bill dealing with child abuse. I think there, again, all of us share the desire to do those things which are necessary to prevent child abuse in this country. However, I think we would want to address a couple issues that do not seem to be addressed in the bill.

For example, the issue of abortion is not addressed at all in the bill, and yet one of the cruelest forms of child abuse that exists in this country is when we literally take the life of children through the abortion process. So that aspect of child abuse will certainly be something that we will want to deal with in the bill that comes before us.

Also, while the bill deals with the issue of child pornography, which is one of the more horrendous examples of child abuse in our society today, where commercial exploitation uses children in sexually deviant kinds of ways in order to exploit them for profit, those kinds of things, of course, are important to us all and that is addressed in the bill. However, the bill does not deal with another aspect that we have become aware of in recent years, and that is the whole issue of child prostitution, where runaways and other children sometimes are kidnaped for purposes of being forced into prostitution in the streets of our cities, and this is done by organized crime. We may well in that bill want to address that issue as well as the child pornography issue.

Those are some of the things that, I think, from the standpoint of our view of the world that we will want to see the House debate and probably vote upon. Those are things which I think we can do in a way that will assure the American people that they do begin to see a record and a contrast between two differing points of view on this floor.

THE 10TH ANNIVERSARY OF THE CRUSADE FOR EDUCATION OF THE KNIGHTS OF DABROWSKI

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

● Mr. ANNUNZIO. Mr. Speaker, I rise to call to the attention of my colleagues the 10th anniversary of the Crusade for Education of the Knights of Dabrowski which will be celebrated at the Starlight Inn in Chicago on February 4. This charitable organization based in Chicago for the last decade has provided financial assistance for needy Polish-American students to allow them to obtain a higher education.

The work and the contributions to our community of the Knights of Dabrowski are commendable indeed. The guiding principle of the Crusade for Education is that all children regardless of their family's social or financial status, are entitled to a quality education, and the members of the crusade have devoted endless hours and have obtained countless monetary donations to help talented students of Polonia, who lack the necessary resources, to meet ever-rising tuition requirements. The Knights of Dabrowski are most active in providing help at the graduate level, and have pursued their goals under the motto, "Dedication, Service, and Sacrifice on Behalf of Others."

During the past 10 years, the Crusade for Education has served the community by providing information on educational and career opportunities, as well as up-to-date information on available sources of financial aid. Also, members of the crusade have participated in documentary and special programs on Polish history and culture on local television stations.

Most importantly, the Crusade for Education has provided financial assistance in the form of interest-free loans and scholarships to full-time students at accredited colleges and universities, and has sponsored the Annual Crusade for Education Telethon which not only serves as the primary source of funding, but also provides an opportunity for local performers to showcase their talents.

At this year's 10th anniversary celebration, Dr. Edward J. Wajda, founder of the crusade, posthumously will receive the Cross of the Black Knight, the highest honor the Knights of Dabrowski can bestow, in recognition of his many years of community service to Polonia. Dr. Wajda, known affectionately as "Doc," came to this country in 1945 with a group of 30 other refugee boys, after spending his adolescent years in a Soviet labor camp, a victim of Soviet conducted mass deportations of Poles into Siberia, and later

in various refugee camps in Iran, Pakistan, and India.

Doc completed his secondary education at the Orchard Lakes Schools, and 7 years later obtained a medical diploma from the University of Illinois Medical School in Chicago. For the next 2 years he served the United States with distinction as a captain in the U.S. Army, and in 1958, returned to Chicago, where he entered private practice.

Back in Chicago, he resumed an active role in the Boys From Poland Fraternity, a charitable organization founded by the 31 Orchard Lake alumni, which later evolved into the Knights of Dabrowski. Through Doc's dedicated leadership and guidance, the Crusade for Education was founded and won the support of the Polish community.

Doc was a caring, kind, compassionate man, sensitive to the needs of the Polish-American community, and recognized that helping needy college students finance their education was crucial to enable Poles to advance in America, to integrate Poles in the mainstream of American life, and to make America strong.

Mr. Speaker, on the 10th anniversary of the Crusade for Education of the Knights of Dabrowski, I join with Americans of Polish descent in the 11th Congressional District of Illinois which I am honored to represent, in paying tribute to the great humanitarian efforts and achievements of Doc Wajda, and I congratulate the Knights of Dabrowski on their contributions to our community and wish them continued success in the years ahead in providing financial assistance to educate our country's youth.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FORSYTHE (at the request of Mr. MICHEL), for today and the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

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

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

Mr. McDADE, for 60 minutes, on January 31.

Mr. WALKER, for 60 minutes, on January 31.

Mr. GINGRICH, for 60 minutes, on January 31.

Mr. WEBER, for 60 minutes, on January 31.

Mr. MACK, for 60 minutes, on January 31.

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

Mrs. SCHROEDER, for 60 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 30 minutes, today.

Mr. STARK, 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. LEWIS of California.

Mr. JEFFORDS.

Mr. CORCORAN in four instances.

Mr. SHUMWAY in two instances.

Mr. LENT.

Mr. LEWIS of Florida.

Mr. KEMP.

Mr. CLINGER.

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

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. JONES of Tennessee in 10 instances.

Mr. BONER of Tennessee in five instances.

Mr. FRANK.

Mr. LANTOS in three instances.

Mr. CONYERS.

Mr. UDALL.

Mr. BEILENSEN in two instances.

Mr. STARK in two instances.

Mr. WAXMAN in two instances.

Mr. RANGEL.

Mr. DASCHLE in 10 instances.

Mr. MACKEY.

Mr. BROOKS.

Mr. HARKIN.

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. 2211. An act to reduce the rates of pay of Members of Congress by the amount of the increase taking effect on January 1, 1984, and for other purposes; to the Committee on Post Office and Civil Service.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 1 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Tuesday, January 31, 1984, 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:

2510. A letter from the Director, Defense Security Assistance Agency, transmitting a report of the impact on U.S. readiness of the Navy's proposed sale of certain defense articles to Australia (Transmittal No. 84-26), pursuant to Public Law 94-106, section 813 (91 Stat. 337); to the Committee on Armed Services.
2511. A letter from the Director, Defense Security Assistance Agency, transmitting a report of the impact on U.S. readiness of the Air Force's proposed sale of certain defense articles to Saudi Arabia (Transmittal No. 84-21), pursuant to Public Law 94-106, section 813 (91 Stat. 337); to the Committee on Armed Services.
2512. A letter from the Director, Defense Security Assistance Agency, transmitting a report of the impact on U.S. readiness of the Navy's proposed sale of certain defense articles to Italy (Transmittal No. 84-27), pursuant to Public Law 94-106, section 813 (91 Stat. 337); to the Committee on Armed Services.
2513. A letter from the Director, Defense Security Assistance Agency, transmitting a report of the impact on U.S. readiness of the Navy's proposed sale of certain defense articles to Egypt (Transmittal No. 84-28), pursuant to Public Law 94-106, section 813 (91 Stat. 337); to the Committee on Armed Services.
2514. A letter from the Secretary of Defense, transmitting the operational test and evaluation report covering fiscal year 1983, pursuant to 10 U.S.C. 136(g)(1) (97 Stat. 685); to the Committee on Armed Services.
2515. A letter from the Secretary of Education, transmitting a report on the progress being made toward the provision of a free appropriate public education for all handicapped children, pursuant to Public Law 91-230, section 618(d)(1) (89 Stat. 792); to the Committee on Education and Labor.
2516. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Army's offer to sell certain defense articles and services to Saudi Arabia (Transmittal No. 84-24), pursuant to AECA, section 36(b) (90 Stat. 741; 93 Stat. 708, 709, 710; 94 Stat. 31, 34; 95 Stat. 1520) Arms Export Control Act; to the Committee on Foreign Affairs.
2517. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Navy's offer to sell certain defense articles and services to Australia (Transmittal No. 84-26), pursuant to AECA, section 36(b) (90 Stat. 741; 93 Stat. 708, 709, 710; 94 Stat. 31, 34; 95 Stat. 1520) Arms Export Control Act; to the Committee on Foreign Affairs.
2518. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Navy's offer to sell certain defense articles and services to Italy (Transmittal No. 84-27), pursuant to AECA, section 36(b) (90 Stat. 741; 93 Stat. 708, 709, 710; 94 Stat. 31, 34; 95 Stat. 1520) Arms Export Control Act; to the Committee on Foreign Affairs.
2519. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Air Force's offer to sell certain defense articles and services to Saudi Arabia (Transmittal No. 84-21), pursuant to AECA, section 36(b) (90 Stat. 741; 93 Stat. 708, 709, 710; 94 Stat. 31, 34; 95 Stat. 1520) Arms Export Control Act; to the Committee on Foreign Affairs.
2520. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Navy's offer to sell certain defense articles and services to Egypt (Transmittal No. 84-28), pursuant to AECA, section 36(b) (90 Stat. 741; 93 Stat. 708, 709, 710; 94 Stat. 31, 34; 95 Stat. 1520) Arms Export Control Act; to the Committee on Foreign Affairs.
2521. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Army's proposed offer to sell certain defense articles and services to Lebanon (Transmittal No. 84-30), pursuant to AECA, section 36(b) (90 Stat. 741; 93 Stat. 708, 709, 710; 94 Stat. 31, 34; 95 Stat. 1520) Arms Export Control Act; to the Committee on Foreign Affairs.
2522. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a) (92 Stat. 993); to the Committee on Foreign Affairs.
2523. A letter from the Assistant Secretary for Legislative and Intergovernmental Affairs, Department of State, transmitting a report of political contributions by Ambassador-designate to the Holy See, William A. Wilson, and members of his family, pursuant to Public Law 96-465, section 304(b)(2); to the Committee on Foreign Affairs.
2524. A letter from the Secretary of Health and Human Services, transmitting a report of surplus real property transferred for public health purposes in fiscal year 1983, pursuant to the act of June 30, 1949, chapter 288, section 203(o) (90 Stat. 2454); to the Committee on Government Operations.
2525. A letter from the Chairman, Federal Mine Safety and Health Review Commission, transmitting the annual report of the Commission's activities under the Government in the Sunshine Act during calendar year 1983, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.
2526. A letter from the Chairman, Federal Trade Commission, transmitting a report on the evaluation of the system of internal accounting and administrative control in effect during the year ended December 31, 1983, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.
2527. A letter from the Executive Director of the Board for International Broadcasting, transmitting a report on the evaluation of the system of internal accounting and administrative control in effect during the year ended December 31, 1983, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.
2528. A letter from the Governor, Farm Credit Administration, transmitting a report on the evaluation of the system of internal accounting and administrative control in effect during the year ended December 31, 1983, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.
2529. A letter from the Secretary, Mississippi River Commission, transmitting the Commission's activities for calendar year 1983 under the Government in the Sunshine Act, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.
2530. A letter from the Secretary of Health and Human Services, transmitting a report on the evaluation of the system of internal accounting and administrative control in effect for the year ended December 31, 1983, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.
2531. A letter from the Director, Federal Judicial Center, transmitting the annual report of the Federal Judicial Center for 1983, pursuant to 28 U.S.C. 623(b); to the Committee on the Judiciary.
2532. A letter from the President and Chief Executive Officer, Little League Baseball, transmitting the league's annual report for fiscal year 1983, pursuant to Public Law 88-378, section 14(b); to the Committee on the Judiciary.
2533. A letter from the Secretary of Commerce, transmitting the 12th annual report of the National Advisory Committee on Oceans and Atmosphere, together with comments and recommendations, pursuant to Public Law 95-63, section 4(b); to the Committee on Merchant Marine and Fisheries.
2534. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report indicating that no professional and scientific positions were established in the National Aeronautics and Space Administration during 1983, pursuant to 5 U.S.C. 3104(b); to the Committee on Post Office and Civil Service.
2535. A letter from the Postmaster General, U.S. Postal Service, transmitting the annual report of the Postal Service for fiscal year 1983, pursuant to 39 U.S.C. 2402; to the Committee on Post Office and Civil Service.
2536. A letter from the Secretary of Energy, transmitting the seventh annual report of the activities under the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976, pursuant to Public Law 94-413, section 14 (93 Stat. 1336); to the Committee on Science and Technology.
2537. A letter from the Secretary of Energy, transmitting the third annual report of activities under the Methane Transportation Research, Development, and Demonstration Act of 1980, pursuant to Public Law 96-512, section 9; to the Committee on Science and Technology.
2538. A letter from the Chairman, U.S. International Trade Commission, transmitting a draft of proposed legislation to provide authorization of appropriations for the U.S. International Trade Commission for fiscal year 1985; to the Committee on Ways and Means.
2539. A letter from the Chairman, U.S. Synthetic Fuels Corporation, transmitting the annual report for fiscal year 1983 including the activities, progress, and financial statements of the Corporation, pursuant to Public Law 96-294, section 177(d)(1); jointly, to the Committees on Banking, Finance and Urban Affairs and Energy and Commerce.

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. BROOKS:

H.R. 4681. A bill relating to the administration of polygraph examinations and pre-publication review requirements by Federal agencies; to the Committee on Post Office and Civil Service.

By Mr. DASCHLE:

H.R. 4682. A bill entitled: the "Home Buyers Assistance Act of 1984"; to the Committee on Ways and Means.

By Mr. FRANK (for himself, Mr. DWYER of New Jersey, Mrs. COLLINS, Mr. SIMON, Mr. DANIEL, Mr. DORGAN, Ms. MIKULSKI, Mr. RATCHFORD, Mr. SOLOMON, Mr. SCHUMER, Mr. BEDELL, Mr. TALLON, and Mr. WON PAT):

H.R. 4683. A bill to amend title XVIII of the Social Security Act to provide for direct medicare reimbursement for services performed by registered nurse anesthetists; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. MACKAY (for himself, Mr. BROWN of California, and Mr. WALGREEN):

H.R. 4684. A bill to establish a coordinated national nutrition monitoring and related research program, and a comprehensive plan for the assessment and maintenance of the nutritional and dietary status of the U.S. population and the nutritional quality of the U.S. food supply, with provision for the conduct of scientific research and development in support of such program and plan; jointly, to the Committees on Agriculture and Science and Technology.

By Mr. SHELBY (for himself, Mr. MONTGOMERY, and Mr. HAMMERSCHMIDT):

H.R. 4685. A bill to amend title 38, United States Code, to increase certain dollar limitations under Veterans' Administration housing programs; to the Committee on Veterans' Affairs.

By Mr. SHELBY (for himself, Mr. MONTGOMERY, Mr. HAMMERSCHMIDT, Mr. DASCHLE, and Mr. PENNY):

H.R. 4686. A bill to amend title 38, United States Code, to require that grave markers in national cemeteries be upright; to the Committee on Veterans' Affairs.

By Mr. STARK:

H.R. 4687. A bill to require that not more than one-fifth of the budget authority of any department or agency of the executive branch may be obligated during the last 2 calendar months of a fiscal year; to the Committee on Government Operations.

By Mr. WISE:

H.R. 4688. A bill to amend the Internal Revenue Code of 1954 to continue to allow mortgage bonds to be issued; to the Committee on Ways and Means.

By Mr. FRANK:

H.J. Res. 460. Joint resolution designating the week of November 12 through November 18, 1984, as "National Reye's Syndrome Week"; to the Committee on Post Office and Civil Service.

By Mr. DELLUMS:

H. Res. 406. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on the District of Columbia in the 2d session of the 98th Congress; to the Committee on House Administration.

By Mr. WALKER:

H. Res. 407. Resolution providing for the consideration of the joint resolution (H.J. Res. 84) proposing an amendment to the

Constitution guaranteeing the right of life to the unborn; to the Committee on Rules.

H. Res. 408. Resolution providing for the consideration of the joint resolution (H.J. Res. 100) proposing an amendment to the Constitution permitting prayer in public schools; to the Committee on Rules.

H. Res. 409. Resolution providing for the consideration of the joint resolution (H.J. Res. 243) proposing an amendment to the Constitution altering Federal budget procedures; to the Committee on Rules.

H. Res. 410. Resolution providing for the consideration of the joint resolution (H.J. Res. 404) proposing an amendment to the Constitution allowing item veto in appropriation bills; to the Committee on Rules.

MEMORIALS

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

315. By the SPEAKER: Memorial of the Legislature of the State of Alaska, relative to a citizenship petition; to the Committee on the Judiciary.

316. Also, memorial of the Senate of the State of Washington, relative to the Grays Harbor improvement project; to the Committee on Public Works and Transportation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII:

Mr. CHAPPELL introduced a bill (H.R. 4689) for the relief of Horst Bliedung; and his wife, Ellen Bliedung; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 501: Mrs. SCHROEDER.
 H.R. 507: Mr. CLARKE and Mr. ROWLAND.
 H.R. 1377: Mr. COLEMAN of Texas.
 H.R. 1607: Mr. MADIGAN and Mr. HANSEN of Idaho.
 H.R. 1797: Mr. WHITTAKER.
 H.R. 1965: Mr. BOUCHER.
 H.R. 2380: Mr. SHELBY, Mr. ERDREICH, Mr. REID, and Mr. FLORIO.
 H.R. 2468: Mr. BOLAND, Mr. ADDABBO, Mr. SMITH of New Jersey, Mr. PRICE, Mrs. SCHNEIDER, and Mr. CONTE.
 H.R. 2495: Mr. McEWEN.
 H.R. 3140: Mr. PETRI.
 H.R. 3265: Mr. Dowdy of Mississippi.
 H.R. 3277: Mr. FRANK, Mr. LOWRY of Washington, Mr. MORRISON of Connecticut, and Mr. LEVIN of Michigan.
 H.R. 3282: Mr. HAMILTON and Mr. McCLOSKEY.
 H.R. 3985: Mr. HAWKINS and Mr. JEFFORDS.
 H.R. 4049: Mr. WON PAT, Mr. BARNARD, and Mr. FEIGHAN.

H.R. 4050: Mr. WON PAT, Mr. BARNARD, and Mr. FEIGHAN.

H.R. 4051: Mr. WON PAT, Mr. BARNARD, and Mr. FEIGHAN.

H.R. 4105: Mr. RICHARDSON, Mr. VANDER JAGT, Mr. ECKART, and Mr. VOLKMER.

H.R. 4155: Mr. RIDGE, Mr. RATCHFORD, and Mr. McEWEN.

H.R. 4447: Mr. SOLARZ, Mr. ROYBAL, and Mr. LEHMAN of Florida.

H.R. 4594: Mr. DURBIN, Mr. HARKIN, Mr. DORGAN, Mr. DASCHLE, Mr. ERDREICH, Mr. SIMON, and Mr. HANCE.

H.R. 4642: Mr. ROE, Mr. YOUNG of Alaska, Mr. BERMAN, Mr. LEVIN of Michigan, Mr. FAZIO, and Mr. DASCHLE.

H.J. Res. 154: Mr. GREEN.

H.J. Res. 247: Mr. McNULTY, Mr. BARNES, Mr. TALLON, Mr. MARTIN of New York, Mr. WOLFE, Mr. SMITH of Florida, Mr. ASPIN, Mr. PACKARD, Mr. PASHAYAN, and Mr. STUDDS.

H.J. Res. 327: Mr. FAZIO, Mr. DASCHLE, Mr. MAVROULES, Mr. DONNELLY, Mr. ORTIZ, Mr. LIPINSKI, Mr. NIELSON of Utah, and Mr. LEVIN of Michigan.

H.J. Res. 382: Mr. BENNETT, Mr. CORRADA, Mr. GORE, Mr. MARTIN of New York, Mr. ROBINSON, and Mr. TAUKE.

H.J. Res. 389: Mr. DWYER of New Jersey.

H. Res. 327: Mr. WON PAT, Mr. BARNARD, and Mr. FEIGHAN.

PETITIONS, ETC.

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

306. By the SPEAKER: Petition of the Italian-American Labor Council, Inc., New York, relative to continued support of NATO; to the Committee on Foreign Affairs.

307. Also, petition of the Joint Baltic American National Committee, Rockville, Md., relative to the Baltic States; to the Committee on Foreign Affairs.

308. Also, petition of the PROTEST Group, Takoma Park, Md., relative to the imprisoned leaders of Solidarity and members of the Committee for Social Self-defense-KOR (KSS-KOR); to the Committee on Foreign Affairs.

309. Also, petition of the Italian-American Labor Council, Inc., New York, relative to the Immigration Reform Act; to the Committee on the Judiciary.

310. Also, petition of the Italian-American Labor Council, Inc., New York, relative to foreign trade; jointly, to the Committees on Ways and Means and Foreign Affairs.

AMENDMENTS

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

H.R. 1904

By Mr. LUNGREN:

—Page 2 line 18, insert "between abortion, between child pornography," after "unemployment,".