HOUSE OF REPRESENTATIVES—*Wednesday, June 12, 1985*

The House met at 10 o'clock a.m.

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

Help us, O God, to remember that one of Your greatest gifts to us is the gift of thanksgiving. May our words and deeds reflect Your love to us and the kindness shown by our colleagues and friends. In the daily run of life may we not be so immersed in the necessary details that we fail to be filled with the glorious gifts of wonder, awe, praise and thanksgiving. In Your name, we pray. 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.

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

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

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

Mr. McCAIN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 251, nays 142, answered "present" 4, not voting 36, as follows:

[Roll No. 153]

YEAS—251

Ackerman
Addabbo
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Archer
Barnard
Barnes
Bateman
Bates
Bedell
Beilenson
Bennett
Berman
Bevill
Biaggi
Boggs
Boland
Boner (TN)
Bonior (MI)
Borski
Bosco
Boucher
Boxer
Breaux
Brooks
Broomfield
Brown (CA)
Broyhill
Bruce
Bryant
Bustamante
Byron
Carper
Carr
Chappell
Clinger
Coelho
Coleman (TX)
Collins
Conyers
Cooper
Coyne
Crockett
Daniel
Darden
Daschle
Davis
de la Garza
DeLay
Dellums
Dicks
Donnelly
Dorgan (ND)
Downey
Duncan
Dwyer
Early
Eckart (OH)
Edgar
Edwards (CA)
English
Erdreich
Evans (IL)
Fascell
Fazio
Feighan
Fish
Flippo
Florio
Foglietta
Foley
Ford (TN)
Fowler
Frank
Frost
Fuqua
Gaydos
Gejdenson
Gephardt
Glickman
Gonzalez
Gordon
Gradison
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hall, Ralph
Hamilton
Hammerschmidt
Hartnett
Hatcher
Hayes
Hefner
Hertel
Holt
Hopkins
Horton
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kanjorski
Kaptur
Kastenmeier
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lipinski
Lloyd
Long
Lowry (WA)
Luken
Lundine
MacKay
Manton
Markey
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McHugh
McKinney
Mica
Michel
Mikulski
Miller (CA)
Mineta
Mollohan
Montgomery
Moody
Moore
Morrison (CT)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielson
Nowak
Oakar
Oberstar
Obey
Olin
Owens
Panetta
Pease
Perkins
Petri
Pickle
Price
Pursell
Quillen
Rahall
Rangel
Ray
Regula
Reid
Richardson
Rinaldo
Robinson
Rodino
Roe
Rose
Rostenkowski
Roukema
Rowland (GA)
Roybal
Rudd
Russo
Sabo
Savage
Scheuer
Schneider
Schumer
Sharp
Sisisky
Skelton
Slattery
Smith (IA)
Smith (NE)
Smith (NJ)
Snowe
Snyder
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Studds
Sweeney
Swift
Synar
Tallon
Tauzin
Thomas (GA)
Torres
Towns
Traficant
Traxler
Udall
Valentine
Vander Jagt
Vento
Visclosky
Walgren
Watkins
Weaver
Weiss
Wheat
Whitley
Whitten
Williams
Wirth
Wolpe
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (MO)

NAYS—142

Armey
Badham
Bartlett
Barton
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boulter
Brown (CO)
Callahan
Campbell
Carney
Chandler
Chappie
Cheney
Clay
Coats
Cobey
Coble
Coleman (MO)
Combest
Conte
Coughlin
Courter
Craig
Crane
Dannemeyer
Daub
Derrick
DeWine
Dickinson
Dreier
Durbin
Eckert (NY)
Edwards (OK)
Emerson
Fawell
Fiedler
Fields
Franklin
Frenzel
Gekas
Gilman
Gingrich
Goodling
Gregg
Gunderson
Hansen
Hendon
Henry
Hiler
Hunter
Hyde
Ireland
Jacobs
Kemp
Kindness
Kolbe
Kramer
Lagomarsino
Latta
Leach (IA)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Loeffler
Lott
Lowery (CA)
Lujan
Lungren
Mack
Madigan
Marlenee
Martin (IL)
McCain
McCandless
McCollum
McDade
McGrath
McKernan
McMillan
Meyers
Miller (OH)
Miller (WA)
Mitchell
Moakley
Molinari
Monson
Moorhead
Morrison (WA)
Oxley
Packard
Parris
Pashayan
Penny
Porter
Ridge
Ritter
Roberts
Roemer
Rogers
Roth
Saxton
Schaefer
Schroeder
Schuette
Schulze
Sensenbrenner
Shaw
Shumway
Shuster
Sikorski
Siljander
Skeen
Slaughter
Smith (NH)
Smith, Denny
Smith, Robert
Solomon
Spence
Stangeland
Stenholm
Strang
Stump
Sundquist
Swindall
Tauke
Taylor
Thomas (CA)
Vucanovich
Walker
Weber
Whitehurst
Whittaker
Wolf
Young (AK)
Young (FL)
Zschau

ANSWERED "PRESENT"—4

Atkins
Dowdy
Dymally
Smith (FL)

NOT VOTING—36

Applegate
Aspin
AuCoin
Bonker
Burton (CA)
Burton (IN)
Dingell
DioGuardi
Dixon
Dornan (CA)
Dyson
Evans (IA)
Ford (MI)
Gallo
Garcia
Gibbons
Grotberg
Hawkins
Heftel
Hillis
Howard
Kasich
McEwen
O'Brien
Ortiz
Pepper
Rowland (CT)
Seiberling
Shelby
Stokes
Stratton
Torricelli
Volkmer
Waxman
Wilson
Wise

□ 1020

Mr. SCHUMER changed his vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment joint resolutions of the House of the following titles:

H.J. Res. 25. Joint resolution to designate the week beginning June 2, 1985, as "National Theatre Week"; and

H.J. Res. 64. Joint resolution designating Mother's Day, May 12, 1985, to Father's Day, June 16, 1985, as "Family Reunion Month."

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

S. 1042. An act to authorize certain construction at military installations for fiscal year 1986, and for other purposes;

S. 1160. An act to authorize appropriations for the military functions of the Department of Defense and to prescribe per-

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

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

sonnel levels for the Department of Defense for fiscal year 1986, to authorize certain construction at military installations for such fiscal year, to authorize appropriations for the Department of Energy for national security programs for such fiscal year, and for other purposes;

S.J. Res. 88. Joint resolution to designate the week beginning September 8, 1985, as "National Osteopathic Medicine Week";

S.J. Res. 125. Joint resolution designating the week of June 23, 1985, through June 29, 1985, as "Helen Keller Deaf-Blind Awareness Week";

S.J. Res. 137. Joint resolution to designate the week of December 15, 1985, through December 21, 1985, as "National Drunk and Drugged Driving Awareness Week";

S.J. Res. 138. Joint resolution to designate the week of June 2, 1985, through June 8, 1985, as "National Intelligence Community Week"; and

S.J. Res. 142. Joint resolution to designate June 12, 1985, as "Anne Frank Day."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1815

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 1815.

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

There was no objection.

THE 92 GROUP BUDGET PROPOSAL—BLUEPRINT FOR BALANCE

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

Mr. PURSELL. Mr. Speaker, the conferees on the budget have begun their work. As chairman of the Budget Task Force of the 92 Group, I would like to urge the conferees to take a hard look at the 92 Group's budget proposal for a couple of reasons. First, it in large part strikes a middle ground between the House and Senate versions in a way that is fair and balanced. Second, and more importantly, its proposals achieve real savings in hard numbers.

The 92 Group budget proposal reduces inefficient or exorbitant expenditures, yet it protects the important responsibilities of our Federal Government while putting us on a course toward a balanced budget without raising taxes. We call it a blueprint for balance.

Above all, it is important to formulate a budget which targets savings that actually are attainable. This Nation needs to face fiscal responsibility and operate with a balanced budget. Congress must achieve an historic turnaround by achieving at least $50 billion in savings.

The 92 Group encourages the conferees to accomplish our goal and the goal of most Americans.

AMERICA'S DEVASTATING AGRICULTURAL DEPRESSION

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

Mr. THOMAS of Georgia. Mr. Speaker, I think it is a bit of a sad occasion when we must come here before this Congress and the Nation to remind ourselves of the devastating depression that is strangling the very life of our Nation's structure of agriculture, and most especially its farm people. How can it be that here where our only hope of survival exists that we must remind our Nation's leaders and its people of the pending debacle, when farm debt is at an all-time record high, when farm net income is at an all-time record low, when parity, that simple formula for a reasonable return and a reasonable profit is at depression levels; when exports have plummeted from an all-time high of $43 billion in 1981 to $33 billion today, and when record farm foreclosures and record agricultural bank failures rip the Nation.

How compelling and how evident must the numbers grow before this administration, before this Congress and before this Nation finally admits the pending debacle and assumes its responsibility?

It is a national issue comparable to all others that rests here in this body and only through a national effort can we reverse the unthinkable calamity that faces our Nation's farmers and its agricultural people.

PEDRO JOAQUIN CHAMORRO ON THE CONTADORA PROCESS

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

Mr. COURTER. Mr. Speaker, the simple reality is that without internal reconciliation and a true democratic process inside Nicaragua, Central America will never be at peace. This was recently highlighted by Pedro Joaquin Chamorro, the exiled editor of La Prensa and one of the most eloquent spokesman for Nicaragua's democratic opposition.

In the March 29 edition of Bogota, Colombia's El Tiempo newspaper, Mr. Chamorro noted that:

> As long as the Contadora Group does not realize that for there to be a solution to the Central American crisis there must first be democratization in Nicaragua and as long as the group pays more attention to the symptoms rather than the illness, it will be condemned to meeting every month for the next 20 years.

Mr. Speaker, the United States must give Nicaragua's democratic opposition the means by which to effect reform within Nicaragua. Without our help, Nicaragua will be condemned and, to paraphrase Mr. Chamorro, the war will go on.

BREAKING FAITH WITH OUR CONSTITUENTS ON TAXING EMPLOYEE BENEFITS

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

Mr. SAVAGE. Mr. Speaker, in 1945, the Congress adopted a national policy to promote vital life support programs for millions of American families by exempting employee health and welfare benefits from taxation. We realized then that these benefits provided a necessary safety net against economic disaster and reduced the burden on the Federal Government to create and finance similar programs.

For 40 years, American workers have bargained in good faith for these benefits, forsaking wage increases in almost every instance, to ensure that they and their families were protected.

Unfortunately, in the face of the necessity to reduce our enormous deficit, measures to tax vital employee benefits are currently under consideration by this Government.

If passed, measures now under consideration would break faith with our constituents nationwide. Not only would they mean smaller paychecks, but they are likely to destroy successful programs that have taken years to establish. In the long run, they are likely to increase our Federal deficit as we are compelled to replace the programs that tax considerations were designed to promote. The effect on labor-management relations would be devastating. Most importantly, passage would leave millions of Americans without vital health and welfare coverage.

The 1983 statistics indicate that 75 percent of those with pension coverage and almost 80 percent of the workers covered by health plans earn less than $25,000 per year; 126 million persons—workers and their families—have one or more forms of group health insurance protection.

Proponents of health benefit taxation claim that the present tax preference is unfair to employees without employer provided benefits. Were these advocates of equality calling for national health insurance to ensure the health of all—if so, their arguments might have some credibility.

Of course, the present policy of tax exemption does not provide adequate health care for the entire Nation. But until such a National Health Program is enacted, the removal of the benefits will lead only to a greater disparity in health care and social benefits, and further erode the state of health in our Nation.

Last week, I introduced House Resolution 184, resolving that we, as a body, will not make or accept any tax reforms or revisions that reduce or limit these current tax benefits. We should oppose any taxes to the employer or employee for employee health care, life insurance, education assistance, group legal services, unemployment compensation, workers' compensation and disability programs, and pension benefits.

I ask your support of this sense of the House advice to the Ways and Means Committee and to President Reagan.

□ 1030

THE TRUTH ABOUT THE SANDINISTAS

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

Mr. BROOMFIELD. Mr. Speaker, the Sandinistas have used deception to convince the United States and other nations around the world that they were not Communists and really wanted an open society. Finally, however, the truth is out.

Late last year, Comandante Arce, of the Sandinista Liberation Front, gave a secret and very revealing speech about the Sandinistas.

Comandante Arce welcomed the members of the Nicaraguan Socialist Party by saying:

> Good morning, Comrades.

Regarding elections, he said:

> Of course, if we did not have the war situation imposed upon us by the U.S., the electoral problem would be totally out of place in terms of its usefulness.

He also said:

> We see the elections as one more weapon of the revolution. We intend to take advantage of them.

On a mixed economy, Arce said:

> We've talked about this being the first experience of building socialism with the dollars of capitalism.

On the export of the revolution:

> We cannot cease being internationalists unless we cease being revolutionaries. We cannot discontinue strategic relationships unless we cease being revolutionaries.

If any of you have any doubts about what kind of a government is in power in Managua, I strongly recommend that you read the complete speech. It is food for thought, but it might give you indigestion.

1985 EXPORT EFFICIENCY PACKAGE

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

Mr. ALEXANDER. Mr. Speaker, recent reports from the Department of Commerce warn that our trade deficit for fiscal 1986 is expected to be $140 billion. That translates into a loss of about 5 million American jobs. There is a direct correlation between Americans living overseas selling our products, and the volume of American sales to foreign consumers.

In this climate of tax reform I am introducing the 1985 export efficiency package, designed to address inequities imposed upon Americans overseas in the form of double taxation, tax discrimination and tax disincentives.

I urge my colleagues to give consideration to this serious issue.

VOTE FOR BIPARTISAN SUBSTITUTE FOR AID TO NICARAGUA

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

Mr. DREIER of California. Mr. Speaker, there are 118 Members of this House who were here in 1979 and cast votes in favor of sending $75 million to the Sandinistas in Nicaragua. They did so based on the Sandinista's commitment to free elections, a democratic form of government, and nonalignment.

It is very clear that all three of those commitments have been broken. I hope very much that those 118 Members recant today by casting their votes in favor of our bipartisan substitute.

FAIR INSURANCE COVERAGE ACT

(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, today, along with 113 of my colleagues, I am introducing the Fair Insurance Coverage Act. This bill would prohibit discrimination in insurance against the blind. It has long been the job of the States to regulate insurance, and I am not trying to change that. But there are still some States without laws prohibiting such discrimination, and the States which have these laws don't enforce them equally. That's why a Federal option is needed.

Last year, the Fair Insurance Coverage Act was favorably marked up by the Subcommittee on Commerce, Transporation, and Tourism before time ran out on the 98th Congress; 125 Democrats and Republicans signed on, and I know that even more will do so this year.

The Fair Insurance Coverage Act is needed because blind people are not always allowed to buy insurance, and when they are permitted to buy it, they are often charged higher rates. This is an unfair situation which must be changed.

Senator MATHIAS is introducing a companion bill in the other body. I urge my colleagues to cosponsor the Fair Insurance Coverage Act and work for its passage.

REAGAN TAX REFORM PLAN

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

Mr. WATKINS. Mr. Speaker, it is quite alarming to me to have found and to discover that the Reagan administration has admitted publicly that they have not done an economic analysis on what would happen with trade if their tax plan is adopted.

Let me submit to my colleagues today and to this country that this tax plan is at the wrong time, the wrong day, and under the wrong circumstances.

Mr. Speaker, today we have a trade deficit that was increased from a $50 billion surplus 5 years ago to a $140 billion annual deficit today. Our country has become a debtor nation for the first time since 1913.

We have $130 billion of foreign currency undergirding or underwriting the deficits of this country. During this administration the dollar has become overvalued by more than 45 percent. That is like placing a 45-percent tariff on any U.S. exports making it near impossible to export U.S. products.

Now at this time the President of the United States is offering a tax plan that would wipe out the incentives for our industries to produce on United States of America soil, not overseas. The President's tax plan does nothing to help U.S. trade. In fact it hurts trade and does nothing to reduce the domestic deficit. In fact, it increases the domestic deficit.

I submit to you and I predict to you that if the Ronald Reagan tax plan is accepted in total it will expedite the erosion of U.S. industry overseas and it will export millions of jobs. His tax plan will erode our economic base in America, and we will not have the opportunity to build an economic future for our people. It will affect our national security and it will also affect the standard of living of this country. The President's tax plan is presented at the wrong time for the necessary economic growth that even the President admits must occur if we are to solve these dangerous recordbreaking domestic and trade deficits.

THE DEFICIT: NOW IS THE MOMENT OF TRUTH

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

Mr. PORTER. Mr. Speaker, you and your Democratic colleagues have, time and time again, said you would never consider any cuts in Social Security COLA's.

Over in the Senate, Mr. DOMENICI and his colleagues said they would never, under any circumstances, consider any cuts in defense.

If both sides stubbornly stick to their guns, there can be only one kind of compromise. And it's the same old one we have seen year after year. Once again, we'll spend and spend on everyone's priorities—defense, Social Security, Amtrack, small business loans, and all the rest. You get yours and I get mine. And once again, we'll send a bill drenched with red ink to our children.

This is unconscionable. I have written all the House and Senate conferees urging them not to make yet another big-spending compromise. If we get this kind of conference report, I will do all I can to defeat it.

Now is the moment of truth. Let's urge the conferees to take the responsible course—and do something for our children instead of to them.

WE SHOULD FOLLOW THE PRINCIPLES OF THE 92 GROUP

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

Mrs. JOHNSON. Mr. Speaker, as the conference committee begins their work of resolving the differences between the House and Senate I would like to urge my colleagues in the House to recall the debate we had on the budget and follow the principle which guided the 92 Group's work on writing their blueprint for balance and send a recommendation for a specific course of action to this House.

It is critically important for the conference committee to produce a compromise budget that reduces the deficit by the $56 billion this body agreed was necessary. The first priority of the 99th Congress must be to assure America's long-term economic health by significantly reducing and then eliminating the deficit. The members of the 92 Group believe, as do many other Members of this body, that deficit reduction is critical to continue economic growth, expand job opportunities, reduce our trade deficit, restore the competitive position of American industries at home and abroad, and prevent a worldwide economic crisis.

Mr. Speaker, it is imperative that the House-Senate conference committee produce a budget document that will send clear signals to all Americans and to the world that this Congress is serious and committed to bringing down the dangerously high deficit and its projections in the future. This demands tough decisions by the conference committee and our strong support for them now and as each appropriations bill comes to this floor.

THE FARM CRISIS HAS WORSENED

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

Mr. WEBER. Mr. Speaker, I rise today to join several of my colleagues in reminding the country that the crisis in agriculture is not abating but indeed is deepening.

Several months ago everybody in the country was aware of the farm problem; land values had fallen, interest rates were high, commodity prices were depressed and many farmers could not get any credit to get into the field.

Now, America's farmers are in the fields, at least those who could get credit or the country's attention had been turned to other problems.

But what has happened to agriculture in the meantime? Simply put, Mr. Speaker, conditions have worsened. Land values have continued to fall and are falling today. Interest rates have actually risen throughout much of the farm credit system to compensate for the losses and bad loans in that system; and commodity prices are headed for lower levels this fall, not higher levels.

Mr. Speaker, what this means is that the farm credit crisis will be worse this fall, when lenders seek repayment on loans extended this spring, than it was last spring.

I urge my colleagues now to turn their attention to this pressing problem while there is still time to formulate a reasonable response and before the crisis is upon us this fall.

WE NEED A PROPER BALANCE IN OUR EDUCATIONAL VALUES

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

Mr. LUNGREN. Mr. Speaker, in the last couple of weeks we have seen a very strong irony develop; in the same time period in which the U.S. Supreme Court said even a moment of silence in which children are told that they may pray, is unconstitutional, we have in New York the founding of a high school specifically to serve homosexual and lesbian students.

The question is: If that is a proper value; that is, if a school should be developed around that value system, why is it improper to allow our children to express their religious values in school? It seems rather strange that many who would support both of those positions yet would fight us on the floor of the House as we attempt to establish a voucher system. Their attitude is that students who have a value which is formed around religion, a particular religion, are to be denied the opportunity to send their children to such a school if assisted by such a voucher system.

It is such an irony. It would have our Founding Fathers shaking their heads at the interpretation by the U.S. Supreme Court this year and in recent years, of the Constitution that they gave us.

□ 1050

THE FOREIGN AID BILL

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

Mr. SCHEUER. Mr. Speaker, the foreign aid bill is coming up very soon. The foreign assistance bill?

I would be delighted to yield to the distinguished chairman of the committee.

Mr. FASCELL. I thank the gentleman for yielding, and I did not mean to interrupt him; I apologize for that.

The foreign aid bill, I will say to the gentleman, has been ready for floor action since April 15, and for a variety of circumstances, none of which I will bore or trouble you with, we are not here yet.

I ask unanimous consent to address the House for 1 minute, Mr. Speaker, and yield my time to the gentleman in the well.

The SPEAKER pro tempore (Mr. DASCHLE). The gentleman in the well still has the time.

Mr. SCHEUER. Would the chairman of the committee care to give us some reason as to why the foreign aid bill has been delayed in coming to the floor?

Mr. FASCELL. I would be happy to hear them, because I have not been able to find out.

Mr. SCHEUER. No, I was wondering whether you would enlighten us.

Mr. FASCELL. Oh, I thought you were going to tell me.

The SPEAKER pro tempore. The time of the gentleman has expired.

THE FOREIGN AID BILL

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

Mr. FASCELL. Mr. Speaker, I appreciate the indulgence of the House in this colloquy. As I was saying to the gentleman from New York, we have been prepared to bring the foreign aid bill to the floor since April 15. All of our other authorizing legislation has been reported by the Committee on Foreign Affairs.

We did our best to get ahead of the curve on appropriations; we think it is

very important to do that; we even wanted to get ahead of the budget if we could, but for a variety of reasons having to do with emergency matters and other matters on the floor, we just have not been able to secure a slot.

We were scheduled for this week, but I guarantee you by the time we get through with the measure before us today and the joint session and other legislation tomorrow, there will be little time left to take up the foreign aid bill. We have a 12-hour rule on the foreign aid bill; what we need is two 6-hour days to complete consideration of that legislation.

The first chance we get, we will do that, I will assure you.

Mr. SCHEUER. I thank the gentleman for enlightening the House.

VOTE FOR THE MICHEL AMENDMENT

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

Mr. LIVINGSTON. Mr. Speaker and my colleagues, for those of you that are prepared to vote for the Boland amendment today, I hope you will bear in mind that you will be calling on the United States to unilaterally refuse to defend against the very clear evidence now available, which now makes apparent that the Soviet, Cuban, and Nicaraguan Communists are entrenched in Central America and are beginning to follow through with their stated goals to undermine and overtake all of Central America.

Mr. Speaker, I urge our Members to vote for freedom in Central America, agaist the Boland-Gephardt and Hamilton amendment, and for the Michel amendment.

THE ECONOMIC ASSUMPTIONS IN THE BUDGET RESOLUTION ARE INCORRECT

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

Mr. MACKAY. Mr. Speaker, we are now on the second day of the conference committee on the budget. The situation is unique in that yesterday and today the chairmen on both sides are saying that we have to do more in deficit reduction than has been accomplished in either the House bill or the Senate bill. These comments reflect the growing awareness that the economic assumptions behind the budget resolutions in both Houses are incorrect.

Newly available economic indicators for the first half of 1985 show that the deficit crisis is more intense, and more causally related to the international trade deficit, than most of us had anticipated. In the face of this reality, today's business-as-usual supplmental appropriations bill, with almost $2 billion of nonemerging spending, all taking place outside the budget process, will prove to be one of the great mistakes of 1985.

I suggest that the House send a signal not only to our conferees, but to the investment community and to the world, that this year is not business as usual in the House; that we are serious about getting budget deficits under control.

The way to send that signal is to defeat this supplemental appropriations bill and instruct the Appropriations Committee to bring back a stripped-down bill, leaving out those projects which are not emergencies, and reducing all emergency appropriations to a bare minimum.

I suggest the budget deficit is the most important single item before the House this year, and the time for business as usual is past.

SANDINISTA REVOLUTION WAS A STATEMENT OF HATRED AGAINST SOMOZA

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

Mr. COLEMAN of Missouri. Mr. Speaker, as we begin our debate on the Nicaraguan aid issue to the Contras, I would simply like to point out that the Sandinistas were only one part of a larger group of Nicaraguans who were fighting for freedom from Somoza.

Most of the other groups they have pushed aside, persecuted and exiled. The revolution was not, as the Sandinistas would have the American public believe, a victory for their party. It was simply a statement of hatred against Somoza and his followers, yet the Sandinista junta has repeatedly tried to convince the world that the revolution was a long-awaited mandate for Marxist-Leninism in Nicaragua. Do not believe it.

There are some who think that such deceit should be rewarded. It kind of reminds me of the old story of the son who was so greedy that he murdered his parents in order to get his inheritance and then righteously claimed that he was just an orphan.

Mr. Speaker, today we are going to have several opportunities to vote on aid to the Contras. The Michel amendment is unquestionably better than the Hamilton-Barnes amendment. The Michel amendment states in concrete terms America's support for the Contras. The other simply represents a further tragic degradation of America's historic commitment to people fighting for freedom and democracy.

UNEMPLOYED HONDURANS FINDING WORK WITH THE CONTRAS

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

Mr. MOODY. Mr. Speaker, I would like to share with my House colleagues a remarkable radio news broadcast from Panama City dated May 19:

> The Honduran National Federation of Unemployed reports that dozens of unemployed Hondurans are joining the Nicaraguan counterrevolutionary forces in desperation after not being able to find jobs in Honduras.
>
> (Federation) President Pedro Antonio Lopez said: "The members of our organization who are currently fighting with the FDN against the Sandinista regime are doing so to earn a few dollars. . . . (They) do not share their ideas, and are only fighting with them for money."

This is a frank admission that the Contra ranks include unemployed Hondurans looking for work—mercenaries, military mercenaries. Perhaps that helps explain why the Contras have been charged with so many atrocities toward civilians, as documented in the March 19, 1985, report of the respected Americas Watch. Historically, mercenaries have acted that brutally with civilians.

I challenge the administration to verify the accuracy of this report about unemployed Hondurans swelling the ranks of the Contras. And I challenge my colleagues to consider the means as well as the ends of our policy in Nicaragua. Are we proud of hiring the poor and the jobless in one country to promote our foreign policy goals in another?

VOTE NO ON THE MICHEL AMENDMENT

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

Mr. DURBIN. Mr. Speaker, much has been said this morning about the so-called Michel amendment which the House will be considering today. Several weeks ago, the House of Representatives considered a resolution, not binding as law, but a resolution on the subject of a minimum tax for corporations and wealthy individuals in America.

That resolution was defeated because there were those on the floor who took exception to its language and said it was not specific enough, even for a resolution.

I would hope that my colleagues on both sides of the aisle would apply the same standard and test to the Michel amendment.

Let me read to you the most important passage in the Michel amendment. It states:

Humanitarian assistance means the provision of food, clothing, medicine and other humanitarian assistance.

You may recall from your sixth grade, that we were instructed not to define a term by using the same term, but in the Michel amendment, which will stand for the foreign policy of the United States in Central America, that is exactly the definition.

As I stated on the floor yesterday, it is not humanitarian to only give aid to certain political groups, nor is it humanitarian to prolong a struggle which causes more pain and suffering.

We should stop and ask ourselves why our allies around the world and in the Americas have consistently refused to support the administration's policy in Central America and particularly in Nicaragua.

The humanitarian vote today is a "no" vote on the Michel amendment.

□ 1100

BOLAND AMENDMENT TO H.R. 2577 IS UNILATERAL DISARMAMENT OF PRO-AMERICAN SIDE

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

Mr. GINGRICH. Mr. Speaker, when this House adopted the Boland amendment several years ago, there was some grounds for confusion about exactly what is going on in Central America. There are no grounds for confusion today.

The Boland amendment today is unilateral disarmament of the pro-American side. The Boland amendment will not stop the KGB, the Soviet secret police; the Boland amendment will not stop the Cuban intelligence activities; the Boland amendment will not stop Moscow and Havana from systematically reinforcing the Cuban ally Communist dictatorship.

All the Boland amendment will do today is say that the side which is pro-American, the side which is pro-freedom, the side which the United States is trying to help will be cut off from intelligence activities and other information.

It should be very clear to every Member of this House that you will increase the relative strength of the KGB, you will increase the relative strength of the Soviet military, you will increase the strength of the Cuban Communists. The only side you will weaken is the side that is allied to the United States and is trying to accomplish the values of freedom we believe in.

So a vote for the Boland amendment is in fact a vote for the unilateral disarmament of the side that favors freedom in Central America.

POPULATION GROWTH IN CENTRAL AND SOUTH AMERICA

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

Mr. RICHARDSON. Mr. Speaker, I yield to my colleague, the gentleman from New York [Mr. SCHEUER]

Mr. SCHEUER. I thank the gentleman for yielding.

Mr. Speaker, on this morning's television shows we all heard the story of the 2-week-old infant who was abandoned in a street corner lot in Washington, unwanted, unloved, uncared for—a human tragedy, if there ever was one. Thank God the infant was still alive, and perhaps will get some decent care. But if that mother who abandoned that child had had the benefits of family planning, perhaps that child would not have been conceived and would not have been born unloved and unwanted.

Now, that episode is very unusual for the United States. But it is not unusual for Latin America. It is not unusual for Asia and Africa. And if you remember the words that the gentleman from Wisconsin [Mr. MOODY] just gave us of the enormous population growth in Central America, producing instability, chaos, and disintegration of regimes all over Central and South America, you will get some idea of the importance of enabling young Latin American couples to control their fertility and enabling governments to get some kind of rational control over their runaway population growth.

In the last 5 years, the two largest countries in Latin America, Brazil and Mexico, have done an about face away from antifamily planning, pronatalist policies to antinatalist, profamily planning policies.

In Mexico, television soap operas were used to contrast two families—one which used contraceptives and one which didn't. The television programs depicted how family life was enhanced through proper family planning. The programs painted the scene of what happens when people control their own fertility.

Statistics on Central and Latin America show a horrifying future for the region if they can't get their population growth under control.

The population explosion in Latin America and Caribbean nations now requires the economies of the region to create 4 million new jobs in every remaining year of this century just to maintain their current low levels of employment. That's a tall order when one considers that the United States, which is four times larger, has never created more than 3 million new jobs annually, even during the halcyon years of economic growth in the 1970's.

It is inconceivable that there is going to be anything but growing underemployment and unemploymnent in that region for the rest of the century. Such conditions will result in increased tension, unrest, tension and destabilization.

If further evidence is required to demonstrate the need for rational and effective population policies for the developing world, consider that if current population growth trends continue the world will need 800 million new jobs just to maintain the current high global unemployment rate through the end of the century.

PERMISSION FOR ADDITIONAL TIME FOR DEBATE ON MICHEL AMENDMENT TO H.R. 2577

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

Mr. MICHEL. Mr. Speaker, after consultation with the majority side, I want to propound a unanimous consent request that has been agreed to by the majority leadership on the other side, but so that all Members are fully apprised of what the unanimous consent is, I call their specific attention to it.

Mr. Speaker, I ask unanimous consent that during the consideration of the bill, H.R. 2577, in the Committee of the Whole, it shall be in order for the Member offering the Michel amendment, and the Member recognized in opposition thereto, each to be allocated not to exceed 10 additional minutes of debate after the disposition of the Boland and Gephardt amendments.

The SPEAKER pro tempore (Mr. DASCHLE). Is there objection to the request of the gentleman from Illinois?

There was no objection.

REQUEST TO OFFER AMENDMENT TO HAMILTON AMENDMENT TO H.R. 2577

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

Mr. CONYERS. Mr. speaker, I ask unanimous consent, contrary to the rules but in consultation with the gentleman from Indiana [Mr. HAMILTON], to offer an amendment to his amendment that will be offered to H.R. 2577.

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

Mr. MICHEL. Mr. Speaker, reserving the right to object, I apologize to the gentleman, I was not paying attention. May I hear the gentleman's request again?

Mr. CONYERS. Yes.

I ask unanimous consent to amend a portion of the amendment offered by the gentleman from Indiana to H.R.

2577, and I would like to explain it. It is very simple.

It extends the refugee aid to refugees within Nicaragua as well as those without Nicaragua. I have consulted with the gentleman on this amendment.

Mr. MICHEL. Mr. Speaker, I would have to say to the gentleman that when I was assured we were going to have pretty much of a freestanding amendment, and then find, after deliberations of the Rules Committee, that not only is the opposition going to get one, two, or three specific opportunities to weaken what we thought was going to be a freestanding amendment on its own, I am constrained to object to the gentleman's request, because there was ample opportunity to appear before the Rules Committee and make that kind of a pitch.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield under his reservation?

Mr. MICHEL. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I would just like to say to the gentleman that there are those of us who would like to offer amendments, also. We have been shut out. And under no circumstances can we allow it, as much as we respect the gentleman in the well. If that is the case, we ought to have an open rule and we ought to all have our opportunity and our day in court here.

Mr. CONYERS. I have no objection to an open rule, or whatever amendments you want to offer. This is a relatively minor one that was not discovered until after you had come from the Rules Committee. I would appreciate the opportunity to bring it forward.

Mr. MICHEL. Mr. Speaker, I will have to say to the gentleman that on the sensitivity of the subject matter, one word can conceivably be very minor but it happens to be a major topic of debate in this House. On the grounds of that, Mr. Speaker, I am constrained to object to the gentleman's request.

The SPEAKER pro tempore. Objection is heard.

CALENDAR WEDNESDAY

The SPEAKER pro tempore. This is Calendar Wednesday. The Clerk will call the committees.

The Clerk called the committees.

GENERAL LEAVE

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the further consideration of H.R. 2577, supplemental appropriations bill, 1985 and that I may include extraneous and tabular matter.

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

There was no objection.

SUPPLEMENTAL APPROPRIATIONS BILL, 1985

Mr. WHITTEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2577) making supplemental appropriations for the fiscal year ending September 30, 1985, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The motion was agreed to.

□ 1109

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committtee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2577, with Mr. BROWN of California in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, June 11, 1985, the Clerk had completed reading the bill for amendment.

Pursuant to House Resolution 186 and today's unanimous-consent agreement, no amendments are in order except the following amendments which shall be considered in the following order only, shall be considered as having been read, shall not be subject to amendment except as specified, and shall be in order even if amending a portion of the bill already passed in the reading of the bill for amendment:

First. The amendment printed in the CONGRESSIONAL RECORD of June 5, 1985, by Representative MICHEL, if offered by Representative MICHEL or Representative McDADE, which shall be debatable for 2 hours and 20 minutes, to be equally divided and controlled by the proponent and a Member opposed thereto, and after 2 hours of debate shall be subject to the following two amendments:

Second. The amendment printed in the CONGRESSIONAL RECORD of June 5, 1985, by, and if offered by, Representative BOLAND, which shall be debatable for 1 hour, to be equally divided and controlled by Representative BOLAND and a Member opposed thereto;

Third. The amendment printed in the CONGRESSIONAL RECORD of June 5, 1985, by, and if offered by, Representative GEPHARDT, which shall be debatable for 1 hour, to be equally divided and controlled by Representative GEPHARDT and a Member opposed thereto; and

Fourth. The amendment to the bill printed in the CONGRESSIONAL RECORD of June 5, 1985, by, and if offered by, Representative HAMILTON, which shall be debatable for 2 hours, equally divided and controlled by Representative HAMILTON and a Member opposed thereto.

□ 1110

AMENDMENT OFFERED BY MR. MC DADE

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

The CHAIRMAN. The clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. McDADE: Page 44, after line 23, insert the following:

HUMANITARIAN ASSISTANCE FOR NICARAGUAN DEMOCRATIC RESISTANCE

For an additional amount for humanitarian assistance provided to such department or agency of the United States as the President shall designate, except the Central Intelligence Agency or the Department of Defense, to the Nicaraguan democratic resistance, $27,000,000 to remain available for obligation until March 31, 1986. Notwithstanding the Impoundment Control Act of 1974, one-third of the amount appropriated by this paragraph shall be available for obligation upon the enactment of this Act, an additional one-third shall be available for obligation upon submission of the first report required by section 104 of this chapter, and the remaining one-third shall be available for obligation upon submission of the second such report. As used in this paragraph, the term "humanitarian assistance" means the provision of food, clothing, medicine, and other humanitarian assistance, and it does not include the provision of weapons, weapons systems, ammunition, or other equipment, vehicles or material which can be used to inflict serious bodily harm or death.

ASSISTANCE FOR IMPLEMENTATION OF A CONTADORA AGREEMENT

For payment by the Secretary of State for the expenses arising from implementation by the Contadora nations (Mexico, Panama, Colombia, and Venezuela) of an agreement among the countries of Central America based on the Contadora Document of Objectives of September 9, 1983, including peacekeeping, verification, and monitoring systems, $2,000,000, to remain available until expended.

GENERAL PROVISIONS

SEC. 101. Funds appropriated by this chapter under the headings "Humanitarian Assistance for Nicaraguan Democratic Resistance" and "Assistance for Implementation of a Contadora Agreement" may be obligated and expended notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956 or any other comparable provisions of law.

SEC. 102. (a) The prohibitions contained in section 8066(a) of the Department of Defense Appropriations Act, 1985 (as contained in Section 101 of Public Law 98-473) and section 801 of the Intelligence Authorization Act for Fiscal Year 1985 (Public Law 98-618) shall, without limitation as to fiscal year, apply with respect to funds appropriated by this chapter under the headings "Humanitarian Assistance for Nicaraguan Democratic Resistance" and "Assistance for Implementation of a Contadora Agreement".

(b) Nothing in this Act, section 8066(a) of the Department of Defense Appropriations Act, 1985 (as contained in Section 101 of Public Law 98-473), or section 801 of the Intelligence Authorization Act for Fiscal Year 1985 (Public Law 98-618) shall be construed to prohibit the United States Government from exchanging information with the Nicaraguan democratic resistance, or the obligation and expenditure, but only for the purposes for which they are expressly made available, of the funds appropriated by this chapter under the headings "Humanitarian Assistance for Nicaraguan Democratic Resistance" and "Assistance for Implementation of a Contadora Agreement."

SEC. 103. The President is urged—

(1) to vigorously pursue the use of diplomatic and economic steps to resolve the conflict in Nicaragua, including negotiations to—

(A) implement the Contadora Document of Objectives of September 9, 1983; and

(B) at the same time, develop trade and economic measures in close consultation and cooperation with other nations which will encourage the Government of Nicaragua to take the necessary steps to resolve the conflict;

(2) to suspend military maneuvers in Honduras and off Nicaragua's coast, and to lift the embargo on trade with Nicaragua, if the Government of Nicaragua agrees to a cease-fire, to open a dialog with the Nicaraguan democratic resistance and to suspend the state of emergency; and

(3) to resume bilateral discussions with the Government of Nicaragua with a view of encouraging—

(A) a church-mediated dialog between the Government of Nicaragua and the Nicaraguan democratic resistance in support of internal reconciliation, as called for by the Contadora Document of Objectives; and

(B) a comprehensive, verifiable agreement among the nations of Central America, based on the Contadora Document of Objectives.

SEC. 104. (a) the President shall submit a report to the Congress every 90 days on the activities carried out in accordance with section 103 and on the assistance provided under the paragraphs of this chapter headed "Humanitarian Assistance for Nicaraguan Democratic Resistance" and "Assistance for Implementation of a Contadora Agreement". Such reports shall describe the willingness of the Nicaraguan democratic resistance and the Government of Nicaragua to negotiate and the progress of efforts to achieve the objectives set out in paragraph (3) of Section 103 and shall provide a detailed accounting of the disbursement of any such assistance.

(b) As part of each of the reports submitted pursuant to subsection (a), the President shall submit to the Permanent Select Committee on Intelligence of the House of Representatives, and to the Select Committee on Intelligence of the Senate, a report on alleged human rights violations by the Nicaraguan democratic resistance and the Government of Nicaragua. With respect to the alleged violations the report shall include information on who is responsible for such human rights violations.

SEC. 105. ADDITIONAL ASSISTANCE FOR THE CENTRAL AMERICA PEACE PROCESS

(a) SUBMISSION OF REQUEST.—If the President determines at any time after the enactment of this Act that—

(1) negotiations based on the Contadora Document of Objectives of September 9, 1983, have produced an agreement, or show promises of producing an agreement, or

(2) other trade and economic measures will assist in a resolution of the conflict, or to stabilization in the region, the President may submit to the Congress a request for budget and other authority to provide additional assistance for the furtherance of the Central America peace process.

(b) STATEMENT TO BE INCLUDED.—The President's request shall include a detailed statement as to progress made to resolve the conflict in the region.

(c) CONSULTATION WITH THE CONGRESS.—In formulating a request pursuant to subsection (a), the President shall consult with the Congress.

(d) CONGRESSIONAL ACTION.—(1) The provisions of this subsection apply, during the 99th Congress, to the consideration in the House of Representatives of a joint resolution with respect to the request submitted by the President pursuant to subsection (a).

(2) For purposes of this subsection, the term "joint resolution" means only a joint resolution introduced within 3 legislative days after the Congress receives the request submitted by the President pursuant to subsection (a)—

(A) the matter after the resolving clause of which is as follows: "That the Congress hereby approves the additional authority and assistance for the Central America peace process that the President requested pursuant to the Supplemental Appropriations Act, 1985, notwithstanding section 10 of Public Law 91-672.";

(B) which does not have a preamble; and

(C) the title of which is as follows: "Joint Resolution relating to Central America pursuant to the Supplemental Appropriations Act, 1985.".

(3) A joint resolution shall, upon the introduction, be referred to the appropriate committee or committees of the House of Representatives.

(4) If all the committees of the House to which a joint resolution has been referred have not reported the same joint resolution by the end of 15 legislative days after the first joint resolution was introduced, any committee which has not reported the first joint resolution introduced shall be discharged from further consideration of that joint resolution and that joint resolution shall be placed on the appropriate calendar of the House.

(5)(A) At any time after the first joint resolution placed on the appropriate calendar has been on that calendar for a period of 5 legislative days, it is in order for any Member of the House (after consultation with the Speaker as to the most appropriate time for the consideration of that joint resolution) to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of that joint resolution. The motion is highly privileged and is in order even though a previous motion to the same effect has been disagreed to. All points of order against the joint resolution under clauses 2 and 6 of Rule XXI of the Rules of the House are waived. If the motion is agreed to, the resolution shall remain the unfinished business of the House until disposed of. A motion to reconsider the vote by which the motion is disagreed to shall not be in order.

(B) Debate on the joint resolution shall not exceed ten hours, which shall be divided equally between a Member favoring and a Member opposing the joint resolution. A motion to limit debate is in order at any time in the House or in the Committee of the Whole and is not debatable.

(C) An amendment to the joint resolution is not in order.

(D) At the conclusion of the debate on the joint resolution, the Committee of the Whole shall rise and report the joint resolution back to the House, and the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion.

(6) As used in this subsection, the term "legislative day" means a day on which the House is in session.

(7) This subsection is enacted—

(A) as an exercise of the rulemaking power of the House of Representatives, and as such it is deemed a part of the rules of the House, but applicable only with respect to the procedure to be followed in the House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of the House to change its rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House, and of the right of the Committee on Rules to report a resolution for the consideration of any measure.

SEC. 106. ADDITIONAL ASSISTANCE FOR NICARAGUAN DEMOCRATIC RESISTANCE

(a) SUBMISSION OF REQUEST.—If the President determines at any time after the enactment of this Act that—

(1) negotiations based on the Contadora Document of Objectives of September 9, 1983, have failed to produce an agreement, or

(2) other trade and economic measures have failed to resolve the conflict,

the President may submit to the Congress a request for budget and other authority to provide additional assistance for the Nicaraguan democratic resistance.

(b) STATEMENT TO BE INCLUDED.—The President's request shall include a detailed statement as to why the negotiations or other measures have failed to resolve the conflict in the region.

(c) CONSULTATION WITH THE CONGRESS.—In formulating a request pursuant to subsection (a), the President shall consult with the Congress.

(d) CONGRESSIONAL ACTION.—(1) The provisions of this subsection apply, during the 99th Congress, to the consideration in the House of Representatives of a joint resolution with respect to the request submitted by the President pursuant to subsection (a).

(2) For purposes of this subsection, the term "joint resolution" means only a joint resolution introduced within 3 legislative days after the Congress receives the request submitted by the President pursuant to subsection (a)—

(A) the matter after the resolving clause of which is as follows: "That the Congress hereby approves the additional authority and assistance for the Nicaraguan democratic resistance that the President requested pursuant to the Supplemental Appropriations Act, 1985, notwithstanding section 10 of Public Law 91-672.";

(B) which does not have a preamble; and

(C) the title of which is as follows: "Joint Resolution relating to Central America pursuant to the Supplemental Appropriations Act, 1985.".

(3) A joint resolution shall, upon introduction, be referred to the appropriate committee or committees of the House of Representatives.

(4) If all the committees of the House to which a joint resolution has been referred

have not reported the same joint resolution by the end of 15 legislative days after the first joint resolution was introduced, any committee which has not reported the first joint resolution introduced shall be discharged from further consideration of that joint resolution and that joint resolution shall be placed on the appropriate calendar of the House.

(5)(A) At any time after the first joint resolution placed on the appropriate calendar has been on that calendar for a period of 5 legislative days, it is in order for any Member of the House (after consultation with the Speaker as to the most appropriate time for the consideration of that joint resolution) to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of that joint resolution. The motion is highly privileged and is in order even though a previous motion to the same effect has been disagreed to. All points of order against the joint resolution under clauses 2 and 6 of Rule XXI of the Rules of the House are waived. If the motion is agreed to, the resolution shall remain the unfinished business of the House until disposed of. A motion to reconsider the vote by which the motion is disagreed to shall not be in order.

(B) Debate on the joint resolution shall not exceed ten hours, which shall be divided equally between a Member favoring and a Member opposing the joint resolution. A motion to limit debate is in order at any time in the House or in the Committee of the Whole and is not debatable.

(C) An amendment to the joint resolution is not in order.

(D) At the conclusion of the debate on the joint resolution, the Committee of the Whole shall rise and report the joint resolution back to the House, and the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion.

(6) As used in this subsection, the term "legislative day" means a day on which the House is in session.

(7) This subsection is enacted—

(A) as an exercise of the rulemaking power of the House of Representatives, and as such it is deemed a part of the rules of the House, but applicable only with respect to the procedure to be followed in the House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of the House to change its rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House, and of the right of the Committee on Rules to report a resolution for the consideration of any measure.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania [Mr. McDADE] will be recognized for 1 hour and a Member opposed will be recognized for 1 hour.

The Chair recognizes the gentleman from Pennsylvania [Mr. McDADE].

Mr. McDADE. Mr. Chairman, I yield such time as he may consume to our great friend, the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. I thank the gentleman for yielding time to me.

Mr. Chairman, after weeks of bipartisan consultation we today present an amendment to provide humanitarian aid to the democratic resistance in Nicaragua.

Ironically, we have this chance to help the Nicaraguan democratic resistance in part because a Nicaraguan Communist flew the friendly skies of Aeroflot to Moscow.

The phrase "fly now, pay later" has taken on a deeper, richer meaning for President Daniel Ortega.

But I believe too much has been made of the Ortega trip. It didn't teach us anything new about Ortega. It did remind us of what we must always remember about Nicaragua. Nicaragua is not another Vietnam, it is another Cuba. Ortega's Moscow pilgrimage is a minor consideration when we measure it against the fact Communists have been consolidating their power in Nicaragua since 1979.

First, let me briefly outline the major points of our bipartisan amendment:

It provides humanitarian assistance only—food, clothing, medicine, and so forth, directly to the Nicaraguan democratic resistance.

The President will direct the administration of the funds and the CIA and DOD are specifically excluded.

And $27 million is appropriated for humanitarian assistance and $2 million for implementation of a Contadora agreement.

Funding continues until March 31, 1986 in three increments of $9 million—every 90 days—coinciding with submission of reports by the President.

There are expedited procedures for consideration of additional assistance to further the Central America peace process.

And the amendment provides for an exchange of information between the United States and the democratic resistance in Nicaragua.

The ultimate goal of this amendment is to foster a national dialog and a political solution to Nicaragua's problems.

It is an absolute precondition for development of the democratic process. It can come about only if the democratic resistance is perceived as being strong enough to provide a democratic alternative to one-part domination in that country.

The humanitarian aid this amendment provides symbolizes the direct and continuing commitment of the United States to the democratic future of Nicaragua and Central America.

In order to facilitate the aims of the amendment there must be an exchange of information between those giving and receiving the aid. The United States cannot be asked to give aid in a situation where, in effect, our Government and the democratic forces are wearing blindfolds while the Communist Sandinistas alone can see.

For the United States to provide direct humanitarian aid without learning how the aid is used would be an abuse of tax dollars. The sharing of information will also play a vital role in making certain that human rights policies are carried out by the democratic resistance.

Members should know that no less than three crippling amendments to our base amendment have been made in order by the rule.

I won't take time here to make a point-by-point case against these amendments.

But I do want to tell you that if you truly want to help the democratic resistance, we have to vote against the amendments offered by Mr. BOLAND, Mr. GEPHART, and Mr. HAMILTON. Any one of these can destroy what we're trying to do.

The President in his letter to me yesterday said:

> These amendments would prevent us from providing humanitarian assistance and exchanging information to sustain and preserve the democratic resistance. They would effectively remove the resistance as a source of pressure for dialogue and internal reconciliation.

In the same letter, the President, knowing of the concern of some Members for talks between the United States and Nicaragua, says, and I quote:

> I intend to instruct our special Ambassador to consult with the Governments of Central America, the Contadora countries, other democratic governments, and the unified Nicaraguan opposition as to how and when the U.S. could resume useful direct talks with Nicaragua.

The President does not consider such talks "a substitute for a church-mediated dialog" and a "workable Contadora agreement."

The President calls our bipartisan amendment "essential to a peaceful resolution of the conflict in Central America."

In conclusion. let me say that on Sunday, June 2, the New York Times carried a full-page statement titled: "Democracy is the Issue in Nicaragua."

Let me read to you a portion of the text of that statement because it says quite eloquently what many of us want to say today:

> The Sandinista rulers of Nicaragua are now seeking to impose a totalitarian system upon their people. They will not be deterred simply by humanitarian pleas, diplomatic appeals or economic pressures.
>
> The basic issue is this: Will we stand beside the Nicaraguan democratic resistance in its struggle against totalitarianism? Or will we declare that this movement is a lost cause, and offer only to help its supporters adjust to lives as victims refugees and exiles?

Beneath those words are the names of prominent Americans who signed the statement.

Among them you will find a former national security adviser to a Democratic President; a former Secretary of

Agriculture under two Democratic administrations; a former Assistant Secretary of State in the Carter administration; and a former Secretary of the Treasury in the Kennedy administration.

And with these distinguished Democrats there are other signers: trade unionist, businessmen, religious workers and intellectuals, Republican and Democrat, liberal and conservative.

That is the true voice of America. It is in the great tradition of American bipartisan foreign policy.

The amendment we offer is also in that great tradition.

It has been said that the Nicaraguan revolution against Somoza was brought about by 3 million unarmed Nicarguan men and women but that only nine armed men came to power. And every one of those nine are dedicated Marxist-Leninist Communists.

This amendment can serve to remind those nine armed men of the Sandinista leadership that their 3 million countrymen want to reclaim their revolution.

We have been given a second chance, a chance to redeem the reputation of the House.

So, I urge my colleagues on both sides of the aisle to carry out the will of the people. Let's tell the democratic forces in Nicaragua that the United States of America, true to its principles and the best, shining moments of its history, will not abandon those who yearn for a truly democratic country and are willing to fight for their freedoms and liberty just as we did.

□ 1120

The CHAIRMAN. For what purpose does the gentleman from Massachusetts [Mr. BOLAND] rise?

Mr. BOLAND. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. Under the rule, the gentleman from Massachusetts [Mr. BOLAND] is recognized for 1 hour.

Mr. BOLAND. Mr. Chairman, I rise in opposition to the Michel amendment.

Once again, we take up the question of aid to the Contras.

Once again, we have a variety of legislative proposals before us.

And, once again, we will spend a good portion of our time debating important but ancillary aspects of that issue.

Yet to me, the issue can be viewed in very simple terms.

Do we want to support the Contras and the policy that such a choice represents for the U.S. Government?

Or, do we want to hold our fire, as it were, and pursue a different course, one that employs diplomatic, economic, and other options before military ones?

Of course, there is a new twist to the debate on Contra aid this time around.

Now we are being asked in the Michel amendment to approve humanitarian aid.

I gather that the attraction of this loosely defined phrase is that it purports to be a policy that supports peace, not war.

But let's look closely at that proposition.

The amounts to be appropriated are by no means insignificant, $27 million, $9 million every 3 months, $3 million a month.

That's more than we spent at that rate when we supplied all of the Contras' needs, military or otherwise.

But the Contras, who haven't received $1 from the U.S. Government for more than a year, are doing just fine.

They continue their military operations in Nicaragua and, they have increased their numbers.

They have done this with funds provided by private groups, mostly from the United States.

Those funds have helped purchase weapons, ammunition, food, clothing, medicine—everything the Contras have needed to maintain themselves as an army in the field.

Now comes the Michel amendment and provides humanitarian assistance on top of that.

Now, what does that mean?

It means, and we need not quibble about this, the food, the medicine, the nonlethal equipment that the Contras need.

But, is this a policy of restraint by the U.S. Government? Does this really hold back anything?

Hardly, in light of the fact that, as we all know, the private groups will continue to provide money for arms and ammunition.

The effect of the Michel amendment, and that private aid, is going to be more money for the Contras than they have ever received in the past.

Some of my colleagues like to refer to this amendment as providing logistical support to an army in the field.

Well, it is more than that.

If an army travels on its stomach, the "humanitarian" aid the Michel amendment would provide is going to ensure extensive "travels" by the Contras—inside Nicaragua.

To me, Mr. Chairman, this whole concept of humanitarian aid is a fig leaf.

We are continuing to fund the Contras.

They continue to conduct military operations.

Our assistance furthers and supports those military operations.

This Member is opposed to that policy.

I have appeared on this floor many times in the past to explain why. But I will just tick off several major reasons once again:

This is a policy which has failed. Any way you color it, the Contras have not put the sort of military pressure on the Government of Nicaragua which has induced any change in their negotiating stance, in their behavior toward their own citizens, in their relations with the Cubans and the Soviets. In fact, what has happened is that our policy has produced results that it was intended to prevent. The Nicaraguans have grown closer to the Cubans and the Soviets, much more dependent on them militarily and economically.

Another reason I've opposed our involvement with the Contras is because it puts the United States in a position where it has been unable to influence bodies like the OAS, the United Nations, or the World Court, that it is acting in accordance with international law or in the best interests of the region. Our neighbors in Latin America reject our support of the Contras.

And, last, Mr. Chairman, I continue to harbor reservations about the Contras as an appropriate vehicle of U.S. policy. They continue to employ tactics of brutality and terror in their operations. They are not alone in this. The Sandinistas are no angels either. But, I don't view the Contras as the moral equivalent of our Founding Fathers.

Mr. Chairman, let me close with what I consider to be a point sometimes missed in the debate on Contra aid.

This debate should be about whether the United States of America will have an effective foreign policy—not whether or not we like the Contras or support the Sandinistas.

The proponents of the Michel amendment say that we should place ourselves firmly in the camp of democracy and support the democratic opposition in Nicaragua—the Contras.

It seems to me, and I say this without disparaging the Contras or their aims, that the U.S. foreign policy should be more than a popularity contest. It should also offer an effective deterrent to those aspects of the Sandinista's policies which threaten peace in the region.

I believe that the issue before us is: Should we resume our policy of military pressure through the Contras, however we describe our aid, or should we take other alternatives?

I thought that is what the House did as recently as last April.

I'm sorry that Hamilton-Barnes was not finally passed by the House.

I sincerely hope that the Hamilton amendment will be passed today. I firmly believe that it represents a better policy, a more effective way of meeting U.S. goals in the region—goals which we all share—peace, democracy, and demilitarization.

In the Michel amendment, we have a repeat of a failed policy.

In the Hamilton amendment, we have a new policy, one that has yet to be tried.

Mr. McDADE. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the gentleman who just addressed the House from the well is one of my dearest friends and one of the ablest Members of the House, and I respect him greatly and he knows it. He made, as he always does, a very cogent argument, but his argument is all about yesterday. What this amendment is about, Mr. Chairman and my colleagues, is tomorrow.

I would like to direct your attention to section 105 of this law which we are about to vote upon, which is entitled, "Central American Peace Process," and which says the President may report to the Congress that there is an agreement consistent with the Contadora objectives, or there is promise of an agreement, and then he may come back to us and say to the Congress of the United States, on a fast track, "You have laid down your arms in Nicaragua. Both the Contras and the Sandinistas, and we see it and applaud it," and under this law that Members will be given an opportunity to vote upon in a few minutes, a few hours, some time, the President may then come back and say, "We see that promise and we applaud it and we extend our hand to you, a hand of friendship. I am going back and I am going to ask the Congress for some things like a medical clinic in Nicaragua."

We have built one, the people of this Nation, that many of us have seen in Krakow, Poland, deep behind the Iron Curtain, Public Law 480 money, to treat the children of Poland, may I say with some parochial pride, in consultation with Children's Hospital in Philadelphia to help them. We can do it in Honduras, we can do it in El Salvador, we can do it in all the nations of Latin America, Central America.

Let me just say to my friends that before you make your judgment, recognize that we are talking about a new piece of legislation. Take a look at section 105 and some of the other sections.

Mr. Chairman, I am delighted to yield 3 minutes to my colleague, the gentleman from Louisiana [Mr. LIVINGSTON].

□ 1130

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

Since we are talking about failed policies, I would recommend to my colleagues that they look at the Boland amendment, which has been in force for the last year. That is a real example of a failed policy.

Mr. Chairman, for the past 5 years, though, since we have been talking about Central America, I have been hearing that our intelligence services have never provided us with the smoking gun, linking the Salvadoran guerrillas to the Nicaraguan, Cuban, and Soviet Governments. Well, Mr. Speaker, we now have the "smoking gun"—we have the goods on them.

When Congress last voted on Contra funding on April 23 and 24, it did not know that 5 days earlier the Salvadoran Army had captured a large number of documents from Nidia Diaz. Miss Diaz was a military commander in the PRTC, the smallest of five groups compromising the Salvadoran FMLN guerrilla movement. She attended the La Palma peace talks between the guerrillas and President Duarte and is the most senior FMLN commander yet captured. The Salvadoran Army apparently caught her and her associates while they were shifting their central command post to a new site.

Only a fraction of these voluminous materials are yet available to the United States, and of those available only about a dozen documents have been translated or analyzed. However, even the few papers now available provide revealing evidence of which Congress should be aware before casting their votes on H.R. 2577, for even Diaz conceded to the press after her capture that the documents were highly incriminating and damaging to her revolutionary cause.

First, they provide documentary proof of the extremely close ties between the Sandinistas and guerrilla terrorist groups in Central America. Even a relatively unimportant component of the FMLN, the PRTC, had direct links with and received material and other assistance from the Sandinistas.

The Salvadorans, in fact, appear to be subservient to the wishes and directions of the Sandinistas. Some papers refer to Salvadoran guerrilla links with Salvadoran refugee camps in Honduras, infiltration routes through Honduras to Nicaragua, Guatemala, and Mexico, and the acquisition of Honduran identity documents. Thus the papers reconfirm previous U.S. intelligence agency conclusions regarding regional ties between revolutionaries, which had been questioned by some Members of Congress, the media and the public.

The five top Salvadoran insurgency [FMLN] leaders wrote to the Sandinista National Directorate on November 10, 1983, reiterating their bilateral fellowship as "Central American revolutionaries" who were "indissolubly united in defending revolutionary conquests and resolved to expand them." They thanked the Sandinistas "for all the aid you offered," which had been "indispensable," and requested not just its continuation but also "new and audacious forms of aid." In another letter between these two parties exactly 2 weeks later, the FMLN guerrillas acknowledged that continued communization of Nicaragua was essential to the success of the Salvadoran insurgency: "It is also necessary to establish as a principle that the determining factor for our liberation process, as well as the defense of Nicaragua, is the internal consolidation of the Sandinista Popular Revolution." Both letters assume that the struggle in El Salvador and Nicaragua is part of a global competition between U.S.-led "forces of imperialism" and the "socialist camp." During this period, according to a reporter who saw some of the documents in El Salvador, a Sandinista leader is quoted as saying to the Salvadorans "you have always had our help and this has not changed."

Nonetheless, while continuing to seek even greater cooperation and aid from the Nicaraguans, the FMLN sometimes resented Nicaraguan domination and lack of fraternal consultation. In November 1983 the Nicaraguans had feared a U.S. invasion. The Salvadorans were more than willing to help the Nicaraguans in such an event—several documents refer to plans to ignore borders and divert Salvadoran fighters for Nicaraguan use. However, the FMLN was taken aback by the unilateral Nicaraguan decision to abandon the Salvadorans by cutting off their aid and kicking most of them out of Nicaragua on 4 days notice; they argued that instead they should be given more aid so they could mount diversionary attacks which would disperse U.S. forces. These peremptory Nicaraguan actions were not without precedent: "We are concerned to find ourselves again facing decisions that affect us directly although we have not been taken into consideration in their formulation," the FMLN said in their November 10 letter, plaintively noting that "we have sought to believe that coercive tactics used by DRI [Sandinista Directorate of International Relations] members are the result of inappropriate management * * *." Clearly the Sandinistas had acted as the dominant partner, and the Salvadorans came occasionally to resent this arrogance, although respect for their successful brethren and their considerable dependence on the Sandinistas apparently continued to preclude any but occasional protests. Instead the Salvadorans called for greater "unity," which apparently meant, in part, increased consultation. A reporter reviewing the documents in El Salvador wrote that in a November 7, 1983, note, apparently from a rebel official to the director of the DRI, the Salvadoran concedes that "Nicaragua in the vanguard constitutes the advanced and true revolution" and urges "the most intimate coordination in a concrete manner on all political, military, propaganda and diplomatic fronts." Even after the crisis between

the FMLN and the Sandinistas had passed, in their November 24 letter the Salvadorans sought "a much higher level of logistical assistance" and "during steps in this direction" plus "a higher level of coordination * * * to defeat the imperialist intervention."

Second, as has been well publicized, the documents revealed the role of the U.S.S.R. and its allies in continued training of the insurgents, as well as the role of Cuba as overseer and coordinator of the Nicaragua-FMLN connection. A November 9, 1983, note to the head of the PRTC from the head of the Salvadoran Communist Party—who is also a member of the FMLN directorate—suggested that the dispute over the proposed Nicaraguan aid cutoff be referred "to Fidel," to ask for "a clarification to know where we stand." Biographic cards on guerrilla members indicate that some were trained In Cuba. Pages from Miss Diaz's calendar for April of this year lists persons selected for training in Vietnam, Bulgaria, and the U.S.S.R. Separate documents list 1984 and 1985 trainees to go to those countries and East Germany. Miss Diaz herself was to have gone to Vietnam this year.

Third, the documents prove once again that in Nicaragua, and in other Communist countries or movements, the "political line" is merely a tactical expedient to weaken democratic resolve and divide the opposition at home and abroad. Guillermo Ungo, the president and spokesman of the Salvadoran guerrillas' political front, complained to military commanders that their actions often were "embarrassing" in that they made "our political line appear inconsistent to the public." "We defined a political line for the [Salvadoran] elections and you did not comply with some points," Ungo charged. The Sandinistas and Salvadoran guerrillas also saw potential for manipulation of the U.S. elections. Top Salvadoran FMLN leaders wrote the Sandinistas in November 1983 that "the electoral period in the United States is the appropriate moment to influence the American electorate," wherein the Sandinistas and Salvadoran guerrillas "could bog down the present Reagan administration." "This is why we support the current diplomatic initiatives of the FSLN [Sandinistas] to gain time to help Reagan's opposition" in the United States and internationally. According to news U.S. articles written from El Salvador, on June 5, 1984, in the midst of the Democratic and Republican primary elections, a document suggested that the FMLN should encourage the Reverend Jesse Jackson to facilitate a Salvadoran dialog; Jackson did indeed visit the country that month and transmitted an offer from President Duarte to negotiate with the guerrillas. Apparent attempts to influence the U.S. electorate continued. Another press account reveals that an October 1984 document called for increased rebel attacks before the upcoming Presidential election. The Salvadoran guerrillas were uncertain whether U.S. strategy in the region would fundamentally change if Reagan was defeated, but they judged that "if the Democrats win, it would reinforce the tendency to negotiate." Just as with the military arm of the Salvadoran insurgency in Nicaragua the Sandinista adroitness at stuch manipulation appears to be curtailed by their ideological fervor. On occasion the Sandinistas have flaunted their Marxism-Leninism before visiting U.S. Congressmen and exhibited untimely rigidity and inconsistency in negotiations. Being unable to contain his Communist ideology and desiring to revel with his mentors over their propaganda Ortega, even made the infamous trip to Moscow after Congress accommodated Sandinista wishes by voting down aid to the Contras. It seems the Sandinistas have not yet fully mastered the art of tactical flexibility in manipulating the democracies.

Central American revolutionaries have, however, fully mastered the art of creating "front groups" to espouse their "political lines." A document dated May 12, 1984, definitively establishes that COPPES, a San Salvador based men's group promoting the cause of "political prisoners," is an FMLN front. It reveals that part of COPPES' duties include caring for FMLN personnel captured by the Government, who sometimes act as message carriers to COPPES. COPPES is housed in the same building as, and has close ties with, COMADRES, a "mothers" group allegedly formed in behalf of "political prisoners" and persons who have been assassinated or who have disappeared. COMADRES has brought its message to the United States and was even given a peace prize by the Kennedy family.

Perhaps most importantly, the Diaz documents support the argument that the Sandinistas will alter their policy of promoting regional upheaval only under the proximate threat of superior force, and that any accommodations will be temporary—until the threat is removed. We know that in 1980, before the Sandinistas were firmly established in government and while the United States was giving and encouraging unprecedented amounts of aid, the Sandinistas already were supplying and training the Salvadoran insurgency.

The captured documents reveal that the Sandinistas wavered in this course only momentarily, at the end of 1983 when the United States had taken military action in Grenada and the Sandinistas firmly believed they were next in line. The U.S.S.R. and Cuba apparently had refused to intervene on Nicaragua's behalf. According to the U.S. press, one document reveals that Sandinista officials told the FMLM "we don't expect to receive any help from our allies." To save their own skins, the Sandinistas prepared to minimize the Salvadoran connection in order to appear less provocative and to divert the arms and supplies which they had funneled to the guerrillas to their own defenses. Most FMLM leaders were to be moved out of Nicaragua and contacts with the guerrillas would be minimized. This incensed the Salvadorans, but their planned protests and appeals, documented in the Diaz papers, apparently never had to be activated: as soon as the Sandinistas realized the United States would not invade, they canceled the proposed policy changes. This bit of history supports the contention that lasting peace in Central America requires fundamental changes in the Nicaraguan Government itself, not merely in its foreign policy of the moment. In any negotiations with the Sandinistas, the most important of the Contadora stipulations are those dealing with Nicaraguan democratization. The Sandinistas must be made to share power—the nature of the regime must change. We must assure that Nicaraguan public opinion is a force that cannot be ignored, so the Government is so busy meeting domestic needs that it can no longer afford, politically or economically, to support foreign exploits.

Internal economic and political problems, coupled with military pressure from the Contras, could indeed force the Sandinistas to call an internal and international truce. If necessary for their survival, the Sandinistas might even agree to effective verification. However, we know from captured documents and Ortega's own words that "the revolution is irreversible." The Sandinistas' top priority is to consolidate the Central American bridgehead embodied in the Nicaraguan revolutionary Marxist regime. The Sandinistas will do and say anything to buy necessary time. Then they could impose additional methods of internal control and build up their military capability. Promotion of the international movement would be resumed later when the Sandinistas were secure domestically and fortified for the task. Fidel Castro has counseled the Nicaraguans that revolution is a lifetime endeavor, that there is no "peace" for a revolutionary.

Mr. Chairman, all of this comment is verified by the documents seized from the El Salvador guerrillas just a few weeks ago.

And if that is not enough, Mr. Chairman, here is another smoking gun. This is a Soviet made Katusha rocket, one of 950, fired into the town of Arenales, Honduras, from Nicaragua on May 5 and May 6 of this year just a

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few weeks ago. I urge the Members of Congress to look at the pictures of that attack and see for themselves if we do not have a real smoking gun.

Mr. Chairman, I include with my remarks the following notes made in connection with the photographs which was taken:

ARENALES, HONDURAS (El Paraiso department, bordering Nicaragua) Photographs taken; May 29, 1985.—Arenales was attacked by Sandinista rocket and mortar fire May 5-6, 1985, from over the border. Over 950 Soviet-made Katusha rockets, fired from "Stalin organ" vehicles, were fired into Honduras.

The object was to cause civilian casualities so as to put political pressure on the Honduran government to force out the remaining bases of the Nicaraguan Democratic Force (FDN).

Several people were injured in Arenales, and two were killed.

An FDN base was near the area, which was later evacuated. The rocketing of the villages created a sentiment that the FDN was to blame for the attack, due to its proximity to the villages (about 5 miles), even though it was the Sandinista army that initiated the attack.

The Sandinistas cut two roads through the jungle toward the Honduran border, so that the rockets would be in range of the Honduran villages. They went to a great deal of trouble and expense to do this.

It is presumed that Soviet bloc advisers were present during the attack to direct the rockets.

The rocket fragment was found on May 29 by Michael Waller of the Council for Inter-American Security. Note the Cyrillic markings stamped on either end of the piece. It is believed to be part of the motor that propelled the warhead.

Mr. Chairman, the new evidence found in the Diaz documents and in this recent shelling obviously is relevant to the issue again before Congress. I urge my colleagues to consider carefully the implications of this new evidence before casting their vote, to support the Michel-McDade-McCurdy amendment without the encumbrances of the other crippling amendments.

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

Mr. Chairman, in response to my friend, the gentleman from Pennsylvania [Mr. MCDADE], let me say that he is my dear friend. He served with me on the subcommittee of the Committee on Appropriations dealing with the Department of Housing and Urban Development and 17 other agencies.

I could not agree more with what he said in the first three sentences of his statement, but I disagree with the remainder of his statement.

Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Florida [Mr. FASCELL], the chairman of the Committee on Foreign Affairs.

Mr. FASCELL. Mr. Chairman. I thank my colleague, the gentleman from Massachusetts, the distinguished chairman of the subcommittee, for yielding me this time, even though I rise in support of the amendment that is pending and he is opposed to it. I appreciate the time very much.

After four decades of Somoza reign, the United States and most of the countries of this hemisphere welcomed an end to the Somoza tyranny. In 1978-79 the United States had transferred its influence to the democratic forces which were seeking the overthrow of Somoza. I along with many other Members of Congress welcomed this historic shift in U.S. policy in favor of revolutionary forces that represented a democratic movement seeking peaceful change. Many Members of Congress visited Nicaragua during the first several years after the revolution; we went there in order to express our good will for the democratic evolution that had been promised. Many of us also fought a hard and long battle in this House to provide humanitarian and economic assistance to the new Government in Managua.

Despite considerable good will and a turnaround in U.S. policy, events did not evolve as expected and promised. The hope of a pluralistic political system was not fulfilled. President Carter eventually cut off U.S. assistance because of external subversion and internal repression of basic rights. It became clear in 1981-82 that the revolution was moving in an antidemocratic direction and that the Sandinistas were consolidating power by forcing out the more moderate forces and by strengthening their ties to Cuba and the Soviet Union—and thereby gaining the military/police capability necessary to impose unpopular policies on an increasingly disapproving population.

The Congress has played a quizotic role in responding to the antidemocratic actions of the Sandinistas—first in countenancing assistance to the Contras when it was first proposed and then in voting to cut off further assistance.

What must be recognized is that the Contras are not some ragtag, motley group out simply for monetary gain, or to win power in some abstract sense. Those who have broken with the Sandinista regime and raised their voices in protest represent a true revolution. They are a cross section of legitimate, democratic forces—Indians; able and articular political leaders such as Alfonso Robello; former members of the Sandinista guerrillas, such as Eden Pastora; businessmen such as Adolfo Collero, who I helped get out of jail under Somoza; journalists such as Pedro Joaquin Chamorro; labor leaders. Their principal goal is to persuade the Sandinistas to implement the lofty goals of the original revolution, that is, a pluralistic society, free elections, and respect for basic human freedoms. We can help the democratic process by approving economic assistance to the Contras.

The debate before the House today is not over strategy or purpose—a consensus has evolved among most Members that the Sandinistas are pursuing a nondemocratic course and that it is in the interest of the United States that that course be redirected and that Nicaragua cease its support for external subversion. The only argument is over tactics. And even on tactics there is broad agreement on most of the elements: Ceasefire; diplomatic solution, either through Contadora, OAS, or some other mechanism; lifting the state of siege; lifting the U.S. trade embargo; and suspension of U.S. military maneuvers in the area.

The only significant difference over tactics is should the Contras—the democratic resistence—be sustained as a unified entity that can continue to play a role in bringing leverage on the Sandinista regime and in the diplomatic maneuverings. One approach would prevent any U.S. assistance from going directly to the Contras—thereby forcing them to abandon their camps in order to reach refugee assistance through international refugee organizations. The effect would be to deny them any mantle of acceptance and respectability and to significantly reduce their diplomatic role and leverage by being forced to disperse or simply ignored in the process. The principal achievement of this approach would be to assuage the U.S. conscience and reduce our role and responsibilities. The second approach would provide direct U.S. economic assistance to the Contras, thereby providing them with a degree of international recognition and respectibility and allowing them to maintain their identity and their unity—both of which would increase the probability that they would have to be considered in any negotiation to bring about a democratic political process and freedom in Nicaragua.

The congressional ban on military assistance to the Contras, which has lasted more than 1 year, has brought no change in the policies and action of the Sandinistas. If anything, the regime has moved to further consolidate its power and its ties to the Soviet Union and Cuba and to crush the democratic resistence.

The Congress is now on the verge of attempting a new approach—and economic approach. If we are to pursue this course, let us do it correctly, not in a half-way manner which simply takes the United States off the hook. The United States is involved in the turmoil in Central America because our vital interests are at stake; we cannot deny our role and responsibility even if we wanted to—we owe it to future generations of Americans—North and South—so let us pursue a policy which has some chance of suc-

cess because we owe it to the American people and because it is right.

The CHAIRMAN. The time of the gentleman from Florida [Mr. FASCELL] has expired.

Mr. McDADE. Mr. Chairman, I am delighted to yield 2 minutes to my distinguished colleague, the gentleman from New York [Mr. FISH].

□ 1140

Mr. FISH. I thank the gentleman for yielding.

Mr. Chairman, what we bring you today is a needed consensus expression of United States policy toward Nicaragua. I congratulate all those involved in the negotiations over the past 5 weeks for their understanding and for their receptiveness to our concerns. It quickly became evident that we shared a common goal, peace and stability in Central America achieved within the framework of the Contadora document of objectives.

Mr. Chairman, I think we needed these weeks to fashion an appropriate congressional role in achieving our objectives. Time has permitted a clarification and refinement of U.S. policy that is embodied in the Michel amendment. It is evenhanded. The behavior of both sides will be monitored by the Congress. It clearly spells out our reliance on diplomatic efforts. Our goals of a cease-fire, a dialog and suspension of the state of emergency is clear. If these goals are met, rewards will follow.

Mr. Chairman, the principal alternative to the Michel amendment was before us in April. It did not please either those who believe that we have a responsibility to the political resistance or those who would have us play no role whatsoever. It is before us again and certainly faces the same fate.

Fortunately, the Michel amendment does appear to reflect a majority consensus. I sincerely hope so, as the worst case would be continued congressional paralysis and a lack of expression of congressional policy.

Two ill-disguised efforts to derail the Michel amendment will be attempted, and I urge my colleagues to reject these amendments to the Michel amendment and vote up the Michel amendment.

Mr. BOLAND. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, my colleagues I hope that you will take the time before casting a vote on this important issue to read the two pages of the Michel amendment. If you will take the time to read it, you will find embodied within it inconsistencies and vague language which should not be enacted by this great deliberative body. Let me point out a few, examples.

The Michel amendment does not define who the Nicaraguan democratic resistance forces are. We leave that entirely to the CIA or someone else to pick and choose those who will fight the cause for the United States in Nicaragua. There is no specificity.

The definition of "humanitarian assistance" which has been used over and over again is one that deserves reading. "Humantarian assistance means the provision of food, clothing, medicine and other humanitarian assistance."

Did we not learn in grade school not to define a term by using the same term? This is at minimum a poor work product, or worse.

The Michel amendment specifically repeals the Boland amendment which prohibits the United States from direct or indirect military involvement in Nicaragua.

The Michel amendment opens the door to deeper military involvement by the United States with the exchange of information unspecified and in my own mind the type of term that is subject to mischief by the same group that brought us the mining of the Nicaraguan harbor.

The Michel amendment only urges the President. This is a strong letter we are sending the President, no more. It urges the President to implement the Contadora process, to consult with other nations and resume bilateral negotiations with the Sandinistas; no requirement that that be done.

There is no requirement that if we find flagrant human rights violations on the part of the Nicaraguan democratic resistance forces that we cut off their aid, none whatsoever.

Finally, there is the open door at the end of the amendment which allows the President to come back to Congress and ask for additional assistance to help the Nicaraguan democratic forces and this assistance is not limited to humanitarian assistance. It only says additional assistance, which could be military or humanitarian, depending on the President's request, and then we limit our power to debate that request.

Calling the Michel amendment humanitarian assistance is a cruel hoax, not only on this Chamber, but on the American people.

The $27 million sought by the Michel amendment is not humanitarian assistance. It is military assistance which will only serve to prolong the conflict, pain, and suffering of the people of Nicaragua.

The amendment goes far beyond corrupting the term "humanitarian." It marks a dramatic departure of our foreign policy. The administration policy in Nicaragua is rife with inconsistencies and contradictions.

We claim to respect the sovereignty of nations when we establish diplomatic relations, yet we have diplomatic relations with Nicaragua, while the administration asks us to fund the overthrow of their government.

We pledge our support to free enterprise in Nicaragua, while we impose an embargo which threatens the middle class in that country more than any Communist dogma.

We pledge our loyalty to our allies and our commitment to regional solutions, but we pursue the administration's policy despite the overwhelming opposition of our allies around the world.

We speak forcefully of the threat of communism in Central America, but find our neighboring democratic nations in the region opposed to our escalation of the military conflict there.

We are critical of countries around the world which violate the principles of civilized nations and international law, yet the challenge of Nicaragua has drawn this administration to disavow the jurisdiction of the World Court, to impose an embargo in violation of our own law, to support the so-called freedom fighters in violation of our own Neutrality Act, and to ignore the provisions of the OAS Charter which forbid intervention in the internal and external affairs of any other state.

The administration's policy and the Michel amendment not only violate domestic law in the United States and treaty provisions which we have solemnly ratified; the administration's policy in Nicaragua deprives us of our most compelling weapon in the family of nations, adherence to the rule of law and to the rule of reason.

Mr. Chairman, I now yield to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Chairman, I thank the gentleman for yielding. I appreciate the gentleman's remarks.

I would like to inform the gentleman that Nicaraguan resistance is the Nicaraguans who have taken up arms against the Sandinistas and are engaged in armed resistance. That is the definition used by the senior Senator from Georgia in the other body, and if it is good enough for him, it is good enough for us.

Mr. DURBIN. Reclaiming my time, Mr. Chairman, yesterday one of the commandantes, Commandante Zero, Eden Pastora, came to Washington and asked that he be included in. Clearly, the definition is not broad enough to make it clear that he will be included in the $27 million largess sent to the so-called democratic resistance forces.

Mr. McDADE. Mr. Chairman, in view of the comments of my distinguished colleague, the gentleman from Illinois, I am constrained to yield myself about 30 seconds, because there are more inaccuracies, in my judgment, in that statement than I have heard in 24 years as a Member of the

House of Representatives. I know my friend is not given to doing that.

The amendment that we are offering does not appeal outright the Boland amendment. That is clear to anybody who reads it. It restates it.

The amendment in section 105 cannot conceivably be construed as an attempt or an effort to say that the President of the United States can come back and ask for more war material. It is an effort to say to the nations of Central America, stop fighting and we will come back as a Congress if we approve it and we will send you assistance to try to rebuild your infrastructure, rebuild your nations, and into the 20th century.

Mr. EARLY. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. STUDDS].

Mr. STUDDS. Mr. Chairman, I have a prepared statement, but I think I am going to dispense with it in large measure because the more I listen to this debate, the more I have concluded that the precise wording of the various propositions before us is nowhere near as relevant as what every Member of this House on both sides of the aisle knows perfectly well we are here to debate. It is a traumatic experience for us to return here from our homes, certainly in my case from Cape Cod, to hear and to be reimmersed in this dialog which I really think sometimes was written by Lewis Carroll.

Let me just take you through some of what we have been told here. In 1927, Will Rogers said, and I quote: "Where is Nicaragua and what the hell are we doing there?" If Will Rogers were alive today, I think we would hear him ask much the same question in a more pleading kind of way.

We really do need Lewis Carroll. What are the "freedom fighters" up to today? I think the quotation marks have been dropped from the phrase freedom fighters now. The President and his supporters have managed to get that assumed in the English language. They are, we have been told, the moral equivalent of the Founding Fathers and the French resistance, but do not be surprised this week that the President says these freedom fighters are not out to overthrow a government. They do not seek to overthrow a government at all.

Well, what do we hear in today's Washington Post? One of the leadership on the Republican side characterizes the Boland amendment or the attempt to extend the Boland amendment, which says you should not overthrow a government and you cannot have American aid to do it, as "a killer amendment."

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Up is down, black is white, war is peace, in is out.

The effort to say you cannot use more money for military aid is "a killer amendment."

What do our friends on the other side of the Capitol say? Last week in the process of giving the President, as usual, everything he asked for, they said, among other things, "* * * and, by the way, Mr. President, not only is here your $34 million for humanitarian aid to be distributed, of course, through that best known of all the world's humanitarian organizations, the Central Intelligence Agency," and where else, may I ask you, than on the other side of the Capitol could that be said without hysterical laughter? Not only did they say "OK, here is all you want," but they said, "By the way, Mr. President, if you think it is necessary to send American troops, don't bother calling us."

By more than two to one the other body rejected an amendment that would have called upon the President to inform the Congress before deciding to introduce American combat forces in Central America. If there is any doubt about the irrelevance of the other body, they reasserted it for themselves in that vote. But, incidentally, they did not say to the President, "By the way, don't bother to tell us if you have to send freedom fighters into Guatemala." They did not say anything about sending freedom fighters to Chile or sending freedom fighters to the Philippines or to South Africa.

"Where is Nicaragua," in the words of Will Rogers, "and what in the hell are we doing there?" What is going on here?

Members know perfectly well what is going on here. Humanitarian assistance, in quotes, "humanitarian assistance" through the CIA.

Members are appalled and apparently personally affronted that Mr. Ortega went to Moscow. In this very Chamber tomorrow we will be hearing from another head of state who went to Moscow very recently, the President of India, and he came back from Moscow with a heck of a lot more money than Mr. Ortega did. But he will be accorded, I suspect, the respect he deserves as the head of a sovereign nation when he addresses this body tomorrow.

We know perfectly well what is going on here, Mr. Chairman, Republicans and Democrats alike. What is going on here is that the request of the President has been adjusted and readjusted and tinkered with just enough to get what they perceive to be and hope to be a bare majority of this House, and whether one hangs that vote on one's personal affront or insult by the President of Nicaragua, or whatever else one does, the fact of the matter is that what we are being asked to vote on here today is whether or not we will give our assent, as the other body did last week, to the policies of this administration which seek the violent overthrow of a government with whom this Nation is not at war, which is in addition to being an illegal policy, a horrendously stupid policy which will not work.

Mr. Chairman, the Hamilton substitute is wiser both in symbol and substance than the alternative presented to the House today by the minority leader.

The Hamilton substitute is premised on the view that U.S. policy toward Nicaragua, like the policy of Nicaragua toward its neighbors and toward its own people, should change. For the truth is that errors have been committed on both sides; since 1980, the policies of both governments have been unimaginative, in many respects illegal, ineffective in serving national goals, inhumane, and insensitive to the lessons of history.

The Hamilton substitute makes demands upon both governments. It calls upon Nicaragua to live up to its own past promises and to its present pretentions. In 1979, the revolutionary junta promised a democratic government, a nonaligned foreign policy, and respect for human rights. In 1983, the Sandinista government embraced those principles again by accepting the 21 objectives to be sought through negotiations at Contadora. In 1984, the Sandinistas signed a draft Contadora agreement that, if approved, would seriously limit their future ability to pose a military or foreign policy threat to anybody. Our policy, the substitute says, should be to transform these promises into legal obligations by providing real U.S. support for a regional peace agreement through the Contadora process.

But in addition to dealing realistically with Nicaragua, the Hamilton substitute also recognizes two characteristics about U.S. policy toward Latin America that the history of this century has shown us over and over again are true: that the United States can contribute greatly to the construction of democratic institutions in this hemisphere; but that we can never engender respect for democracy if we use methods wielded more comfortably and competently by tyrants than by the United States.

The debate in this Congress over U.S. policy toward Nicaragua should not be dominated by the distinction between various types of aid that might be provided to the Contras; nor need we spend much time looking for new adjectives to describe the travels of Daniel Ortega.

For the real question before Congress is whether, for reasons of history, principle, humanity, effectiveness, and commonsense, the time has now come for the United States to shift from a policy based on unilateral acts

of military and economic intervention to a policy based on building a strong regional consensus for appropriate action with respect to Nicaragua.

Neither U.S. aid for the Contras, nor the U.S. declared economic embargo have yet, nor will likely in the future, produce the changes in Nicaragua that we, and many of our friends in the hemisphere, would like to see. For the fact is that U.S. policy toward Nicaragua will continue to fail, as long as it remains simply a U.S. policy.

This is true because the opposition to the Sandinista government will never accrue the credibility and the support it needs to make progress if it is perceived, accurately, to be dependent for its success, and even for its very existence, on the material resources and foreign policy of the United States. Latin American Governments will not respond to our concerns about Nicaragua, if we do not respond to theirs about the importance of international law, especially the principle of nonintervention, and if we insist on supporting anti-Communist forces simply because they are anti-Communist, whether they embrace democratic and socially progressive values or not.

The unilateral approach to Nicaragua is a distraction; it focuses world attention on our mistakes—the mining of harbors, the CIA manual, the murders by the Contras—while it shifts the spotlight from the broken promises of the Nicaraguan revolution. The result is that when Daniel Ortega travels, not just to Moscow, but to Spain, to France, to England, to Brazil, to Peru, to Mexico, to Venezuela, and to Panama; he is able to attack the excesses of our policy instead of being forced in a serious or meaningful way to confront the shortcomings of his own government. The fact is that American policy is stronger if it stays within the law. Only then will it have the support of the people and governments of Latin America; and only then will it have the understanding and backing of the American people. It is for this reason that the substitute would continue the Boland prohibition on military aid to the Contras; while specifically reserving America's right to take action, should that ever become necessary, through the regional defense mechanisms established by the OAS.

The policy put forward by the Hamilton substitute—if embraced by the Congress—will work. It will not transform the Sandinista directorate into the League of Women Voters overnight, but it will harness the democratic sentiments of this hemisphere in support of an American policy that is legal, democratic, and determined to influence the foreign and domestic policies of Nicaragua for the better, not through unilateral military or economic intervention, but through the creation of a regional consensus in support of democratic change.

Such a policy is fully consistent with the national security interests of the United States. For we face no threat from Nicaragua that can not more readily be countered by a regional approach than by the failed unilateral measures of the past 4 years. And this policy has other advantages, as well; it does not point the United States directly toward war in Nicaragua; nor does it indicate indifference to the violence that has killed almost 100,000 Central Americans in the past 7 years, the vast majority killed not by Communist forces, not by Bulgarians, or North Koreans, or Soviets, or Cubans, or Sandinistas, or the PLO, or the hordes of South Yemen; but by those who describe themselves as anti-Communists, and as defenders of freedom, and as allies of the United States.

I submit that we must, as a country, pick our own friends; we must identify those truly allied to the principles and ideals upon which our country was founded; and I submit that those friends reside now throughout Latin America, within the Contadora countries, within other democracies like Costa Rica, Argentina, Peru, Honduras, and Brazil, and that some exist, as well, among all parties to the present conflict in Nicaragua. We need not fear the Democrats of Latin America, though they may react more calmly than some of us to the events of their region. They are not our enemy; on the contrary, they are the hemisphere's greatest strenght, it is on their side we should come down; and it is in them that we should place our trust and our support.

This is the approach recommended in the substitute today by Mr. HAMILTON. It articulates a real policy option for those who have feared in recent months that there would be no coherent alternative to the policies of President Reagan. I applaud the authors of the substitute, and I urge its adoption.

Mr. McDADE. Mr. Chairman, I am pleased to yield 5 minutes to the distinguished gentleman from Louisiana [Mr. MOORE].

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

Mr. MOORE. I yield to the gentleman from California.

Mr. LAGOMARSINO. Mr. Chairman, I rise in support of the Michel-McDade-McCurdy amendment.

I ask my colleagues, "What are we trying to achieve in Central America?"

Isn't it democracy, economic development and the security our our allies?

What threatens to block our achivement of those goals?

Isn't it the deliberate, orchestrated campaign of forces external to this hemisphere?

There should be no doubt in anyone's mind that the Sandinista regime represents a force for expanding Marxist-Leninist control in this hemisphere just as the Castro regime in Cuba was 26 years ago. What Castro learned about spreading Communist revolution set the example for the Sandinistas in Nicaragua.

Adriana Guillen, a former Sandinista official who resigned from the Government in February 1980, appeared as a witness before the Western Hemisphere Subcommittee in March 1983. Her testimony described the direct links between the Sandinistas, Castro's Cuba and the Soviet bloc. I would like to remind my colleagues of some of the things she told our subcommittee:

> I formed part of a Nicaraguan mission . . . which visited Cuba in October 1979. . . . Cuba's Minister of Culture Armando Hart . . . told us that the Cuban plan for Latin America was to open an ideological front through Nicaragua. Our mission was to form an ideological front that would spread the Sandinista ideology toward Latin America, since Cuba could not do it because of its open identification with Marxist-Leninism. But using the figure of Sandino, our national hero, who defeated the U.S. Marines, we could influence the Latin American national liberation movements. Hart was very clear in telling us, that when we defined Sandinismo, we should be careful not to identify it with Marxism-Leninism, so that we would not lose the attractive potential that Sandino has in Latin America.

Adriana Guillen then quoted Minister of Defense Humberto Ortega who said in August 1981:

> We guide ourselves by the scientific doctrine of the revolution, by Marxism-Leninism. Without Sandinismo we cannot be Marxist-Leninist, and Sandinismo with Marxism-Leninism cannot be revolutionary.

Nicaraguan President Daniel Ortega's trip to Moscow received a great deal of attention. But, a trip to Moscow by Sandinista leaders in May 1980 did not receive the same attention. According to Mrs. Guillen's testimony, and I quote:

> Moises Hassan, Henry Ruiz and Carlos Coronel traveled to Moscow and signed a treaty between the FSLN and the Russian Communist Party. At this time, the Soviets designated a Bulgarian mission as the intermediary between Moscow and Managua. Nevertheless, the FSLN would only obtain assistance under the condition that it would push forward the plans of the Bulgarian team. While this happened, the Russians would give the FSLN 80 percent military help and 20 percent economic help. The Sandinista front committed itself to spreading Soviet influence over the Central American region. Once accomplished, the help from Moscow would be 20 percent military and 80 percent economic.

In February 1980, I received a letter from a Nicaraguan who was held as a political prisoner for 4 months by the Sandinistas. At the time of the debate on aid to Nicaragua, I read that letter to my colleagues, and I would like to read it for you again:

Letter from Alberto Rivas follows:

HOUSTON, TX, *February 26, 1980.*
Representative ROBERT J. LAGOMARSINO,
Longworth Office Building,
Washington, DC.

DEAR SIR: In November 1979 you had occasion to visit Nicaragua on Congressional business. At that time I was a political prisoner in Leon, Nicaragua's second largest city. I wrote you a letter smuggled out of jail, asking your help in obtaining my release. I know you made efforts on my behalf and this letter is to express my thanks to you.

Since then, I have obtained my freedom and am back in the States trying to start over again. Our properties in Nicaragua are still illegally in the hands of government led armed rabble, and we have no hope of ever recovering them as long as Nicaragua is under a Marxist dictatorship.

I have heard that Congress is debating the aid to Nicaragua bill, and this makes me wonder what the effect will be of giving our money to a government who hates the United States, who is communist and under the influence and control of the Castro regime in Cuba. I say this because while I was in Nicaragua for six months (four of those in jail) those things were obvious to me. The Sandinista Anthem has a line that says "We fight against the Yankee, enemy of Humanity"; while in jail, we got frequent lectures stressing that the U.S. is the enemy of the Nicaraguan people, and that Cuba is the country who helps Nicaragua the most; after I got out of jail on December 22, 1979, I was able to observe the large number of Cuban Army personnel who have come into the country.

Once again I want to give you my thanks for your concern and offer my help to you in whatever I can do to combat this communist menace that is in our back porch.

Sincerely,

C. ALBERTO RIVAS.

I remind my colleagues these are events taking place in 1979 and 1980. The character of the Sandinista regime was shaped from the very beginning of its existence, and that character is apparent in its export of revolution to the guerrillas in El Salvador.

The recent capture of documents from Salvadoran guerrilla officials include the following passages, taken from a letter addressed to the nine commandantes of the Sandinista national directorate in November 1983, shortly after the events in Grenada:

We repeat that we consider the present situation critically dangerous for the immediate future of the revolution in Central America, particularly in terms of retaining power in Nicaragua and maintaining the possibility of victory in El Salvador. . . . We repeat the importance that we attach to showing our peoples and the world that the FSLN [the Sandinistas] and FMLN [Salvadoran guerrillas] are indissolubly united in defending revolutionary conquests and resolved to expand them, even when that means direct confrontation with imperialism.

The expansion of "revolutionary conquests" is the goal of Marxism-Leninism, and it is represented by the Sandinista regime in Nicaragua.

So, we come, once again, to the central issue of what should be the U.S. policy toward Nicaragua.

Our policy must stop the expansionist goals of the Marxist-Leninist regime in Nicaragua. But, if our interest is not to have to send U.S. military forces to the region—and I believe that to be the case—then we should seek an alternative that counters the aggressive intentions of the Sandinistas in the most effective way. I believe the best means to counter the Sandinista threat is to force them to abide by their promises to the OAS. In 1979 for free elections, economic pluralism, and protection of human rights.

To do that, then, means following the recommendation of the National Bipartisan Commission on Central America, which states as follows:

The majority of the members of the Commission, in their respective individual judgments, believe that the efforts of the Nicaraguan insurgents represent one of the incentives working in favor of a negotiated settlement.

That means supporting the democratic resistance in Nicaragua in its effort to get the Sandinistas to engage in a dialog that will provide for the transition to a fully functioning democracy. Without resistance to the expansionist goals of the Sandinistas, there can be no hope of forcing them to negotiate.

As the Commission stated:

We do not believe that it would be wise to dismantle existing incentives and pressures on the Managua regime except in conjunction with demonstrable progress on the negotiating front.

I urge my colleagues to support the Michel amendment and, in so doing, support the goals of promoting democracy, economic development, and security in Central America.

Mr. MOORE. Mr. Chairman, in looking over the debate that occurred last month on the Michel amendment, something struck me as having been missed in that debate, and that was a discussion of what are we doing to the Monroe Doctrine. What did we do last month? What are we about to do this month?

I happen to believe that doctrine has served this Nation well for 160 years. I also happen to believe that doctrine is in jeopardy by the decision made last month on the Michel amendment and may be by the one we make in this House today.

Therefore we ought to ask ourselves why. What has changed? What has changed? Why should we abandon the Monroe Doctrine? What is the problem and what is the reason? Why the change?

Our Presidents have not changed. I would like to quote first the President who was the author of it. President James Monroe in a message to the Congress in 1823 said:

We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety.

And then in 1961, in his Inaugural Address, President John Kennedy said:

Let all our neighbors know that we shall join with them to oppose aggression or subversion anywhere in the Americas. And let every other power know that this hemisphere intends to remain the master of its own house.

Then in 1983, 160 years later, President Ronald Reagan said in a speech before this Congress:

In summation, I say to you that tonight there can be no question; the national security of all the Americas is at stake in Central America. If we cannot defend ourselves there, we cannot expect to prevail elsewhere.

And so our Presidents have not changed for 160 years. They have been consistent. Our policy has not changed either. We have been consistent there too. The other body has not changed. It has been voting correctly on this problem.

Certainly the threat to the United States and the Americas has not changed. In my opinion the threat is more real today by virtue of Communist Cuba and Nicaragua and the activities supported by them than we have ever seen in the Western Hemisphere. And I submit that those people who ignore this threat or who do not see it are the Neville Chamberlains of our day.

Neville Chamberlain thought he could appease Hitler and gave away Austria and Czechoslovakia. He was no more successful than we will be in appeasing the Communists by letting Nicaragua and El Salvador go to them. It did not work then; it will not work now. And those who do not study history are doomed to repeat it. And that is the mistake this House made last month and it must not make again today.

So what has changed? Our Presidents have not changed, our policy has not changed, the threat has not changed. What has changed?

Only this House. Only this House has changed, and changed by a mere two votes. This House walked away last month from the Monroe Doctrine by defeating the Michel amendment and did so by only two votes. And I submit that the House was wrong, not our Presidents, not the other body, not the policy, and certainly not our concern for the threat. It is the House that is wrong.

That wrong has to be righted. Our Presidents are right, our policy is right, our concern is right, the other body is right. Only this House is wrong.

What reason is there for the change? The change, the reason for the change I heard a moment ago is because we ought to use "restraint." That is what Chamberlain thought.

Those who use restraint against communism simply give them encouragement and accomplish little else.

In my opinion we have the opportunity today to erase that change that the House tried to make last month, to right that wrong they made, to restore the Monroe Doctrine, and we do that, my colleagues, by voting for the Michel amendment, and to reject all other amendments. We must once again set the record straight that the House of Representatives is in keeping with our Presidents, our policy, the other body, and that we intend to restore the Monroe Doctrine. You can do that today by voting for the Michel amendment.

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

Mr. MOORE. I yield to the gentleman from Connecticut.

Mr. GEJDENSON. I would just ask the gentleman as he has taken a look at history not to forget that some of the failures of this kind of policy have led to even worse situations. Does the gentleman think that this policy is going to change the government of Nicaragua?

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Will it bring down the government?

Mr. MOORE. I reclaim my time and answer the gentleman by saying that 160 years of the Monroe Doctrine have served us well. The gentleman has given me no evidence to change that policy today.

I submit the House, in trying to make such a change, is wrong.

Mr. EARLY. Mr. Chairman, I yield 3 minutes to the gentlewoman from California [Mrs. BOXER].

Mrs. BOXER. I thank the gentleman for yielding.

Mr. Chairman, just a few weeks ago this House voted against funding for the Contras. We decided against Contra funding because we felt it is against American tradition to fund a private army whose goal is to overthrow another government. We felt it is against American tradition to foster killing of civilians. We felt it is against American tradition to abandon the strength of our ideas and replace them only with the strength of our arsenal.

Just a few weeks later we are again facing another Contra vote. Why? It is because Daniel Ortega went to Moscow.

Now, I am not happy about any nation turning to the Soviets for economic help, but that does not change the Contra issue.

The President, our President, calls the Contras freedom fighters. Who are these Contras? The vast majority are former Somoza men who never believed in freedom.

To give so-called humanitarian aid to an inhumane army is a perversion of American morality.

America's Watch reports, and I have the report here, and I am going to give you an example, that Yamileth Sevilla, 4 months pregnant, was killed at a state-owned coffee farm by the Contras. She was wounded first, her face shattered by a grenade, a deep knife wound in her side with the unborn fetus protruding.

Many other unarmed civilians were slaughtered by the Contras with their throats cut.

Ugly, yes; but we must face this. Sure there is violence on the left, too, which America's Watch states and documents is decreasing; but violence on the left and violence on the right must stop. The way to stop it is not by supporting a private, brutal army who wants to overthrow a government of a country the size of Iowa, but by doing what America does best, negotiating a peaceful settlement with the democratic Contadora nations taking the lead.

The way to stop this violence is to support the Boland amendment, the Gephardt amendment, the Hamilton amendment.

Let us not have the blood of the innocent on our hands and let us not escalate the involvement of American troops in Central America.

Mr. Chairman, I say vote against the Michel amendment.

Mr. McDADE. Mr. Chairman, I am delighted to yield such time as may he consume to my distinguished friend from New York [Mr. KEMP] a member of our committee.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield to me?

Mr. KEMP. I am happy to yield to the gentleman from Michigan.

Mr. BROOMFIELD. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of the amendment before us.

Mr. Chairman, the Michel-McCurdy approach is the minimum we can do to show that we have not forgotten democracy in Central America.

We are talking about $27 million to make a barebones effort at keeping the forces of democracy alive in Nicaragua.

We have spent more than that for toilet seats, screwdrivers, and ashtrays without batting an eye.

Yesterday, with very little debate, we approved $2 billion for two countries in the Middle East. And, this was a bonus added to the regular funds appropriated under the Foreign Assistance Act.

Mr. Chairman, we are talking about peanuts here.

In 26 weeks that this body has been wringing its hands about what we should do in Nicaragua, President Ortega, the Communist dictator of Nicaragua, has been to Moscow and Eastern Europe and back with promises of nearly $300 million in aid from his Communist comrades.

Yet, we are afraid we might be overreacting by giving those who are willing to die for a cause that is fundamental to Americans a piddling $27 million.

We all know what is at stake. We can all look at a map and see just how close Nicaragua is to our borders. We have heard the speeches by Ortega and others about their plans for spreading communism across Central America. We know the Soviets are deeply involved in those plans.

Yet, some Members have been quoted as saying they won't be able to get serious about the administration's policies until Soviet Migs and guided missiles show up in Nicaragua.

Well, Mr. Chairman, all the Soviets are looking for is a little encouragement from us. We gave it to them when we failed to act in April, and the Soviets promptly raised the stakes by inviting Mr. Ortega to come to Moscow with a shopping list.

They will do it again tomorrow if this body waffles again today. The choices before us are hardly calculated to intimidate anyone.

One admendment which will be offered shortly proposes that we cop out entirely for the next 6 months and then take another look at the situation. In a way, it's a kind of bargain with Ortega that we'll take away the freedom fighters' supplies and look the other way for 6 months while he sees if he can wipe them out once and for all.

Another amendment will offer to feed and clothe the democratic forces if they will only lay down their arms, flee the country, and join a U.S.-sponsored soup kitchen outside Nicaragua. This amendment, minimal as it is, is the only hope for those patriotic Nicaraguans sincerely seeking to win back the revolution that was stolen from them and establish democracy in Managua.

It offers a mere $27 million to the freedom fighters in nonlethal, humanitarian assistance, the barest minimum to keep them going. Look for a moment what they are up against. The Nicaraguan Government is already armed to the teeth and ready to roll over any opposition.

Let's briefly look at the Sandinista military apparatus. They have a military capability far greater than any other Central American nation, and indeed, all Central American nations put together.

Between 1984 and 1985, the Sandinista active duty force grew by 30 percent to a total of 62,000 personnel. During that period, their armored personnel carriers and tank inventory increased from 240 to 340 units. They have added a new radar air defense system and have obtained MI-24 attack helicopters, some of the most sophisticated in the world.

In April of this year, Congress voted again on the question of aid to the

Contras. The plan to provide assistance lost by a mere two votes. Again, the same old arguments were heard about the real and honorable intentions of the Sandinistas.

When the final vote was tallied, the Contras got absolutely nothing. Congress refused to approve $14 million for people resisting Communist domination of Nicaragua.

A few days later, Comandante Ortega marched off to Moscow and Eastern Europe. There, he received promises of $200 million in assistance from his Communist mentors. On that very day, a Soviet ship unloaded more than 14 million dollars' worth of helicopters, East German trucks, and other military equipment at the Nicaraguan port of Corinto.

And, my friends, what are we doing? We are sitting here debating the issue again. Many of those countries believe the United States is out of the picture and can no longer influence the future of Central America.

Castro has reportedly told the Sandinistas that when the armed resistance is eliminated, the Sandinista revolution will spread throughout Central America. They believe and practice the doctrine of aggressive subversion.

I am not ready to abandon Central America to the Sandinistas and their fellow travelers. To me, a vote against the Contras is a vote in support of the spread of communism in that nearby region.

Are we ready to help the growth of democracy in Central America, or are we going to open the door for another Cuba in this hemisphere?

All of us want a democratic Nicaragua. The Contras, not the Sandinistas, represent the force of real democracy in that country. They deserve our strong support. Let me close with a quote from a recent speech by the Secretary of State. He said:

> We confront a fundamental challenge, a challenge to our national interests and to the freedom and security of our neighbors.
>
> Our goals in Central America are clear. We seek peace, security, economic progress and the growth of freedom and democracy in every country.

Let us listen to the lessons of history. Let us avoid repeating the mistakes of our own past. The choice is clear. The democractic forces in Nicaragua need our support. Humanitarian aid to them is the answer. Support for the peace process is also critical.

I call upon you to join me in this effort to lend a helping hand to those who believe in freedom.

Mr. KEMP. Mr. Chairman, I rise in strong support of the McDade-McCurdy-Michel amendment and ask my colleagues to remember what has happened since April 23 when we turned down an attempt to get assistance to the democratic resistance in Central America.

I think back to our missed opportunity on April 23, and what that has meant for our friends and allies in the region. On that date, this House voted to cut off all U.S. support for the democratic resistance—and decided instead to do nothing.

In the wake of this vote denying $14 million in supplemental aid, the Communist government in Nicaragua promptly sent its congratulations to the House of Representatives for defeating the President's request. In the flush of victory, Daniel Ortega flew off to Moscow, where he was rewarded with $200 million or so in additional aid.

That shameful do-nothing vote gave encouragement to the Sandinistas that we're not serious in opposing them, demoralized the resistance fighting for their very lives, and frightened our allies into questioning our commitment to their defense.

Since that time, Costa Rica has been under a direct frontal attack and Costa Rica, a friendly democracy, doesn't even have an army.

President Monge was recently on television to tell of his efforts to transform his police force into an army so they can defend themselves against the Communist regime in Nicaragua.

President Suazo of Honduras has made it very clear publicly and privately that support to the Contras is essential to reducing the attack by the Communist regime in Managua against Honduras. And, of course, President Duarte of El Salvador has made it equally clear that it is essential that assistance be given to the resistance forces in Nicaragua to help prevent the export of revolution to El Salvador in the form of assistance to the Communist guerrillas fighting there.

Make no mistake about it; there is a war in Central America. It is exported and supported by Cuba and Moscow; it is a war not of ideas but a war of guns and bullets, of totalitarian power and aggression, the types of things that we must resist by giving assistance to the Contras.

In the United States, there is a war of another kind going on. From the Sandinistas' point of view, this has been a hotly contested propaganda war, and they are encouraged that the issues have become as confused and clouded as apparent from the action taken in the House. Developments like Ortega's trip to Moscow do help put things back in perspective. But to paraphrase Charles Krauthammer, we really shouldn't need to see Ortega's travel plans to know where Nicaragua is going.

If, as we've done, we can reach a bipartisan consensus on the need to help El Salvador and Costa Rica and Honduras and the other countries of the region defend themselves, then we should not remain divided on the central question of what to do about Nicaragua. So long as the Nicaraguan Government remains free to continue its weapons buildup and to promote subversion against its neighbors, the security of all nations in the region will be threatened. All our efforts to bring peace and democracy to El Salvador, Honduras, and Costa Rica will come to naught if we create a sanctuary next door—guaranteed by congressional legislation—for those who bring war and totalitarianism to Central America.

Having served on the Kissinger Commission, the bipartisan commission on Central America, having traveled throughout Central America, having been in Managua meeting Daniel Ortega and Miguel Descoto and other leaders of the Marxist government, I am absolutely convinced that the Nicaraguan Communists are interested in one thing and one thing only, and that is extending this revolution to neighboring countries and throughout Central America. That is basic Marxist-Leninist doctrine—that's just being a good Communist government.

On April 23, Congress made a big mistake. Congress said we are not interested in what happens in Central America but we have to be interested. We can't turn our back. The bipartisan Kissinger Commission made it very clear that we had to give aid both economic and humanitarian as well as military assistance to El Salvador. But we made it equally clear on a bipartisan basis that we had to give assistance to those forces in Central America who were attempting to bring about a true democratic revolution in Nicaragua, that support for the Contras was the only way, at this moment, of stopping Managua from exporting revolution.

Are the Contras perfect? Assuredly not. We have not asked the Afghan freedom fighters if they are all Jeffersonian democrats. We are giving assistance to Kampuchea rebels and no one has asked what their Jeffersonian democratic credentials are in Kampuchea and Thailand. But we know intuitively as well as from historical experience that this country should be on the side of democracy and freedom and those principles that are so important to us here in the United States as well as throughout the world.

Someone said this is unprecedented but it's hardly unprecedented. In 1947 and 1948, it was this country that helped the democratic forces in Greece and Turkey to expel the Communist movement from the southern flank of what is now NATO. There would not be a NATO if there was not a Communist threat in that part of the world. The Truman doctrine, providing aid to Greece and Turkey, along with the NATO alliance and the Marshall plan, reflected a recognition that both economic and security needs had to be met in tandem if Western Europe was to preserve the freedom so

preciously won. In an act of both generosity and self-interest, we helped rebuild the economies of Europe, we helped secure democracy in Europe, and the NATO alliance is stronger today than it has ever been before, thanks to this President and our support on bipartisan basis throughout the last three or four decades.

Now the threat is in our own hemisphere. Now the threat is in Central America. Our response must be the same as it was on a bipartisan basis in 1948. I found a new alliance for our hemisphere, with friends and allies in our hemisphere to preserve and promote freedom and self-government.

I am confident that if the men and women on both sides of the aisle who were here in 1947 and 1948 were here today, they would respond to the challenge and the opportunity to build up the centrist forces in Central America, those forces who are for democracy and freedom. I think that was the message of the Kissinger Commission. I think that is the opportunity before us today, to vote for the McDade-Michel-McCurdy bipartisan attempt to send a signal of our support, and to give material assistance to those men and women who are fighting for those things that are precious and dear to all of us.

I ask all of my colleagues to support on a bipartisan basis an amendment that I wish was stronger. I think many of us do wish that we were providing military assistance and not just humanitarian.

The amendment introduced by Republican leader, Mr. MICHEL and my colleagues, Mr. MCDADE and Mr. MCCURDY, is far from an ideal bill. It does not provide enough aid, it does not provide the right kind of aid, it does not involve the appropriate administrative agency. But it does symbolize our support for the men and women of the resistance forces in Nicaragua. Its adoption would be a clear statement of our sympathy for the cause of freedom. And it would be a step in the right direction, toward the restoration of bipartisan support for a pro-freedom policy in Central America.

It is equally clear that if the House of Representatives rejects even this modest amount of purely humanitarian assistance, we would be abandoning principles of action that have guided American policy throughout the history of our proud Nation.

I strongly support what Mr. MCDADE and Mr. MICHEL are doing and I ask my colleagues to give overwhelming support to it.

It should be clear to everyone, that the Hamilton-Barnes amendment is the very same do-nothing resolution they offered in April: No help for the resistance, just international refugee aid. This is worse than no support for the resistance: It specifically excludes from our help those men and women who are risking the most in the cause of freedom.

Lets repeal the Boland amendment, defeat the Gephardt amendment and send a strong signal to Central America and the world that the United States is a reliable ally, a friend of freedom and democracy and a great power interested in helping shape a world order that enhance the values and ideas in which our revolution took place over 200 year ago.

Mr. EARLY. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Chairman, I rise to voice my strong opposition to the Michel amendment. Only a few weeks ago the House worked up the courage to vote down both direct and indirect funding of the effort to overthrow the Government of Nicaragua. Now, largely because the elected president of that country visited Russia to seek funding crucial to the well-being of the citizens of that country, we are reconsidering our vote. United States officials certainly had no intention of providing Nicaragua with the aid it needed. Did we really expect that in return for our votes Nicaragua was going to roll over and play dead economically?

The fact that Daniel Ortega was going to Russia was no secret even before our vote. State Department officials knew. So did Members of the Senate. People in Washington have been calling that visit a betrayal of those who voted against sending more money down there. There is another way to see that visit. Our country has done everything short of outright invasion to hurt the economy of Nicaragua. Daniel Ortega was driven out of necessity to seek aid where he could find it.

Our trade representative was in Russia recently. Are we going to impose sanctions on ourselves? Mexico, Panama, Venezuela, Brazil, Jamaica, Costa Rica, Ecuador, and Colombia also get aid from Russia. Are we planning on sending logistical aid to their enemies?

A few weeks ago, the Congress made a correct decision. It declined to continue directly or indirectly funding the overthrow of a government. Let us not be intimidated into reversing that vote. The American people do not support this aid money. So, who are we afraid of? Let us today begin to shape the right policy toward Nicaragua. Let us today cease actions which thwart the efforts of the Contadora countries to achieve lasting peace in Central America. Let us today throw our wholehearted support behind their efforts.

After we vote down this funding today, it is my hope that we can go beyond not doing something. It is my hope that we can take positive action to stabilize the Central American region. The way to do this is not by isolating Nicaragua from ourselves and other non-Communist countries, but by seeking boldly to open it up. Instead of continuing our present trade embargo, we should seek expanded trade. Far from forcing Daniel Ortega to chase Vice President BUSH down the corridors when they chance to be in the same place at the same time, let us have the meetings Ortega has repeatedly sought. We can work out our differences as civilized human beings. A country like the United States must surely be able to find more in its diplomatic bag than a big stick.

Some among us may fear that a no vote on the Michel amendment would appear to be a vote for Marxism in Nicaragua. I would just point out that in Nicaragua 40 percent of businesses are privately owned. That is a larger percentage than is to be found in France and Britain. Some among us also see a yes vote on the Michel amendment as supporting the President's strongly anti-Sandinista policy as embodied in his recently proclaimed economic embargo of Nicaragua.

To those who hold this view I would point out that if the embargo were to work it would hurt the middle class of Nicaragua, the business persons who are the strongest supporters of democracy in Nicaragua. It also hurts us because Nicaragua is one of the few countries with which we had a positive balance of trade. To further befuddle the matter, our allies, including Canada and Japan, appear to be stepping in to supply the goods that were lost to Nicaragua as a result of our boycott. I ask you not to try to sanctify one wrong policy decision by passing another wong policy decision. Vote down the Michel amendment.

Mr. EARLY. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. MILLER].

□ 1210

Mr. MILLER of California. Mr. Speaker and Members of the House, I have spoken on this issue many times in the 10 years that I have been in the Congress of the United States. Most of the instances surrounding Nicaragua, those speeches have been in support of efforts to try to stop the excesses that have been ongoing in the country of Nicaragua with the support and the aid of the U.S. Government.

To stop the excesses by the Contras that were created by the United States, that were recruited by the United States, that were trained by the United States, for the purposes of inflicting harm on the Government of Nicaragua and now for the purposes of overthrowing the Government of Nicaragua.

Somehow I figure that this speech is a little bit different because this is not

a time when the Congress seeks to stop the excesses, to stop the brutal and savage attacks by the Contras on the peasants and the civilians in Nicaragua, but this is the day when the Congress makes a determination of whether or not they will now join the Reagan policy.

This will be your first vote where you can come along and you can say that you want to join up in support of the Reagan policy, which is to continue to support the Contras which are continuing to fight to overthrow the Sandinista government.

Should you decide to do that, I expect that we will be here many times more, debating to increase the funding, to increase the support, to increase the supplies, because there is no evidence currently that the Contras can defeat the Sandinistas and while many on the other side of the aisle will talk about putting pressure on the Sandinistas, putting pressure on the Nicaraguan Government, the evidence is that the pressure is not on the Government; it is not on the Sandinistas. The pressure is on the peasants and the plain people of Nicaragua who reside in the north; people who are in the private sector, people who are simply living day to day; those are the people who are dying. Those are the people who are dying at the hands of the Contras who are supported by this Government.

That is the issue at this point. Daniel Ortega is not feeling the pressure. Mr. Ramirez is not feeling the pressure. The Sandinistas as an organization, as a political power are not feeling the pressure; it is the civilians that are feeling the pressure and the dying and the pain and the suffering.

So now, today, we decide whether or not to embrace a policy that defines no support among the nations of Latin America, a policy that finds no support among our allies other than those that we have bought and paid for, but we will go forward and embrace that policy.

I find that that is not acceptable and that we should not do it. I would hope that we would understand the motive of this policy: It is to make them cry uncle. It is to overthrow that Government. We ought not to go along with it.

I think what this says in fact is that those who support this policy have so little faith in the power of the United States, in the prestige of the United States, in the values of this Government, in the goals of our society, that what they are suggesting is that all political power comes out of the barrel of the gun, and the gentleman knows where those statements have come from historically around the world.

Not from those people who are interested in democratic forces, but that is what we have decided to do. We have decided that we would substitute the barrel of a gun for negotiations and for the values and the beacon that we set forth in the rest of the world. We decided that we now, if we go forward with the Michel amendment, that we are going to emulate the very worst of the forces, and if Nicaragua should so succeed and head down this road to Marxist-Leninist, what is it? What is the result?

The result is a sad tribute to the Soviet society, if that is the case; a sad tribute to a system that does not work; a sad tribute to a system that does not understand the rights of individuals, but they will stand alone in Latin America, and if we cannot pick our prestige and our power and what we stand for against that, without sending forth the forces of savage, brutal behavior, if this country is not strong enough to do that, then we are far more serious trouble than our problems with Nicaragua, because we are suggesting that we cannot send forth that image anywhere else in the world.

I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. I thank the gentleman for yielding. When you were in Managua, right after the last vote, you met with some of the Communist leaders down there and asked that other diplomats from the U.S. Embassy be removed from the room.

Would you care to convey to us right now what went on during that conversation with the Communist leaders?

Mr. MILLER of California. Yes. What Congressman BONIOR and myself told them was that we were upset about the continuation of the censorship on the freedom of the press. We told them we were upset about the continuation of the pressure on the private sector. We told them we were concerned about the relationship with the church, and we felt that they had to improve.

Mr. BURTON of Indiana. Why did you ask American diplomats to leave?

The CHAIRMAN pro tempore (Mr. BEILENSON). The Chair recognizes the gentleman from Massachusetts.

Mr. MILLER of California. If the gentleman would yield additional time.

Mr. EARLY. I yield the gentleman an additional minute.

Mr. MILLER of California. It is very simple. I think from time to time we have a right to conduct direct conversations between parliamentarians, between leaders of different countries, and I find nothing inconsistent with that.

Mr. BURTON of Indiana. And that is why you asked American diplomats who were there to observe the meeting to leave?

Mr. MILLER of California. Yes, and they had no problem with that at all.

Mr. BURTON of Indiana. Thank you.

Mr. MILLER of California. They expressed no concern at all.

The CHAIRMAN pro tempore (Mr. BEILENSON). The Chair recognizes the gentleman from Pennsylvania [Mr. MCDADE], who has 35½ minutes remaining.

Mr. MCDADE. Mr. Chairman, I am delighted to yield 2 minutes to the distinguished gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Chairman, I think we had better look at what we are dealing with here today. You know, a rose by any other name is still a rose, and those who are against the interests of the United States are still, by any other name, are still those against the interests of the United States.

Recently I had the opportunity to visit with the foreign minister of Nicaragua and when I was down there a little over a month ago, in my conversation with him I asked him if it were not difficult for a priest—as you know, he is a Maryknoll priest—if it were not difficult for a priest to deal with Marxist-athiests like the Russians.

He answered, "On the contrary, as a missionary, the sole Nicaraguan in the Maryknoll Order," he was "accustomed to working with unbelievers." And he said this, he said that "indeed, the Russians have demonstrated Christian charity by supplying that country with weapons needed to defend itself," and he added, he said, "The government would like to have even more weapons from the Soviets in the future."

That is the type of government we are dealing with. I compliment the authors of this bill, Messrs. MCCURDY, MCDADE, and MICHEL on the middle-of-the-road position that we have. It includes human rights safeguards, it holds the Contras to a high standard; it is humanitarian and not military aid.

Last fall there was a—I supported a temporary cutoff in the aid to the Contras to give peace a chance, and shortly thereafter we saw how the Sandinistas ran that election. Earlier this spring, this House failed to pass any sort of aid package to the Contras, and the day following, Daniel Ortega went to Moscow.

This extemely difficult and emotional foreign policy issue shows, as a result of this debate, that we are not over the Vietnam syndrome, but let us be quite honest about it: This is not Vietnam. Central America is not Vietnam. Our neighbors within our hemisphere is within our own sphere of interest, and we should pay attention to it and not liken it to those Vietnam ways of thinking.

Mr. EARLY. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Chairman, there is a lot of talk in the Michel amendment and supporters of the Michel amend-

ment about "humanitarian" assistance, but make no mistake about it, what we are really talking about today is giving Ronald Reagan a blank check at his will to drag the United States into war in Nicaragua. That is what this debate is all about.

Before proceeding further, let me say for myself and I think for a lot of Americans, the reason that we are not already deeply enmeshed in direct military involvement is because of the courageous stand which the Speaker of the House, Mr. O'NEILL, has taken throughout these last couple of years in standing up and labeling the efforts of the President for exactly what they were and because of the amendment that Mr. BOLAND has offered, and which this House, at the concurrence of the Senate, has adopted, prohibiting direct or indirect military involvement by the United States, in Nicaragua.

What the Michel amendment seeks to do today is to take the bars off, to remove the lid from American involvement.

When Mr. MICHEL got up to explain what the words "humanitarian assistance" in his amendment meant, he said—"food, clothing, medicine and so forth."

Well, what do you think that "so forth" means? Certain items are specifically prohibited. You could not give the Contras weapons or weapons systems; that is spelled out. Or ammunition or "other equipment, vehicles or materials which can be used to inflict serious bodily harm or death." That does not mean you cannot give them vehicles; it means you cannot give them armed vehicles; you cannot give them vehicles which can be used to inflict serious bodily harm. You can give them unarmed jeeps or unarmed trucks or unarmed military planes or transport planes or road equipment, road building equipment, or even dynamite, which is used to clear roads.

Obviously, all such equipment is important to the military operation of the Contras.

□ 1220

The Michel amendment goes a long way toward getting the United States, directly involved in the war and there is an open sesame for the President to get us more deeply involved.

The President has been called the great communicator. I like to think of him in that fashion, too, and I think of him as I do of P.T. Barnum the greatest of all communicators. Barnum said that his operating premise was that there is a sucker born every minute. Of course, in the instance of Nicaragua, the American people have refused to play the sucker. The American people, on every poll that has been taken since our vote on April 23, and before, have said that the most they will allow is food and medicine period—no military assistance, no equipment, no humanitarian assistance, nothing which can drag the United States into war.

But some Members of Congress have not been as clearminded. Because the President has changed the label they seem willing to vote for the same old war package.

It seems to me that we are running the risk of turning our backs on our own history. We are a noble nation, born out of revolution. And those of us who are familiar with American history will remember that the United States of America was considered the great revolutionary threat of the late 1700's and the early 1800's. Thomas Paine, who was the great spokesman for American democracy and revolution, said that he would travel around the globe and where tyranny and monarchy existed, there he would find his home and support revolution. We were not particularly appreciated as a revolutionary nation at that time. The British were so unhappy that they impressed American seamen aboard American ships and found an excuse to wage a war against the United States, the War of 1812.

To support the Michel amendment is to turn our backs on our own history. As much as we may disagree with the philosophy or policy of Nicaragua or any other country neither international law nor our Constitution gives us the right to overthrow that Government.

Mr. Chairman, I urge defeat of the Michel amendment.

Mr. McDADE. Mr. Chairman, I yield 3 minutes to the able gentleman from Oklahoma [Mr. EDWARDS], a member of our committee.

Mr. EDWARDS of Oklahoma. Mr. Chairman, before I begin my remarks, a gentleman who spoke earlier in this well referred to Will Rogers. I think on behalf of the Oklahoma delegation, which will be voting overwhelmingly for the Michel-McCurdy-McDade amendment, that Will Rogers never would have voted against the Michel amendment or for the Boland amendment. Those of us who know his policies and philosophies, and have read about him all of our lives, do not like to see Will Rogers misused in that way.

Mr. Chairman, let us ask ourselves some very important questions about U.S. policy and motivations in Nicaragua. The simple fact is that we do not know whether the antigovernment forces can force the Sandinistas to negotiate the establishment of a democratic government. We do not even know whether they could succeed in raising the stakes high enough for Nicaragua to think twice about trying to destabilize other nations which are U.S. allies in the region.

But we do know that those fragile neighboring democracies in Central America have the right to develop as free nations, without the fear of losing their precious freedoms to hostile outside aggression.

And we do know that we are justified in helping our friends in El Salvador, Honduras, Costa Rica, and elsewhere, to defend their democracies and to defend themselves against threats to their very national survival.

We do not expect the Sandinistas to adopt a system of government just like ours. But Nicaragua today poses a serious threat to democracy itself in Central America and to nations which have chosen to adopt a system of free government and I want to keep it.

To abandon the Contras now would be to increase the threat to democracy itself in Central America. That is why President Duarte of El Salvador, who met here in Washington with those of us on the Foreign Affairs Committee and the Foreign Operations Subcommittee, when asked what we could do to help the emergence of democracy in El Salvador, said quite plainly, "You can help the Contras in Nicaragua."

That is also why, privately, we are told by the national leaders in all of the democracies in Central America that the way to help them preserve their democracies is to help the Contras in Nicaragua.

The Contras have shown that they are going to fight with or without our assistance. But we do our friends a great disservice if our help is inconsistent, restrained and uncertain, while the pressures of communism remain constant, unharnessed, and irresistible.

We raise the danger of a wider conflict throughout Central America while we debate and re-debate what is clearly and undeniably a very limited response to a situation that demands that we do something. America should not hesitate to help Central American democracies remain free.

This time, we cannot refuse to help the democratic forces in Central America. It is the worst form of chauvinistic arrogance to insist that only we North Americans are entitled to protect our freedoms.

Let us, with no troops and very little money, try to preserve freedom for all who want it.

The CHAIRMAN pro tempore. The Chair would advise the gentleman from Pennsylvania [Mr. McDADE] that he has 30½ minutes remaining; the gentleman from Massachusetts [Mr. EARLY] has 24½ minutes remaining.

Mr. McDADE. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. I thank my colleague for yielding.

Mr. Chairman, I join with my colleagues, Democratic as well as Republican, in wholeheartedly supporting

the Michel-McDade-McCurdy substitute. This bipartisan amendment is clearly the only effective means to a peaceful resolution of the conflict in Central America. It offers the only concise conclusive plan of intent; to best serve the people of Central America through a policy of democratic, economic, and security support, while maintaining the national interests of the United States. The Michel-McDade-McCurdy amendment puts the United States on the side of a negotiated settlement toward democracy and against abuses of human rights by the Sandinistas and the armed resistance.

I believe we all agree that we need to provide Nicaragua with humanitarian aid. However, humanitarian aid without some type of power behind it would simply be a waste of our resources and far from an effort of true humanitarianism. To criticize this substitute as not being humanitarian is as unfortunate as not seeing the forest for the trees. Ours is the only real humanitarian effort. Ours is the only amendment that prepares for, as well as calls for, realistic negotiations between Nicaragua and the Sandinistan government. It is absolutely necessary that we resume aid to the Contras in order to keep pressure on the Marxist Sandinistas. If those struggling for democracy are not supported, or worse forced to become refugees, the Sandinistas will be encouraged to press their military advantage. And how soon will this advantage become apparent where the neighboring countries are concerned? This is a question the United States cannot afford to ask. Colleagues, we need not have another Cuba on our hands. By supporting Michel-McDade-McCurdy we are in essence saying that we will not allow our national security to be endangered nor will we allow for an endangered security of nations in Central America. Diplomacy unsupported by power is wasted, ineffective diplomacy. Food and clothing are quite simply not enough.

The Michel amendment also allows for the exchange of information between the U.S. Government and the Contras. The CIA and the Department of Defense have been excluded as agencies to receive this information. To say that we are putting the CIA back in the business of running the Contra war is a gross misinterpretation. Our intent again is a humanitarian one. This amendment would allow the U.S. Government to exchange information with the resistance. This would be an enormous help in ensuring safe and secure delivery and use of humanitarian aid to the resistance. In this way we can monitor and encourage observance of human rights. It is ridiculous to think that we would appropriate $27 million in aid without monitoring how our money is being spent. Let us be certain that the appropriate needs are being met and our money is spent effectively. The Michel amendment further provides the President to report every 3 months on the willingness of both sides in Nicaragua to negotiate and also on any human rights violations. The reports every 90 days will address the efforts toward negotiations while quarterly reports would monitor the subject of human rights.

Finally, the amendment authorizes $2 million for expenses arising from implementation of an agreement reached by the countries of Central America based on the Contadora groups objectives. We are clearly providing the Sandinistas with true incentives to change their policies. The President is urged to suspend military maneuvers in the area and lift the embargo if Nicaragua agrees to a cease-fire, suspends its internal state of emergency and negotiates with the Contras. It also provides the President to resume bilateral talks with Nicaragua, without any preconditions. The amendment further allows for expedited procedures where future requests for aid are concerned.

It is apparent to me that the Michel amendment is a true plan of direction. It is a start that sees its way to a finish. It is a reasoning with clear purpose and it is our only viable choice. Again, my full unequivocal support to the Michel substitute and to those colleagues who join in its intent for peaceful, realistic negotiation.

Mr. McDADE. Mr. Chairman, I yield 3 minutes to my distinguished friend, the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. I thank the gentleman from Pennsylvania for yielding me this time.

Mr. Chairman, I rise in support of the Michel-McCurdy-McDade amendment, and I am opposed to the three other amendments made in order by the rule.

Yesterday, in the debate on this bill, an amendment was offered pertaining to the Middle East, and the gentleman from Wisconsin [Mr. OBEY], a member of the Appropriations Committee, said that he generally supported the President's policies in the Middle East and thought they were working, and the amendment was defeated. That is the way I feel here today, Mr. Chairman, about Latin America. I think the President's policies are working in Latin America and should have our support.

You know, 535 Members just cannot make foreign policy. And, besides that, it is against the law. So if you think that the President's policy is working in Central America, then you ought to vote for the Michel amendment and you ought to vote against the other amendments.

I have been, like you, down to the Central American countries. El Salvador is working well. In spite of some of the roadblocks we have thrown up here in the Congress, El Salvador is going to make it, also Panama, Honduras, and Costa Rica. They are doing pretty well. We ought to look at that and say something is happening good in Central America.

Now, the gentleman from Massachusetts [Mr. STUDDS], in talking about Nicaragua, kind of insinuated that it was somewhere far, far away. I would like to inform the gentleman that my home is closer El Salvador and Nicaragua than it is to Washington, D.C. People in the Deep South have a real concern about what happens in Central and Latin America.

The administration today is like everyone in this room. They want to erase communism. The best way, in my opinion, to do it is to support the McCurdy-Michel-McDade amendment. And whatever we do, let us vote down the other amendments. One of our problems around here is that we get too involved by passing unworkable amendments. The Boland amendment will not work. If we want to throw total chaos into what we are trying to do here today, you certainly will not vote for the Boland amendment—you will vote against it.

Let me say that the President has asked for $27 million for humanitarian aid, and that is not much to ask for when your policies are working. Let us support the President. It is his responsibility.

Mr. McDADE. Mr. Chairman, I yield 2 minutes to my dear friend, the gentleman from Connecticut [Mr. McKINNEY].

Mr. McKINNEY. Mr. Chairman, today is one of the greatest days since this whole debate on Nicaragua started. The Members of this House really have been divided into three different categories: those who hoped the current conflict in Nicaragua would just go away and they could ignore it, those who felt we should intervene, and those who were terribly afraid of being misinterpreted for either action.

□ 1230

And we have gotten nowhere—absolutely nowhere. I, myself, have been violently opposed to military intervention in what I consider to be a revolution and internal strife in another country. But today, I think that the Michel-McDade amendment, has in fact given this House the first opportunity to make some sense out of this situation.

First, the Michel-McDade amendment funds and gives a stamp of approval to the Contadora process of negotiation. Those people who are indigenous to the region, who speak the same language and who have the

greatest concern about the Sandinista government, which has proven that it is in fact not a pluralistic society, not a democracy, and essentially only interested in destroying the peace and tranquillity of Central America, should be most compelled to find a diplomatic solution to the region's instability. So, in fact, this amendment does that.

Second, this amendment prohibits the Department of Defense and the Central Intelligence Agency from distributing these funds and, therefore, removes any worry that most people, myself included, have had that in fact humanitarian aid would be diverted. The statement made by my good friend from New York that this amendment would give the President free rein was absolute, utter nonsense. It does not, under any circumstances, do that.

I consistently have opposed and voted against giving military aid to the Contras to fight a revolution in another country. I strongly endorse Michel-McCurdy; I think it is a chance for us to state several things: We do support the Contadora process; we do support humanitarian aid; we do support negotiation; and that we want peace talks.

There are those of us here who have to recognize the fact that the Contra movement against an oppressive dictatorial society does exist. We cannot walk away from it. We do not have to give it military aid. I would always vote against giving it military aid, but we cannot pretend that they are not there and suffering.

Thank you, Mr. Chairman.

Mr. EARLY. Mr. Chairman, I yield 6 minutes to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR of Michigan. I thank the gentleman for yielding me this time.

Mr. Chairman, poll after poll has shown that the American people do not want to open the door to additional military aid to the Contras. They do not want to use our intelligence agencies to support the brutal efforts of a counter-revolutionary army to overthrow another sovereign government.

The House has long recognized this, and has exercised historic leadership in enacting the Boland prohibition. The House has voted four times in the past 2 years to prohibit any agency engaged in intelligence activities from supporting, directly or indirectly, military or paramilitary operations in Nicaragua.

The House has been clear and unwaivering on this issue. The language has been drawn carefully and tightly to prevent an administration which does not favor the Boland prohibition from circumventing it.

Today, we are faced with the Michel amendment which has been skillfully crafted to confuse this issue. It contains a section which looks like it repeats the Boland prohibition. But, in fact, the Michel language drastically narrows the scope of the Boland prohibition to cover only the funds appropriated in his own amendment—$27 million cannot be used as military aid.

If this language passes unmodified, it will open up other funds in the next few months—including the large CIA contingency fund—to provide direct, military aid—bombs, bullets, guns—to the Contras.

The Michel amendment goes even further to explicitly weaken the Boland prohibition. It would immediately allow the CIA exchange information with the Contras. Because intelligence information is the key to military strategy, the Michel amendment will put the CIA back in the business of running the Contra war.

Nearly 4 years ago, the Contra program began with a small band of counter-revolutionaries operating along the Honduran-Nicaraguan border. Today, we have financed an army of 15,000 to 17,000, and the President has certified that more, perhaps as many as 35,000, will be needed, costing the United States as much as $100 million per year.

In the beginning, we were told the purpose of aid to the Contras was to interdict arms flowing from Nicaragua to El Salvador. Today, that limited goal has been replaced with a sweeping commitment aimed at nothing less than the overthrow of the Nicaraguan Government.

Time and time again, the administration has told us one thing, and given us the opposite in its policy toward Nicaragua. The Michel amendment is the next step in a policy that promises restraint but gives us increasing military escalation: a policy that purports to protect the security of the Americas, but instead has isolated us from our allies and our own traditional commitment to international law; a policy that pretends to lead away from the use of U.S. troops but, as we learned in the New York Times last week, has already prepared detailed plans for a U.S. invasion of Nicaragua.

Each time we have faced this issue, the House has explicitly reaffirmed its commitment to the Boland prohibition. Whatever else we do today, we must make that commitment clear once more.

Today, for the first time, we are asked by the authors of the Michel amendment to put the issue of the Boland prohibition aside, as if the Boland prohibition were not the key to any policy toward Nicaragua.

If, as some of its sponsors say, the Michel amendment is not intended to repeal the Boland prohibition, then there should be no problem with voting clearly to reaffirm that commitment.

But, if this language has been drafted to confuse the issue, to pull the wool over the eyes of the American people—as so much of administration has tried to do on this issue—then let's have nothing to do with it.

Either way, a vote for the Boland amendment is critical.

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

Mr. BONIOR of Michigan. I yield to the gentleman from California.

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

Mr. Chairman, my question is simply: If we are prevented as we are under the Boland amendment from aiding the Contras in any way, and the Eastern bloc, specifically the Soviets, are not under a similar constraint with regard to the Sandinistas, who is going to win?

Mr. BONIOR of Michigan. I am not going to make a case for the Soviet bloc; all I know is that the American people have clearly stated poll after poll, taken across this country, whether it is the Hamilton poll in the South, that they do not want us intervening in Nicaragua, and by wide margins, they are fearful that American troops will be sent there, and it seems to me that we ought to be following their wishes.

I yield to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. I thank the gentleman.

Mr. Chairman, under the Boland amendment, the language, as I understand it, contains a prohibition of assisting in any way the Contras, including the passing of intelligence, that would mean that in a scenario in which there was going to be a surprise attack, for example, on a Contras position or Contras settlement, the United States would, by law, not be permitted to warn those people in time that they might prevent a massacre?

Mr. BONIOR of Michigan. I think there will be discussion of that specific issue in the Boland amendment that is before us, and I think a dialog between the chairman of the committee, Mr. BOLAND, and those who oppose it from our side as well as your side will help clarify the situation as it presently stands, which I think would permit what the gentleman is referring to.

Mr. DORNAN of California. Mr. Chairman, will the gentleman yield?

Mr. BONIOR of Michigan. I yield to the gentleman.

Mr. DORNAN of California. I thank the gentleman for yielding.

Mr. Chairman, does the gentleman know, and I would please like the courtesy of a specific answer, a specific number, please, how many times has Daniel Ortega been to Moscow?

Do you know? You don't? I will tell you: Eight, eight; since April 28, 1980, eight times. Please do not ever forget that number. Now you know.

Mr. McDADE. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. GRADISON].

Mr. GRADISON. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of the Michel amendment to provide humanitarian assistance to the Nicaraguan Contras and assistance for the implementation of a Contadora agreement. Issues surrounding American foreign policy in Central America, and Nicaragua in particular, have generated a significant public debate throughout the country. It has also had the unfortunate effect, to date, of causing an unhealthy partisan cleavage in this body.

When we last considered this question, I sought a bipartisan agreement focused on humanitarian assistance, one which stressed the necessity of arriving at a peaceful, diplomatic resolution of the conflict. I was disappointed that this House ultimately voted to ban aid of any kind, and in the process lost the expedited parliamentary procedure under which it was considered. I am pleased, however, that we have this opportunity to reconsider the issue again so soon.

This amendment, Mr. Chairman, builds on the strengths of the earlier Hamilton substitute. The emphasis here is on the provision of humanitarian assistance to the Contras and the vigorous pursuit of economic and diplomatic measures, under the aegis of the Contadora process, to help secure regional stability. By prohibiting the Department of Defense or the Central Intelligence Agency from distributing the 27 million dollars' worth of food, clothing, and medicine, there is little chance that the intention of Congress will be misunderstood. This amendment further clarifies the role of American intelligence agencies by permitting solely the sharing of intelligence information.

This provision emphasizes the humanitarian character of American assistance to the Contras, and the intention of the United States to support a negotiated settlement among the states of the region as well as a church-mediated solution to Nicaragua's domestic problems. The Michel amendment provides that if the President determines that negotiations based on the Contadora process have failed to alleviate regional tensions, or if other forms of economic suasion have proven to be insufficient, then he can request additional assistance for the Contras under expedited procedures.

Conversely, if the Contadora process and other measures yield results beneficial to peace and stability in Central America, the President may request funding in furtherance of the peace process, also under an expedited process. These are important signals to the government in Managua.

Congress will also monitor the general progress of human rights in Nicaragua by requiring the President to provide an analysis of alleged violations of human rights on both sides of the conflict. Many of us have been concerned, not only by the human rights violations of the Sandinista government, but also by allegations of atrocities committed by those seeking to democratize Nicaragua. This provision will send a signal to both sides that the United States cannot condone the abuse of civil liberties and will not ignore the senseless loss of civilian lives.

Mr. Chairman, this framework was absent from our previous consideration of this issue. I believe it significantly strengthens the proposal. This amendment is an attempt to bridge the partisan gap that has developed over our policy in the region.

I further believe that this is a proposal which the President can, and will, support. I urge my colleagues to join me in supporting the Michel amendment.

□ 1240

Mr. BOLAND. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Illinois [Mr. EVANS].

Mr. EVANS of Illinois. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in opposition to the Michel amendment.

I recently returned from a week-long trip to Central America and came back with a greater conviction that our policy toward Nicaragua is backfiring.

I came to this conclusion after much consideration and after talking to both sides of the conflict in that country.

In Nicaragua, I traveled to the countryside near Boaco to talk to two families of campesinos who were held captive for 9 months by the Contras. These were very nonideological people without any particular political axes to grind.

But their tale of terror at the hands of the Contras was bone-chilling—a story of rape, torture, and slave labor. I hope our colleagues will review this testimony I took in Boaco and I will insert it in the RECORD at this point.

FAMILY ESCAPES CAPTIVITY BY CONTRA—MOTHER AND FOUR DAUGHTERS RAPED REPEATEDLY

(By Paul Dix, Leticia Saucedo, and Ed Griffin-Nolan)

BOACO, NICARAGUA, May 18, 1983 (WFP).—On May 15th, 1985, two families, totalling 15 people, were flown into Boaco by Army helicopter. They had been kidnapped and held for nine months by counter-revolutionary forces in the Department of Zelaya, in an area roughly 150 miles from Boaco. In an interview conducted by three WFP volunteers and U.S. Congressional Representative Lane Evans, the Guzman family described the details of their capture, detention, and escape.

A group of contras arrived at the Guzman home in Caña Azul, Central Zelaya province, on the afternoon of September 10, 1984. Natividad Miranda Sosa, 45 years old, was home at the time, along with four of her daughters, Isidra, 20, Aurchana, 15, Rosalina, 13, and Mirian, 11. Her husband Ramon Guzman Gonzales, 55, was away, visiting his sick mother. Lino Gomez Gonzales, 29, who lived and worked with the family, was also in the house.

Threatening them with rifles and yelling "piricuacos", (a term which literally means "rabid dog", that contras often call Sandinistas), they forced the family out of the house and onto a trail that led to the Colinguas River. This was the beginning of many forced marches and a nightmare of nine months in captivity.

Lino was killed early the next morning. He was taken away from the family, and in Natividad's words, "They took him out in the afternoon, held him all night, and killed him at about four in the morning. They told us they were taking him to a central command post but we knew it was a lie. They themselves said later that they had left him dead." Apparently, he was killed for participating in the civilian militia in Cana Azul.

For the next four days, the women walked to a command post in the zone of Silva. When they reached the military base, Aureliana was delivered to the contra leader, known as "El Gato", (the cat) to become his woman. She was raped several times during the two weeks (September 14–October 1) that he held her captive and forced to accompany him to another command post near Aguas Calientes.

The contra accused her of crimes including membership in a health brigade, which was true, and being married to a Sandinista soldier, which she was not. "Her torture", according to her mother, "took the form of rape and starvation". She ate only the scraps from the plate of "El Gato".

Eventually, the commander of the contra troops at Aguas Calientes ordered that Aureliena be returned to her family. In the meantime, the rest of the women were still in Silva, held prisoner by the contra leader known as "El Gavilán", (the hawk). They were given little to eat or drink, were constantly guarded and raped again and again.

"El Gavilán" himself took Rosaline, only 13 years old, and his bodyguard took Isidra, the 20 year old. Eleven year old Mirian clung to her mother until one day the contras split them up by telling Natividad that she had to cook for them.

In the words of the mother: "They deceived me by telling me they needed me to cook. They took me away from my daughter who was always clinging to me. When I got to the other side of the camp, they said "we don't need any cooks. This is what we want you for.' And they began treating me with their immoral acts. They gave me someone they called "El Criminal" and he and two others raped me all night."

Eleven year old Mirian was also being raped, passed from one contra to the next. The following night they didn't touch Mirian but, for Natividad, the second night was the worst. "I didn't think I would live", she related, her face was stern and her eyes avoided contact with her interviewers.

After 13 days in Silva, the mother and her three daughters were taken to the community of Olia Olia, where they stayed four days. There they were divided up and raped again. On October 5, they were transferred to a central command post in Batitán. All of this time, they were living under constant threats of death. "If we deserted and were

caught, they would not pardon us", said Natividad. "They would kill us".

The commander in Batitán promised them rest and peace, but shortly after they arrived, Isidra was taken away and raped by a man named "Chele", a term used to describe people with light skin and coloring.

While in Batitán, the women were united with Ramón, the father of the girls, and Natividad's husband. He had been kidnapped on September 28, 18 days after the women were taken. After being held and "investigated", (his wrists were tied so tightly that he could not use a machete for two months afterwards) he was sent to live in Batitán, always under the control of contra troops.

The reunited family lived in Batitán until the contras moved them to Aguas Calientes, two months later. In that small community, the contras occupied the church and school and guarded the people constantly. Most of those who lived there gave support to the contras, either voluntarily or by intimidation and force. According to Natividad, many of them, out of fear, attended weekly indoctrination sessions. Some families worked on large cattle ranches owned by contra supporters, for which they were paid 50 córdobas, or less than one US dollar, per day.

The community had no school or health center. A Catholic priest gave Mass once in six months, and Delegates of the Word performed pastoral functions in his absence. Three sixty-man contra units were based at Aguas Calientes.

The Guzmans lived at Aguas Calientes from December until May, when they escaped during a government attack on a nearby military post. The family had planned to stay at Aguas Calientes until the army came to rescue them, but in early May, when the Nicaraguan army began their advance on the contra command post in Batitán, the contra told them they would be taken to Honduras. Fearing that they would be killed instead, they made the decision to escape. Afraid of travelling the roads, they plunged into the heavily forested mountains in the direction of Batitán. Two days later on May 10th, when they reached Batitán, the army assault on the contra command post was still in progress.

The contras were defeated the next day. On May 15th, the Guzmans were flown to La Florida, a state farm ten miles from Boaco.

Alejandro Mendez, coordinator of the local government, told WFP that the family arrived practically naked, barefoot, with swollen bellies and health problems that included malaria.

When WFP interviewed them three days after their arrival, they had been clothed, fed, and given medical attention. Mendez said that he was expecting 60 more civilians who had just been freed from the contra in Batitán and Aguas Calientes to arrive in La Florida in the next few days.

This interview was conducted in a large room on the La Florida farm. All 15 kidnapped victims were present, along with Alejandro Mendez; Jorge Abarco, political secretary of the FSLN in Boaco; methodist missionary Howard Heiner; Rep. Evans; his aide, John Ayers; and the three WFP volunteers mentioned.

After approximately one hour, Leticia Saucedo and Paul Dix met with the family in private for more than one hour for a more detailed and complete interview, in a more relaxed setting. No government or army officials were present and details of the story were checked and compared with the earlier interview to test for accuracy.

I ask our colleagues to review this testimony of rape and terror, and then tell me what kind of assistance we should send to men such as these.

What is being proposed is assistance to a group of armed thugs and rapists who use terrorist methods we as Americans have always condemned. That is not only contrary to our best interests, it is contrary to our best traditions.

Shortly after the Bay of Pigs, columnist Walter Lippman said:

> A policy is bound to fail which deliberately violates our pledges and our principles, our treaties and our laws . . . The American conscience is a reality. It will make hesitant and ineffectual, even if it does not prevent, an un-American policy . . . In the great struggle against communism, we must find our strength by developing and applying our own principles, not in abandoning them.

I urge my colleagues to keep those words in mind and vote against this misguided amendment.

Mr. McDADE. Mr. Chairman, I am delighted to yield 3 minutes to my colleague, the distinguished chairman of the Hispanic Caucus, the gentleman from New Mexico [Mr. RICHARDSON].

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

Mr. Chairman, I rise in support of the Michel-McCurdy-McDade amendment and I must state that this is one of the most agonizing votes I have had as a Member of Congress. I have been one of those who have consistently voted against any kind of military aid to countries in Central America. I have opposed this administration's policy in the area, and in addition to that, I still have grave reservations about the course that the Reagan administration is taking in Central America.

But we did one thing on April 24 that we are now living to regret. We voted for the Hamilton-Barnes amendment, which still, in my judgment, is the best course of action for our policy in Central America. However, right after that vote, this House went ahead and wiped out perhaps that best standard and the best language and the best policy that we have had for the area. Hamilton-Barnes emphasized the Contadora process and negotiations and refugee assistance. Now we have the Michel amendment, which is still deficient but has some good approaches and initiatives nonetheless.

Why, as a Member of Congress who has consistently opposed our policy in Central America, am I changing my vote and my perception? Why will I be supporting humanitarian aid to the Contras? Three things have happened since that April vote that caused me to change my approach and give the President the benefit of the doubt, and not continue to believe that the Sandinistas believe in peace.

First, Daniel Ortega went to Moscow. It is not that I do not know that he is a Marxist-Leninist or that I question him going to Moscow. He went to Moscow the day after the vote, slapping those of us that hoped he was genuinely for peace right in the face. He had representatives from his office, from his cabinet, in my office telling me and others that if the Congress voted no on aid to the Contras that there would be a peace, cease-fire negotiations initiated by the Sandinistas. Instead, what did Ortega do? He not only didn't keep his word, he went off to Moscow and the Soviet bloc and collected $300 million. What about these Sandinista incursions into Honduras and Costa Rica? What about the further derailment and curtailment of the press? What about the arrests of some of Nicaraguan labor leaders that have been arrested since that vote? What about the Sandinista backsliding on that vote?

So I say to Mr. Ortega, "You made a statement yesterday, June 11, that you were ready to have that cease-fire once again and I say to you that I do not believe you." That is reason 1—the lack of trust that I have for the Sandinista commitment to peace.

Reason 2 is that I worked in a bipartisan way with Mr. McCURDY and Mr. McDADE and Mr. MICHEL to have good positive language in the bipartisan amendment. It is not a perfect amendment, but it does have some good points: it says that we support the Contadora process; it says that we will push for bilateral negotiation with the Sandinistas; it condemns Contra atrocities; it says that we will work toward a ceasefire. It says no to the CIA in disbursing the aid and I am completely for that, because the American people don't want military assistance nor do they want the CIA involved.

The gentleman from New York said material assistance to the Contras is provided in this amendment. It is not. I am not voting for material or military or paramilitary assistance. I am voting for food, clothing, medicine, strictly humanitarian aid. No military aid. And if we are going to clarify that, we should, and I believe the Boland amendment does that.

Third, I am voting this way because I think the President of the United States for the first time is saying that he is for negotiations and meaning it. He met with us yesterday, and he said in a letter and verbally that he is not for overthrowing the Sandinista government. He said also that he is not for sending combat troops; that he supports the Contadora process; that he wants us to give him a chance.

For 9 or 10 months, this Congress has voted no on aid to the Contras. That hasn't worked. There is still bloodshed. I think we should try a new approach, and I frankly don't know if that Michel amendment is the right thing to do. But we must at least try. I am willing to give the President of the

United States a chance and the benefit of the doubt. I hope and pray he does not let us down.

Mr. McDADE. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. GUNDERSON].

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

Mr. Chairman, it is a pleasure to follow the gentleman who just spoke before me because I share his sentiments. We have two choices here today. We either can pull out of Central America on a hope and prayer that something good will happen, or we can be a positive contributor to some kind of peaceful change in the region.

I, too, have opposed military aid, I have opposed the bombing of the harbors, I have supported the Boland amendment in the past, but I tell my colleagues, about 6 weeks ago I sat down with our President and I said, "Here is what we need. In order to get my support, no CIA activities. We do not trust them any more. No Department of Defense involvement. We are not talking about direct military support to overthrow the Government of Nicaragua. No military aid. No DOD. No CIA."

That is what the Michel amendment is. It meets those standards, and I suggest to those of you who have advocated peaceful change and peaceful means in Nicaragua, do not change your conditions now that the administration has met those conditions. Support the Michel amendment without any amendments.

Mr. McDADE. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas [Mr. ROBINSON].

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

Mr. Chairman, I rise today in strong support of the Michel amendment. Let me set the record straight. This is not the Michel-McCurdy-Robinson-Richardson bill. My party would not give us a vote on this bill, and you notice I came to this side today, the right side, because gentlemen, you are right on this issue.

I did something yesterday that is the hardest thing for any politician to do. I stood up and told the President of the United States that I made a mistake when I voted for Barnes-Hamilton. I made a big mistake. I let my leadership and the liberals in this Congress convince me that Daniel Ortega was going to do right. He did not do right. They have a Neville Chamberlain mentality.

But I have the guts to stand up here today and tell you the President is right. Do not be deceived by the Gephardt amendment. It does nothing. It is a copout. Do not be deceived by the Boland amendment.

What do you think we are doing in Nicaragua? We are trying to thwart communism. We are hopeful there will be a plebiscite. The Boland amendment circumvents what the President is trying to do.

Let me say this and share this with you: As a young man in the Southern Baptist Church, I learned that one does not cast his pearls in front of swine unless they trample on them. Daniel Ortega is a swine. He is a dictator. He is a Communist.

In closing, let me say this: This is not another Vietnam. See how far it is and how long it would take a missile to go from Managua to your district versus how long it would take to go from Vietnam. We lost Vietnam because of our politicians, not our fighting men and women.

□ 1250

Mr. BOLAND. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, those are war drums beating. The sound is distant, but it is unmistakable. We have heard it before. Direct aid to rebel forces, 100 million American dollars spent on militarily assisting the Contras—the sounds of drums. The mining of Nicaraguan harbors, illegal overflights of the country of Nicaragua, an embargo, extensive military operations in Central America—those are the sounds of war drums.

There have been indications by the President in private that direct military intervention may be needed, and we have heard a statement in public by Secretary of State Shultz that U.S. military force must be recognized as an eventual option.

The American people hear the drums. Eighty percent of them have expressed apprehension. Sixty percent believe that humanitarian aid to soldiers is wrong.

We have stepped into the quicksand of military escalation. Is Nicaragua Vietnam? Geographically and socially, no, but like Vietnam, Nicaragua is a brier patch, and once entered, one does not escape unscathed.

Does the President, Secretary of State, or Secretary of Defense want to commit troops, the Nation's energy, and hundreds of millions of dollars to a war in Central America? No. No, they do not. Nor did Lyndon Johnson or Richard Nixon want to cross the war threshold in Southeast Asia or widen that war. But the fate of those Presidents and 60,000 young Americans with them was sealed because an early mistake was made and we were then led inexorably into that unwinnable war.

The threshold of the one-way road to war is not easily identified, but once a nation has crossed it and proceeded down that dark path, retracing one's steps becomes very difficult indeed.

I believe America has crossed that threshold, but we have yet time to reverse the course. To do so we must recognize, as we did not in Vietnam, that only political solutions can effectively be applied in some situations. We must have no Polyanna illusions about either the motives of the ruling Government of Nicaragua or the designs of the Soviet Union, but American leaders must finally recognize the simple fact that we cannot export democracy through the barrel of a gun.

Humanitarian assistance to whom? Soldiers? Humanitarian assistance to guerrilla fighters, to terrorists?

Out my way, in Montana, when folks talk about gun control, here is what they say, "Guns don't shoot people. People shoot people." In this instance the Contras are the people that are shooting people. Contras with full stomachs and new army boots kill people. They extend that war and they drag this Nation into that dark path of questionable retreat.

Mr. Chairman, Americans hear the drums. Now it is time for us to listen and to respond by rejecting this amendment that the American people do not support.

Mr. McDADE. Mr. Chairman, I yield such time as he may consume to my good friend, the gentleman from Arizona [Mr. STUMP].

● Mr. STUMP. Mr. Chairman, I rise in support of the bipartisan Michel amendment to H.R. 2577 to provide humanitarian aid to the Nicaraguan democratic resistance. The resistance provides the last, best hope for freedom in Nicaragua. It is time for America to stand and be counted in support of the forces of freedom and in opposition to the forces of tyranny. We can't stand on the sidelines.

The Michel amendment demonstrates clearly where America stands—with the resistance, which seeks a democratic future for Nicaragua. After Congress forced the United States to abandon the resistance by cutting off aid, the nations of Central America began to doubt whether we would counter the establishment and expansion of communism on the mainland of the Americas. With the Michel amendment, the United States will reassure the resistance and the free nations of the region that we stand for freedom in the region and we will help them preserve it.

No one should misunderstand the situation. The President's report to Congress on April 3, 1985, made clear the need for military aid to the resistance. Nevertheless, the House vote on April 23 showed that such military aid does not command majority support in the House. But doing nothing is downright dangerous, and most Members of the House realize that.

Those of us who fully support the President's program for peace in Cen-

tral America faced the unwelcome choice of a second best alternative to the provision of military aid, and providing purely humanitarian aid is that alternative. It won't improve the military capabilities of the resistance, but it will show the resistance and the Central American nations that Congress has changed its mind about abandoning the cause of freedom in Nicaragua. Those responsible for achieving peace in Central America tell us that this demonstration of resolve should have a very positive effect.

I urge the House to adopt the Michel amendment for humanitarian aid to the resistance.●

Mr. McDADE. Mr. Chairman, I am delighted to yield 3 minutes to the gentleman from New York [Mr. ECKERT], who is going to make his maiden speech in the House of Representatives.

Mr. ECKERT of New York. Mr. Chairman, last month the House of Representatives committed a grievous error of judgment when we voted to turn our backs on the men and women who are daily risking their lives to rid Nicaragua of its Soviet-supported Sandinista Communist dictatorial regime and bring freedom to that troubled land. Today we shall vote to correct that lapse of judgment.

Oddly, we are doing the right thing for the wrong reason. We are all aware that promptly after we turned our backs on the anti-Communist forces, Nicaragua's Sandinista Communist dictator, Daniel Ortega, flew off to Moscow to celebrate what was clearly a victory for communism. We all watched the Speaker of the House publicly lament that this surprised and embarrassed him. The Speaker should be embarrassed to be surprised. The Speaker should know that that wasn't Dictator Ortega's first pilgrimage to the Kremlin—it was his seventh. Ortega has gone on missions to Moscow in April 1980, May 1982, November 1982, March 1983, February 1984, March 1985, and May 1985.

Ortega goes to Moscow for the same reason that Catholic faithful go to Rome, for the same reason Jewish faithful go to Jerusalem, for the same reason Moslem faithful go to Mecca. It is as unsurprising for Daniel Ortega to show up in Moscow as it is for the swallows to return to Capistrano.

All that Ortega's last trip demonstrated is that he has a bad sense of timing. But his other actions over the years have demonstrated that he is a Communist, that he is a tyrant bent on suppressing his own countrymen and subverting his neighbors, that he is a willing instrument of Soviet imperialism. And that—Ortega's proficiency in advancing communism, not his deficiency in timing—is what we Americans, and anyone who cherishes freedom and abhors communism, should be deeply concerned about.

Nicaragua is under siege by a coalition of Communists and lunatics. We all know about Soviet and Cuban subversion there. And most of us are aware of the peculiar presence in Nicaragua of other Communist bloc countries—the East Germans, the Bulgarians, the Czechoslovakians, the North Koreans, the Vietnamese. But far too little attention is paid to some of the other dangerous extremists who are on the loose down there.

The leader of the PLO terrorists—Yasser Arafat—has boasted:

> Anyone who threatens Nicaragua will have to face PLO combatants.

The Sandinista Communists' Interior Minister Tomas Borge saluted Arafat in Managua by saying:

> We say to our brother Arafat that Nicaragua is his land and the PLO cause is the cause of the Sandinistas.

Now if there is a more maniacal menace in the world than Arafat, it has to be Libya's Col. Mu'ammar Qadhafi. And just listen to Qadhafi speak:

> Libyan fighters, arms and backing to the Nicaraguan people have reached them because they fight with us. They fight America on its own ground.

Qadhafi said that last year during the 15th anniversary in power party he threw for himself, an affair that no prominent Arab leader would deign to attend but which the Sandinista Communists cheerfully joined in.

And just months ago, Nicaragua's Communist dictator welcomed to Managua the Ayatollah Khomeini's Prime Minister Mir Hossein Mousavi, the man the Washington Post calls the kingpin of the Iranian terrorists' operations. Be interesting to know what they were talking about, wouldn't it?

America's enemies are going all out to keep the Sandinista Communists in control in Nicaragua. Only the most naive fail to recognize that appeasement will not satiate the appetite of the Communists and other dangerous extremists who plague Nicaragua. We must not let tyranny win by default.

We do not want another Vietnam in Central America. We do not want another Cuba in Central America. But unless we summon the strength and courage to come to the aid of the democratic anti-Communist forces now, before it is too late, we could get both.

Last month, the action of the House brought America perilously close to that danger no American wants. Fate has given us a reprieve. Let us seize this new opportunity. This time, let it be America's enemies who are embarrassed and surprised. This time, let Congress come to the aid of America's friends.

Mr. Chairman, I urge my colleagues to join with me in supporting the bipartisan Michel-McCurdy-McDade amendment.

Mr. OBEY. Mr. Chairman, may I inquire of the Chair as to how much time we have remaining on this side?

The CHAIRMAN. There are 13½ minutes remaining on the gentleman's side, and there are 13½ minutes remaining on the other side.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Chairman, today the President is asking the Members of this House to support the Contras. He calls them freedom fighters. I call them Fascists.

Let there be no mistake about it, the President's request amounts to asking us to fund Fascists to fight Communists. This is a course I refuse to take.

□ 1300

Just who are the Contras that the administration proposes we support? The President has likened them to the Founding Fathers. That is a dishonor to those great men who founded our country.

The administration claims that the Contras are forces for democracy, but the key members of the FDN, the largest Contra force, the one to which our aid goes, are former members of the national guard of the late Nicaraguan dictator, Anastasio Somoza. Mr. Somoza's contempt for democracy, for human dignity, and for the things Americans believe in is infamous worldwide.

The President has called them freedom fighters, but these armed insurgents, in the course of war, have committed unspeakable atrocities against the Nicaraguan people. If you think that we are going to win in Nicaragua by aiding the very people the Nicaraguan people despise, you are sadly mistaken.

We must call the Contras what they are. What they are is Fascists. A vote for them is a vote against freedom. If we believe in freedom, we do not use the forces of darkness to fight the forces of darkness.

I urge my colleagues to cast their vote against aid to the Contras.

Mr. McDADE. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. ZSCHAU] for the purpose of a colloquy.

Mr. ZSCHAU. Mr. Chairman, I thank the gentleman for yielding.

I rise for the purpose of asking the gentleman from Pennsylvania [Mr. McDADE] a question.

It has been suggested by several speakers that the purpose of the humanitarian aid in this bill is to support combat activities of the Contras. Is that correct?

Mr. McDADE. Absolutely incorrect, I say to my friend.

Mr. ZSCHAU. What then is the purpose of the aid?

Mr. McDADE. The text of the law requires humanitarian aid only and proscribes specifically military or paramilitary aid.

The purpose of doing this is to try to achieve a negotiated settlement to the hostilities by permitting the resistance forces to have an opportunity to sit down at the bargaining table and work out their differences and bring us back a pluralistic government in Nicaragua.

Mr. ZSCHAU. Well, I thank the gentleman for clarifying the purpose of the humanitarian aid that would be provided by this amendment.

I think we should be encouraging a regional peace agreement in Central America. We should be encouraging internal reconciliation in Nicaragua. However, if the Contradora peace negotiations are to be successful, they need wholehearted support by the United States and other countries. Also, there must be incentives for all parties to the negotiations to make the compromises that will be required to arrive at a regional settlement. In order to achieve internal reconciliation in Nicaragua there must be a cease fire and dialog among the parties to the internal conflict. Also, the opposition groups must be able to stay in Nicaragua as viable entities. I believe that this amendment would go a long way toward establishing these conditions that will encourage a regional peace agreement in Central America and internal reconciliation in Nicaragua.

Mr. McDADE. Mr. Chairman, unfortunately I can yield only 3 minutes to my colleague, the gentleman from Louisiana [Mr. ROEMER].

Mr. ROEMER. Mr. Chairman, I thank my colleague for yielding.

Let me say at the outset that there are, obviously, good people, decent people, on both sides of this issue. This is not an easy issue. And I do not come to call anybody's sincerity into question.

Also, I would like to say that those of us who support the Michel amendment do so on a bipartisan basis. Some 46 Democrats 7 weeks ago supported the Michel amendment, so it is not a new phenomenon, that this is neither personal nor partisan. It is truly a bipartisan issue.

Finally, I would like to respond to my friend and colleague, the gentleman from New York [Mr. SCHUMER] who just characterized the Contras as Fascists.

I cannot swear to the fidelity and loyalty of each of the Contras, but I can tell you this. Their leadership, one of whom is in town today, Eden Pastora, were the very men who fought side by side with the Sandinistas for freedom against Somoza in Nicaragua. It is these same men who fought for freedom and who discovered 2, 3, and 4 years ago, that that freedom had been taken away from them, not by Somoza, who is gone, but by the Communists and the Marxists who remain.

No, they are not Fascists. They are not perfect, but they are definitely, by any fair definition, freedom fighters.

Let me make two quick points in the minute I have remaining. We had a close vote 7 weeks ago, 215 to 213 and those of us who supported Michel lost. Those of us who felt that as the world grew smaller, America could not play the ostrich, that we had a stake in Central America. It went far beyond the Monroe Doctrine, that we had a stake in Central America.

It went far beyond the words of John Kennedy when inaugurated in 1961 of our promise to the South.

We had a stake in Central America. We lost that vote, but in the 7 weeks since, many of my colleagues on the Democratic side have rightfully changed their mind. A lot of things have influenced them; the trip to Moscow by Ortega, the fact of the incursions into Costa Rica by Nicaragua, the visit by President Duarte of El Salvador to this country when he said, "Use the carrot and the stick approach." He said, "Keep the pressure on the Sandinistas to keep the revolution out of my country."

Many of my colleagues have over the last 7 weeks changed their minds.

I want to do two things today. One, I want to thank them and to praise them for listening and learning and deciding that we do have a stake there. We do not want to send our men south and the best way not to send them is by keeping the heat on the Sandinistas, and to encourage the Contadora process. I want to thank my colleagues.

Second of all, I want to warn them. Of the many votes today, the most crucial vote will be on Boland. Mr. BOLAND, a good man, a decent man, who has done great service in this House; but if his amendment passes, we will have taken away the humanitarian aid. They said it 7 weeks ago. They said that humanitarian aid is another form of military aid, did they not? If they said the 7 weeks ago and they are now coming up with the Boland amendment, what is their real purpose? Their real purpose is to gut Michel.

Vote no on Boland. Stand tall.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Chairman, if the Members on this side of the aisle are beginning to look like Neville Chamberlain, then the Members on that side of the aisle are carrying around the false illusion that perhaps they are John Wayne.

Government that comes to power by force and governs by force will be overthrown by force. We are supporting a government effort supposedly if we could understand what that policy is to support the Contras to overthrow the Sandinistas.

What will the change be in Central America? The bottom line is while we divert all the issues, the major hidden element is the Soviet Union.

Well, let us talk about John Wayne's policies. They shot down a Korean airliner. Major Nicholson, brutally wounded, brutally killed, and this House passed a resolution spanking them on the hand.

Now, it was not the American soldiers that lost out in Vietnam. That one scene, very symbolic, of that helicopter leaving Saigon, the Embassy, with Americans pushing South Vietnamese from it, that is the type of policy that is getting us very close to war in Central America with this hidden illusion of John Wayne behind the scene.

We are giving the CIA much too much control and they are getting us closer and closer to war.

I am opposed to the Michel amendment. You do not have to feel like you are weak on defense to take that position. It is a smart move and we must face the facts. We must begin to deal with the Soviet Union and that hidden element, instead of diverting it with all these other little hidden messages and fights here on the House floor.

If we are going to take a stand, take the stand that is right and the stand we are taking in Central America is getting us close to war. I wonder if that happens, what would be the sentiment of the politicians as we let our American soldiers go down the tube in South Vietnam?

This House was responsible for the action there and I believe we are moving along those lines now.

Finally, we have doubled the military budget in this country. How do we continue to keep the American people tolerating that? We continue to discuss all these foreign threats. We had better start putting it in perspective and putting the facts on the line before John Wayne takes us to war and people do not act like John Wayne when it happens.

Mr. McDADE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Louisiana [Mr. HUCKABY].

Mr. HUCKABY. Mr. Chairman, I thank the gentleman for yielding.

It is not often we get a second chance in this House. The gentleman in the well just stated that any government that comes to power by force will fall by force. No Communist government in the history of this world has ever come into power except by force. I think the gentleman has his arguments on the wrong side.

A few weeks ago we heard the debate in this House, the tone was, "Let's wait. Let's see. What are they

going to do? How are they going to react?"

We saw how they reacted. Ortega left the next day and went to Russia asking for $200 million.

The basic question is, Are we going to let communism become so entrenched in Nicaragua that it is another Cuba, or are we going to give the people who believe in freedom, who believe in free enterprise, a chance?

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It can work. It is working in the neighboring El Salvador today. Look at the fantastic strides that have been made there in the last 2 years.

I urge my colleagues to stay with MICHEL and those of you who are changing your vote today; that is what America is all about, gathering information and standing up for your people.

Mr. McDADE. Mr. Chairman, I am delighted to yield 5 minutes to my colleague from Oklahoma [Mr. McCURDY] who has worked long and hard to achieve the bipartisan compromise that we present to the House today.

Mr. McCURDY. Mr. Speaker, after the defeat of the bipartisan package to provide humanitarian assistance to the democratic resistance in Nicaragua on April 24, many Democratic and Republican Members gathered together that evening on this floor to develop a package that we could support. We developed a package that we believe stated policy for the first time that made sense in Nicaragua.

The Michel-McCurdy-McDade amendment moves clearly to the center to help support the democratic elements within the resistance forces in Nicaragua. We modeled this amendment after the successful bipartisan policy toward El Salvador.

In El Salvador, we heard the same arguments that we have heard today; that is, you could not break with the extreme right or left, and that the course of the policy inevitably led to a military invasion by the United States.

My colleagues, those critics were wrong. They were wrong then and they are wrong today.

The issue is not whether we are for negotiated settlement or military intervention. This amendment provides for a cease-fire, for negotiations, for the suspension of maneuvers, and the lifting of the boycott.

The issue is not whether we support Contadora. We provide $2 million for the Contadora nations and support the regional settlement.

The issue is not whether the CIA will be involved in distributing humanitarian assistance inside Nicaragua. Our amendment specifically prohibits the CIA and the DOD from doing so.

The issue is not over the protection of human rights inside Nicaragua by both the left and the right. Our amendment requires changes, requires progress, and U.S. monitoring on the improvement of human rights conditions inside that country.

My colleagues, the only real issue today is whether we provide real incentives for both sides and particularly the Sandinistas to negotiate with their people.

Let me quote from the President who sent a letter yesterday stating again the policy of the United States, not the rhetoric we hear on the floor.

The policy, as written under the hand of the President, says,

> My administration is determined to pursue political, not military solutions in Central America. Our policy for Nicaragua is the same as for El Salvador and all of Central America, to support the democratic center against the extremes of both the right and the left, and to secure lasting peace through national dialogue and regional negotiations. We do not seek the military overthrow of the Sandinista government or to put in its place a government based on supporters of the old Somoza regime.

The President continued and said,

> I take very seriously your concern about human rights. The United States condemns in the strongest possible terms atrocities by either side. We are committed to helping the democratic resistance in applying strict rules regarding proper treatment of prisoners in the civilian population, and we urge their leaders to investigate allegations of past human rights abuses and take appropriate actions to prevent further abuses.

Then the President states in conclusion that

> A policy of support for democracy, economic opportunity, and security will best serve the people of Central America and the national interests of the United States. If we show consistency of purpose, if we are firm in our conviction, we can help the democratic center prevail over tyrants of the left or the right.

What we, as Americans, not just Democrats and Republicans, but as Americans should stand for are standards, standards that are the same for El Salvador, Nicaragua, South Africa, Chile, and other nations throughout the world.

I oppose the Boland amendment today because I believe it requires a higher U.S. standard as to Nicaragua than as to any other nation in the world. My colleagues, let us put the United States again on the side of democracy and liberty. I urge your support of the Michel-McCurdy-McDade amendment.

Mr. JONES of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. McCURDY. I yield to my colleague, the gentleman from Oklahoma.

Mr. JONES of Oklahoma. Mr. Chairman, I commend my colleague from Oklahoma and I support the McCurdy-McDade-Michel amendment. This has been a serious decision for me because I was a cosponsor of the original Barnes-Hamilton amendment. In reaching this decision, I asked myself some basic questions which I encourage my colleagues to consider.

First, what responsibility does the United States have in being involved in Nicaragua at all? Obviously, we have security interests and we will not allow that country, that close to our borders, to be used as a launching pad to threaten U.S. national security. I don't think such a threat exists today, but it clearly is a possibility.

But I do think that we have a moral responsibility to give humanitarian assistance to the refugees of that civil war because it was to a great extent our policies which brought on the war. The United States, in our desire to rid Nicaragua of human rights abuses and a stream of refugees escaping the Somoza dictatorship, sided with the revolutionary opposition to Somoza.

Immediately after the Sandinista triumph in 1979, America gave millions in aid and debt rescheduling assistance. Between July 1979 and April 1981, the United States gave Nicaragua $117 million in bilateral aid. Part of our support for the Sandinistas was their written promise to the OAS that the Nicaraguan people would have democratic elections, full political, religious, and trade union freedoms, a free press, a mixed economy, a policy on nonalignment, and peaceful relations with its neighbors.

Today we have a new set of refugees, new human rights abuses, and none of the solemn promises made to the OAS have been fulfilled. Today, Nicaragua has a censored press, sham elections, an official policy of antisemitism, exportation of revolution to El Salvador, invasions of Costa Rican and Honduran sovereignty, and a Leninist consolidation of police, judicial and military functions under the authority of a political party.

Now what about the Contras . . . the "democratic opposition"? Just like the Sandinistas, it's not all good or bad, but at least it pledges to carry out the promises of establishing freedoms and democratic institutions. On the political side, the Contras are led by men of sterling credentials resembling that of El Salvador's Duarte . . . leaders such as Arturo Cruz, Adolfo Calero, and Alfonso Robelo. Their major failing is that, unlike Duarte, they have not remained inside Nicaragua and endured the personal risks to establish roots of democracy there.

On the military side, the Contras are composed of a mixed group. There are former Somoza national guardsmen, former Sandinista revolutionaries who became disenchanted with the non-fulfillment of those democratic pledges, and new refugees caught up in the civil strife. Some of the Contras, as well as some Sandinista military units, have clearly violated human rights.

So what is our goal in Nicaragua if both sides have disreputable elements?

Do we abandon the new refugees and revolutionaries allowing the Sandinistas to complete the Leninization of Nicaragua? Do we finance military action to overthrow the Sandinistas, Neither approach should be our policy.

The irony is that the policy goals of Barnes-Hamilton and that of McCurdy-McDade are virtually the same. The distinctions between the two amendments are almost without a difference. The major distinction is who will deliver the humanitarian assistance. Barnes-Hamilton says only an international relief agency. McCurdy-McDade says either an international or an American Government relief agency, but definitely not the Defense Department or the CIA. Frankly, McCurdy-McDade is an improvement. Those who argue that only an international agency can be trusted to make sure that this aid be confined to humanitarian assistance, that argument sets up a straw man which is not significant. If Contras are going to abuse our humanitarian aid effort, they will do it whether or not it's an international or American agency administering it.

The real question is whether we should be giving any aid at all at this time. Most of the arguments which our more liberal colleagues have circulated recently supporting military aid to the revolutionaries of Cambodia or the freedom fighters of Afghanistan are relevant to the situation in Nicaragua. I am firmly against providing military aid to overthrow the Government of Nicaragua, but clearly this humanitarian aid is justified.

Finally, I believe that the McCurdy-McDade amendment is the right approach from the standpoint of timing. I see many comparisons between the situations in El Salvador and Nicaragua.

In 1981 and 1982, Congress and the administration were polarized over El Salvador. Many of us in Congress did not support aid to El Salvador because of the gross human rights violations there. At the same time, the administration refused to acknowledge human rights violations by the Junta. When the administration moved from its extreme position of blindness to the death squads and other human rights abuses, Congress placed tight strings but passed assistance to give democracy a chance to work in El Salvador. This movement to the middle by both the administration and Congress, has resulted so far in a shining success for establishing democratic institutions, freedoms, and human rights in El Salvador.

In Nicaragua so far, the administration has used wrongheaded policies using gunboat diplomacy against the Sandinista Government while putting on blinders to the presence of Somocistas in the Contra military leadership. Many in Congress have overlooked the consolidation of a Leninist state in Nicaragua.

Thanks to the work of those who pushed the McCurdy-McDade proposal, both the administration, as evidenced by President Reagan's letter to the gentleman from Oklahoma, and a bipartisan coalition in Congress have moved to the middle. The McCurdy-McDade amendment represents an El Salvador-style coming together of both sides, bringing the President a long way away from the warmongering statements of the past, and lending legitimacy to the moderate, democratic forces within the Contra leadership. Just as we changed our position on El Salvador at the right time, and it worked, I think the time is right to slightly modify our position on Nicaragua. The McCurdy-McDade amendment is the best vehicle to give democracy a chance in Nicaragua and I urge its passage.

Mr. BOLAND. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. CROCKETT].

Mr. CROCKETT. Mr. Chairman, I see no rational or justifiable reason why Congress should once again take up the issue of whether to provide economic assistance to the Nicaraguan Contras. The issues that surround this debate have not changed, and I remain convinced that the American people feel as strongly as ever that resuming aid to the rebels would be the wrong path to follow.

Support for the Contras in their attempt to overthrow the legally recognized Government of Nicaragua would still violate international law, would still drag the United States closer to direct military involvement in Central America, and would still constitute overt aggression against an independent people.

Mr. Chairman, recently there has come to my attention an outstanding piece of legal research sponsored by the National Emergency Civil Liberties Committee, that examines U.S. policies toward Nicaragua in the context of international law. This report, which has been concurred in and endorsed by more than 100 deans and law professors from some of the most prestigious law schools in this country, concludes unreservedly that American involvement with the Nicaraguan rebels has contradicted several U.N. resolutions to which we had subscribed regarding acts of war and has also violated our own Neutrality Act. In addition, the report points out that President Reagan's decision not to accept rulings by the World Court on the CIA's role in helping to mine Nicaraguan harbors was a breach of our treaty obligations to that Court, and signalled to the world a disturbing lack of interest on the part of the American Government to live up to its international obligations. The text of the article will follow my comments in the CONGRESSIONAL RECORD, and I strongly recommend to my colleagues that they review it.

Mr. Chairman, an America that wavers in its commitment to international law undermines world order and peace. Renewed funding for the Contras would compromise both our standing in the international community and our national ideals. I urge my colleagues to stand firm in their convictions that the United States cannot and must not help to destabilize by forceful means a legitimately elected government with which we continue to exchange ambassadors and maintain diplomatic relations.

[Memorandum of The National Emergency Civil Liberties Committee on the United States, Nicaragua and the World Court April 15, 1985]

THE REAGAN ADMINISTRATION AND NICARAGUA

I. THE UNITED STATES AND THE WORLD COURT

On April 9, 1984, Nicaragua commenced a proceeding against the United States in the International Court of Justice claiming, and seeking an adjudication by the Court, that the United States had, since March 1981, engaged in and been responsible for military and paramilitary acts in and against Nicaragua in violation of the Charter of the United Nations, the Charter of the Organization of American States, other multilateral treaties and principles of international law.

The response of the Reagan Administration was to challenge the Court's jurisdiction to deal with the dispute and to demand that Nicaragua's application be stricken from the Court's docket. Not only were the grounds of objection to the Court's jurisdiction tenuous as a matter of law; more significantly, the United States was rejecting the Court's right to intervene in an unquestionably grave international dispute. This jurisdictional challenge was rejected by the Court on November 26, 1984 by a 15 to 1 vote. Confronted with this unequivocal rebuff to its views, the Reagan Administration, on January 18, 1985, announced that it would not participate in further proceedings in the case.

This is a most startling and unfortunate position for our government to take. The United States declared its acceptance of the compulsory jurisdiction of the International Court of Justice almost forty years ago, in 1946 (in accordance with the so-called optional clause of the Court Statute (Article 36, Par. 5), in relation to any other state accepting the same obligation in all legal disputes concerning (a) the interpretation of a treaty; (b) any question of international law; (c) the existence of any fact which, if established, would constitute a breach of an international obligation; and (d) the nature or extent of the reparation to be made for breach of an international obligation. Our government regarded its declaration as tantamount to a treaty obligation; acceptance was authorized by the treaty process, a two-thirds vote of the Senate approving, the Senate Committee on Foreign Relations noting at the time that "(t)he force and effect of the declaration is that of a treaty, binding the United States with respect to those States which have or may in the future deposit similar declarations.

There is therefore no doubt that the Court's jurisdiction extends to adjudication of the dispute stated by Nicaragua. And our government's attempt, three days before Nicaragua's application was filed, to modify its 1946 declaration of acceptance so as to exclude "disputes with any Central American states or arising out of or relating to events in Central America" was patently ineffective. For, when the United States accepted the Court's compulsory jurisdiction, our government expressly stated that its acceptance would "remain in force for a period of five years and thereafter until the expiration of six months after notice may be given to terminate this declaration." This, as the Senate Committee explained when it approved the authorizing Resolution in 1946, has the effect of "a renunciation of any intention to withdraw our obligation in the face of a threatened legal proceeding."

Nicaragua had also accepted the compulsory jurisdiction of the court, and it was thus plainly within the contemplation of the United States declaration. The Yearbooks of the Court repeatedly and consistently noted that Nicaragua's 1929 declaration was made under Article 36 of the Court Statute and is "deemed to be still in force;" our own Department of State publication, "United States Treaties in Force" on January 1, 1983 (p. 351) lists Nicaragua, without qualification, as one of the States that accepted the compulsory jurisdiction of the Court; and the standard "United Nations Information Book on the International Court" does the same.

The Reagan Administration's refusal now to participate in further proceedings before the World Court is a blatant repudiation of our earlier commitment of the resolution of disputes among nations by an international court of justice. It is a betrayal of the principle of the rule of law in international affairs. The Administration's excuse for this unprecedented departure from our earlier policies is strangely reminiscent of the argument Iran advanced in opposing World Court jurisdiction in the hostage case. The Iranian government argued there that the hostage problem was simply "marginal" and could not be examined separately from the overall problem of "continual interference by the United States in the internal affairs of Iran." Our government similarly insists that it has withdrawn from further proceedings in the Nicaraguan dispute in order to "preclude the Court's being misused to divert attention from the real issues in the region."

The short and definitive answer to the Reagan Administration's argument here is precisely that given by the Court to the Iranians in the hostage case: "Legal disputes between sovereign States by their very nature are likely to occur in political contexts, and often form only one element in a wider and long standing political dispute between the States concerned. Yet never has the view been put forward before that, because a legal dispute submitted to the Court is only one aspect of a political dispute, the Court should decline to resolve for the parties the legal questions at issue between them."

The attempt to withdraw the Nicaraguan dispute for World Court review inevitably leads one to conclude that the Administration has no confidence in its case on the merits. Roberts Owen, the top State Department lawyer during the last two years of the Carter Administration, has noted that the withdrawal may well amount to a concession that the United States did violate international law by mining Nicarguan harbors. Alfred Rubin, Professor of International Law at the Fletcher School of Law and Diplomacy, likewise has stated that the withdrawal amounted to a confirmation of illegal activity by the United States. And, indeed, analysis reveals that it is highly probable that the Administration's actions with respect to Nicaragua have been unlawful.

II. UNITED STATES POLICY AND INTERNATIONAL LAW

Article 2(4) of the Charter of the United Nations provides:

"All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purpose of the United Nations."

In defining the term "threat or use of force," the General Assembly, by broad consensus, adopted a definition of aggression which includes the use of armed bands, mercenaries, or irregulars that carry out substantial acts of armed force against another state. Under this definition, the Administration's aid to the Nicaraguan counterrevolutionaries constitutes aggression and violates Article 2(4) of the Charter.

Our government responds that its actions have: (1) been taken in legitimate self-defense in response to Cuba and Nicaraguan aggression against El Salvador; or (2) constitutes aid to one side in a civil war. The Administration's claim that the Nicaraguan government is sending arms to the Salvadoran rebels and that aid to the contras is simply designed to interdict those arms, however, has been amply refuted. Moreover, there is an even more fundamental problem with the Administration's position. Whatever the factual validity of the Administration's claims (which has yet to be established), Article 51 of the U.N. Charter recognizes a right of self-defense only if an armed attack occurs against a member of the United Nations. Certainly, one cannot reasonably contend that the El Salvadoran insurgents have launched an armed attack against El Salvador from Nicaragua. Authoritative scholars have noted that the concept of "armed attack" must be narrowly construed. Actual incursions by rebels controlled by or acting solely as an instrumentality of another state are necessary to rise to the level of armed attack. Merely giving assistance does not amount to armed attack, justifying self-defense. Indeed, it was precisely the fear that powerful nations would attempt to use aid to rebels as justification for attacks against the assisting nation under the guise of self-defense that led Third World nations to insist that the definition of aggression be narrowly worded to include only the "sending by or on behalf of a State of armed bands," not merely aiding such groups. Thus, the use of force would be limited, and self-defense not be permitted, to gut Article 2(4).

What our government asserts is the right to use of armed force to attack another country for sending arms to or helping one side in a civil war. Under this rationale, the Soviet Union would have a right to attack the United States and Pakistan because it believed that the CIA and Pakistan were supporting Afghan guerrillas. This argument stands international law against aggression on its head and would permit an armed attack whenever any country believes the other is aiding an internal struggle elsewhere in the world.

Second, the Administration argues that it is merely aiding one side in a civil war in Nicaragua. This is, however, not the case. As the mining operations disclosed, the Nicaraguan counterrevolutionaries are to a large extent directed and controlled by the CIA and operate under its guidance. The CIA has not merely aided the contras, it has initiated, controlled and substantially participated in their activities. As a top leader of the largest counterrevolutionary group, the Nicaraguan Democratic Force (FDN), recently noted: "The FDN was originated by the CIA, the chairman was appointed by the CIA and it is totally controlled by the CIA."

The contra's actions are not simply part of a civil war in Nicaragua; they are externally organized and directed. The contras attack from across the border of Honduras and Costa Rica; despite years of warfare and vast amounts of aid, they have not established permanent bases in Nicaragua. The line between civil war and external war may be murky in today's world, but there is still a distinction between the two. The contras are engaged in mercenary attack, not a civil war.

Our government's conduct in Nicaragua also violates the Charter of the OAS. Article 15 states:

"No state or group of states has the right to intervene, directly or indirectly, for any reason whatsoever, in the internal or external affairs of any other state. The foregoing principle prohibits not only armed force but also any other form of interference or attempted threat against the personality of the state or against its political, economic and cultural elements."

The broad language of this Article reflects an effort by the Latin-American community to have the United States abandon its claim of right to intervene, stemming from the Monroe Doctrine, in the affairs of the Central and South American nations. The military support for the contras clearly represents intervention "directly or indirectly" in the internal affairs of Nicaragua proscribed by the OAS Charter.

The methods employed by the Reagan Administration in conducting the so-called covert war against Nicaragua also violate the norms of international law. The exiles fighting against the government of Nicaragua under the guidance of our military aim their attacks at economic and civilian targets. Villages are burned, tobacco fields razed, bridges blown up and, worst of all, Nicaraguan nationals are summarily executed and tortured. According to Americas Watch, the internationally respected human rights organization, the largest contra group, the FDN, "has engaged repeatedly in kidnapping, torture and murder of unarmed civilians."

Torture and summary execution of civilians violate the United Nations Charter, the Universal Declaration of Human Rights, the Geneva Convention (IV) Relative to the Protection of Civilian Persons, the principles of the Nuremberg Charter, and binding norms of customary international law. As the recently surfaced CIA manual demonstrates, the CIA has not only tolerated but encouraged such violations of international human rights.

Finally, the mining operation conducted by the CIA was plainly in violation of international law. As a blockade, it constitutes an act of war in violation of Article 2(4) of the U.N. Charter as well as the OAS Charter. Moreover, the notification to other nations clearly required for such action was not given.

III. DOMESTIC LAW AND THE POLICY TOWARDS NICARAGUA

A. Neutrality Act

The Administration's actions as to Nicaragua also violate United States law.

The Neutrality Act, 18 U.S.C. 960, makes it a crime, inter alia, to initiate, organize or begin a hostile expedition on United States territory against a foreign country with which the United States is at peace. This statute, enacted in 1794, was designed to secure the war powers to Congress and to incorporate international legal standards into United States law.

By establishing camps in Florida, training recruits to fight against the Sandinista government and raising money and arms for such attacks in the United States, the Nicaraguan exiles have "prepared for" and "set on foot" a military expedition against Nicaragua from the United States. By covertly aiding and directing this expedition, the Administration has become a co-conspirator in such violations of the Neutrality Act.

The Administration contends that the Neutrality Act does ot apply to executive actions; the President stands above the law. The statute, however, is broadly directed against "any person," in contrast to similar antecedent British statutes which only prohibited such expeditions "without leave or license of his Majesty." Moreover, the courts have interpreted the Neutrality Act to prohibit the President from authorizing private hostile expeditions. In the 1806 case of *United States* v. *Smith*, two persons indicted under the Neutrality Act asserted that their acts had been authorized by President Jefferson and his Cabinet, Supreme Court Justice William Paterson held that such authorization, even if given, could not suspend the Neutrality Act:

"The President of the United States cannot control the statute, nor dispense with its exception, and still less can he authorize a person to do what the law forbids. If he could, it would render the execution of the laws dependent on his will and pleasure; . . . (T)he law is paramount. Who has dominion over it? None but the legislature . . .

"It is the exclusive province of Congress to change a state of peace into a state of war . . . (T)he organ entrusted with the power to declare war, should first decide whether it is expedient to go to war or to continue in peace; and until such a decision is made, no individual ought to assume a hostile attitude, and to pronounce contrary to the popular will, that the nation is at war." 27F, Cas 1192, 1196-7, 1130, (C.C.D.N.Y. 1806) (No. 16, 342).

Thus, the Administration is violating both the letter and the spirit of the Neutrality Act by collaborating in the contras' military expeditions against Nicaragua.

B. Article I, section 8 of the Constitution

The Reagan Administration's policies also violate Article I, Sec. 8 of the Constitution. Arming, training, and directing armies of 10,000 to 15,000 men in attacking Nicaragua are clearly acts of war. The indiscriminate mining of Nicaraguan ports, now known to be carried out under the CIA auspices, is a blockage under international law. As the United States Naval Manual, Law of Naval Warfare, states: "A blockade is a belligerent operation intended to prevent vessels of all states from entering or leaving specified coastal areas which are under the sovereign under occupation, or under the control of an enemy." Recent Presidents and Secretaries of State have acknowledged that a blockage is an act of war. President Eisenhower said that "a blockage is an act of war intended to bring an adversary to your way of thinking or to his knees," while President Kennedy noted that "to deny the oil (Cuba) would require, of course, a blockade, and a blockade is an act of war."

Even if, as the Administration portrays them, these acts are military reprisals against Nicaragua, they violate Article I, Sec. 8 of the Constitution. For, it is Congress to which is granted the power to "grant letters of Marque and Reprisals"—letters, which in the 1700's authorized private reprisals against foreign nationals or states. The Constitution prohibits presidential authorization of covert invasions or mining operations against another country by "private armies" directed by the CIA.

CONCLUSION

These violations of international and domestic law are not merely technical matters; they are injuring not only the Nicaraguan people. These Constitutional provisions and the Neutrality Act are premised on the principle that the United States shall engage in warfare or armed reprisals only after public discussion and debate. Presidential use of private armies flouts that principle. As was noted in the debate on the Boland amendment, the activities of the contras "commit us to a specific foreign policy that has never been openly defended and supported and whose outcome cannot be guided by our own democratic institutions."

In disregarding these constitutional and statutory safeguards, the Reagan Administration threatens the democratic decision-making process upon which our government ought to rest. In disregarding the substance of international law and the Court established to enforce and give life to international law, this Administration's actions threatens world peace and order.

This Administration's boycott of further proceedings in this case is a breach of treaty obligations we undertook when we accepted the compulsory jurisdiction of the World Court in 1946. The Executive does not have the authority to violate our treaty obligations. To continue to aid the contras in the face of a clear World Court opinion that our activities constituted aggression prohibited by the U.N. Charter would be to reject the very law which we have applied to others. For it is the United States which urged most strongly at Nuremberg that aggression be considered an international crime. As Supreme Court Justice Jackson, the chief U.S. prosecutor at Nuremberg stated: "If certain acts in violation of treaties are crimes, they are crimes whether the United States does them or whether Germany does them, and we are not prepared to lay down a rule of criminal conduct against others which we would not be willing to have invoked against us." Our efforts to evade World Court review of Nicaragua's complaint, as well as any decision to now boycott the court's proceedings or defy its orders would signify that this Administration refused to abide by those very norms of international conduct which we labelled criminal in 1946.

CORLISS LAMONT,
Chairperson.

EDITH TIGER,
Director.

LEONARD B. BOUDIN,
General Counsel.

(Prepared by Professor Jules Lobel of the University of Pittsburgh School of Law in consultation with Harry I. Rand, a senior member of the law firm of Botine, Hays & Sklar of New York City.)

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Rob Williams, University of Wisconsin Law School.
Chris Williams, University of Maryland School of Law.

Mr. BOLAND. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, it is essential that we oppose the Michel amendment here today. Either the authors of the Michel amendment inadvertently messed up their drafting or else they intended to slip into their proposal a resumption of military aid to Nicaragua after October 1, because this proposal is very clearly nothing but a Trojan horse that will allow the resumption of direct military activities through intelligence agencies after October 1.

□ 1320

It is true that this proposal says that none of the money in this amendment may be used for military or paramilitary purposes, but because it does not renew the Boland amendment, that means that after October 1 you will be able to use the CIA contingency fund and you will be able to fund paramilitary or military operations with no limit. That is what the Michel amendment does and if you do not think it does, you do not know what is in it.

Now where is this going to take us? Where is this going to take us? This is going to take us down a road which has already failed. Our original support for the Contras began as support for a tiny band of some 500 fighters. Today that force has grown to over 17,000, 35 times as large as the original force. General Gorman has indicated already that our present policy cannot succeed in changing the Sandinistas. The New York Times has reported administration-classified documents that indicate their intention is to raise the size of the Contra operation to between 30,000 and 35,000 people. That would be a force 70 times as large as the one in the beginning. And the New York Times quotes the administration as saying that we must realistically recognize as an eventual option the use of American military force in Nicaragua.

If you vote for MICHEL and October 1 comes and the gloves are off, can anybody tell us what happens then? The administration is quoted as saying that this test vote on $27 million is just that, that is a test and that if it is approved it may be appropriate to do more. What is that more?

The question is not whether we like the Sandinistas, I have no illusions about where they are going. The question is how to handle them. The question is whether we are going to fight them stupid or whether we are going to fight them smart. The question is whether we are going to allow the Congress to really duck its institutional responsibilities by pretending that we are, through passage of this amendment, providing humanitarian aid when, in fact, what we will be doing is opening up to door to the passible provision of military assistance or paramilitary assistance after October 1.

If we do this, if we do this, sure we will hurt Nicaragua. There will be more losses. There will be more disruption. But, more importantly, we will hurt ourselves, because we will take

away some of the strongest advantages America has always had. Do we really want to put the United States in opposition to international law? Do we really want to abandon our solid public commitment to the principle of national sovereignty no matter how much we may dislike an individual government? If you give—if you pass this amendment today, make no mistake about it, you will be doing much more than providing humanitarian assistance, you will be providing, after October 1, an opportunity for the administration to do whatever it wants in terms of providing military assistance through the CIA, and that is a fact, and I urge you not to do it.

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from Pennsylvania [Mr. McDADE] has 3½ minutes remaining; the gentleman from Massachusetts [Mr. BOLAND] has 2½ minutes remaining.

Mr. BOLAND. Mr. Chairman, I yield the remainder of the time to the gentleman from Connecticut [Mr. GEJDENSON].

The CHAIRMAN. The gentleman from Connecticut [Mr. GEJDENSON] is recognized for 2½ minutes.

Mr. GEJDENSON. Mr. Chairman, what we have before us is a policy first engaged in some 4 years ago. When the President directed the CIA to begin its attempt to overthrow the Nicaraguan Government. In 4 years let us see where we have come. We have established a force of some 15,000 men, women, and children who are involved in military assaults on the people of northern Nicaragua.

And what have we gained? Four years of this policy has brought failure to America. It has failed to move the Nicaraguan Sandinistas closer to our position; and it has made us accomplices in some of the most brutal attacks on civilians that have occurred on this continent. We can take a look at report after report by international human rights monitoring groups that review the military activities of the Contras. Unable to gain either military or political advantage, the Contras have been reduced to simply assaulting civilians in the region.

And, make no mistake, American taxpayers' dollars will facilitate these continued attacks. You can call this humanitarian aid, you can try to frame it any way that you like, but clearly what we are trying to do through the Michel amendment is to provide support and sustenance, to allow for the continuation of the Contra war and their attacks on civilians in northern Nicaragua.

Let me read to you about one such instance.

She was on her side, I on the other, about 30 yards away, she was screaming. She was raped by one of the 50 men. There were about 800 Contras there in other areas. The same person later cut her throat.

The Contra responsible for this escaped. American taxpayers ought not to be facilitating the murder and destruction of civilians in northern Nicaragua. It is a policy that does not gain us military or political advantage. It is a policy that has already failed and the response today by Mr. Michel is to continue this very policy, and if it goes on without the addition of the Boland amendment it will provide for America's direct involvement through the CIA attempt at what has been clearly demonstrated to be not in America's best interest. Let us not continue on a policy of failure. Let us attempt to regain our position in this hemisphere and try to institute policies that reflect the values of this country and the American people. I urge my colleagues to vote against the Michel amendment.

Mr. McDADE. Mr. Chairman, may I inquire how much time remains?

The CHAIRMAN. The gentleman has 3½ minutes remaining.

Mr. McDADE. Mr. Chairman, I yield myself the remaining time.

Mr. Chairman and my colleagues, we have come to the end of formal debate on an amendment that has been called the Michel amendment, the McCurdy amendment, the McDade amendment, et cetera, et cetera. That is because a lot of people worked on it in this House. I just want to take a second to say I am very grateful to my friend from Oklahoma [Mr. McCURDY], who spent an enormous amount of time on the issue; I am very grateful to my friend, the chairman of the Committee on Foreign Affairs, the distinguished gentleman from Florida [Mr. FASCELL], who worked hard and made many positive contributions.

I do want to congratulate my colleagues on the other side of the aisle for having the graciousness to yield that distinguished chairman 5 minutes of their time so that he might express himself. I want to say that my dear friend, JOHN McCAIN, DAN DANIEL, HAM FISH, all worked hard, my dear friend BOB MICHEL, DICK CHENEY, because we want to try to present to the House a new initiative, a bipartisan initiative.

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Now normally, we would be at the point where we would vote. We have come down to the end of formal debate, and normally the ladies and gentlemen up in the press galleries would be about to watch the lights go on and the bells ring, and we would have a vote. No vote coming, folks, not for a couple more hours.

Strange not to vote right now. I have been here 24 years; I do not ever recall that before. Many things happen in this House. That may have happened before; maybe my memory is faulty; I just do not remember it, and I do not remember a Rules Committee writing a rule that prohibited the inclusion in this amendment formally of a bipartisan sponsor from across the aisle.

I believe that to be unprecedented in the history of the House of Representatives. I do not believe it represents equity. It does represent skill. I do not think it represents equity.

It is customary at this time to thank people in the House and I do, for the quality of the debate. Members on both sides of the aisle have done in general a superb job.

I do have to say I am offended, personally, by comments which were made by my distinguished colleague from Wisconsin, as he was closing debate on that side of the aisle.

What he said was not tru and he knows better. I was offended to hear him say that, either those who——

Mr. OBEY. Will the gentleman yield? Is the gentleman saying I am lying?

Mr. McDADE. No; I do not yield.

Those who wrote this amendment either did not know what they were doing or they were prepared to seek a new armed aggression in Central America.

That, Mr. Chairman, is not my 24-year record as a Member, nor is it my intention nor those of my colleagues, on this amendment. Read it. It restates the prohibitions of the Boland amendment; they expire in September. It of course does not deal with fiscal year 1986 money; we have not got to the fiscal year 1986 authorization or appropriations; it cannot.

I will work with you to carry out the spirit and intent of this amendment. I hope we vote for it in an overwhelming majority.

AMENDMENT OFFERED BY MR. BOLAND TO THE AMENDMENT OFFERED BY MR. MC DADE

Mr. BOLAND. Mr. Chairman, I offer an amendment to the amendment.

The amendment was printed in the RECORD on June 5, 1985, pursuant to the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment to the amendment is as follows:

Amendment offered by Mr. BOLAND to the amendment offered by Mr. McDADE. Strike out section 102 and insert in lieu thereof the following:

"SEC. 102.(a) No funds available during any fiscal year to the Central Intelligence Agency, the Department of Defense, or any other agency or entity of the United States involved in intelligence activities may be obligated or expended for the purpose or which would have the effect of supporting, directly or indirectly, military or paramilitary operations in Nicaragua by any nation, group, organization, movement, or individual."

"(b) The prohibition contained in subsection (a) shall continue in effect until the Congress enacts a joint resolution repealing that prohibition."

The CHAIRMAN. Under the rule, the gentleman from Massachusetts [Mr. BOLAND] will be recognized for 30 minutes, and a Member opposed will be recognized for 30 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, the Michel amendment now before the House would provide $27 million in so-called humanitarian aid to the Contras.

In my view, it is difficult to distinguish between logistical support to an armed force in the field, that is receiving arms from other sources, on the one hand, and direct arming of that force, on the other.

But, in its wisdom, the House may approve this amendment.

As I understand it, we will be approving only humanitarian assistance—no military aid.

Further, this assistance cannot be provided through the CIA or the Department of Defense.

In other words, we no longer will pretend that ours is a covert relationship with the Contras.

What does my amendment add to this?

Well, first of all, it adds the so-called Boland prohibition.

That prohibition is now the law.

It prohibits any agency involved in intelligence activities from "obligating or expending funds for the purpose, or which would have the effect, of supporting, directly or indirectly, military or paramiliary operations in Nicaragua by any nation, group, organization, movement, or individual."

That is language that this House has voted, on and adopted, four times in the last several years.

What does this amendment mean in connection with the Michel amendment?

It means, very simply, two things.

First of all, it means that none of the funds which are appropriated by the Michel amendment may be provided, through any intelligence agency.

We take the intelligence agencies out of this matter entirely.

Now some of you might ask if this is necessary, since the Michel amendment says that the money it would appropriate can't go through CIA or DOD.

The President, under the Michel amendment, can determine the agency which will dispense this aid, but he will be precluded from using an intelligence agency.

But this restriction applies only to the specific sums appropriated by the Michel amendment—not other funds.

And that, Mr. Chairman, brings me to the other principal effect of my amendment.

By extending the Boland prohibition until it is affirmatively repealed by Congress, we will ensure that the humanitarian assistance provided by the Michel amendment will be the only kind of assistance provided to the Contras until the Congress approves otherwise.

Now, that is the impression Members might form by reading the expedited vote procedure in the Michel amendment.

But, in fact, because the present Boland prohibition will expire at the end of this fiscal year, on October 1, the President is free to use CIA contingency funds to renew military funding of the Contras without congressional approval.

I don't think that is something which this House wants to do.

I think the whole thrust of the Michel amendment, is to take account of the sensitivities in this body, and one of those sensitivities is the provision of military aid by the United States to the Contras.

We are not ready to do that yet.

Now, Mr. Chairman, that is what my amendment will do.

What will it not do?

Well, it won't prohibit the provision of the so-called humanitarian assistance in the Michel amendment.

It will only prohibit military aid until we specifically approve it.

Nor will my amendment prohibit use of U.S. military forces pursuant to the War Powers Resolution.

That is something that has been clear since the very inception of this language.

Now, one more point ought to be made, Mr. Chairman.

The Michel amendment permits the exchange of information with the Contras.

What does that mean?

I presume it means intelligence information, advice on how to run the war, and perhaps training.

That's too broad a role, Mr. Chairman.

We've got to limit the CIA's further involvement with the Contras.

I say that because, better than most Members, I know that the CIA is perhaps the finest intelligence service in the world.

Nicaragua has not been its finest hour—principally because large scale paramilitary covert actions are hard to conduct secretly, or sustain politically, over a long period.

The best thing we could do to help CIA regain public credibility would be to keep it out of the war in Nicaragua.

Now, how does the Boland amendment do that?

It does this by clearing prohibiting CIA military planning, advice or training.

Those are certainly examples of direct support to the Contras.

But, you may say, what about a situation where a large concentration of the Contras—perhaps unarmed or in a sanctuary along the border—is about to be attacked by the Sandinistas in their new Soviet helicopters?

Can't the CIA warn them?

Well, Mr. Chairman, they can.

Now, where do I get that interpretation?

I get it, Mr. Chairman, from the CIA.

They have told the intelligence committee, that it is their interpretation of the present limitation, that it does not prohibit the provision of intelligence—so-called defensive intelligence—to the Contras to prevent a massacre or a holocaust-type situation.

They say they can't provide intelligence to support military activities in the field, but they can provide humanitarian warning of catastrophic attacks.

So, Mr. Chairman, my admendment does permit—as the intelligence community tells us—the provision of intelligence in extraordinary circumstances where the real prospect of a substantial loss of life exists.

That is not precise but the intelligence community tells us that they will inform the intelligence committees of each example in which they have done this and justify it fully.

They say it will be in case-by-case determination and be made in a purely humanitarian vein.

I think that's all that this House should approve.

It does what they say the Michel amendment does—it prohibits military aid until the House and the Senate approve it.

And it keeps the intelligence community completely out of the game, both in this fiscal year and in the next.

I think those are two principles which the House should endorse just at it has on four previous occasions.

Mr. FOLEY. Mr. Chairman, will the gentleman from Massachusetts yield to me?

Mr. BOLAND. I yield to the gentleman from Washington.

Mr. FOLEY. I thank the gentleman from Massachusetts for yielding.

I asked the gentleman from Massachusetts to yield for the purpose of addressing a question to him as author of the Boland amendment to the Michel amendment and for the purpose of making legislative history and so the Members of the House understand the effect of the Boland amendment.

It is correct that the effect of the Boland amendment to the Michel amendment would be to deny authority to intelligence agencies of the United States to distribute any "humanitarian" assistance authorized by the Michel amendment?

Mr. BOLAND. Yes.

Mr. FOLEY. But is it also correct that the Boland amendment to the Michel amendment would not in any way restrict the authority of other agencies of the United States, other than intelligence agencies, from distributing any humanitarian assistance if authorized by the Michel amendment?

Mr. BOLAND. Yes.

Mr. FOLEY. And the the gentleman makes this statement as the author of the amendment for the purpose of making legislative history?

Mr. BOLAND. That is true. I appreciate the clarification by the distinguished majority whip.

Mr. CHENEY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Wyoming [Mr. CHENEY] is recognized for 30 minutes.

Mr. CHENEY. Mr. Chairman, I yield myself 2 minutes.

At the outset, I appreciate the colloquy we have just heard on the other side, but the fact of the matter is that the administration and many of us from this side of the aisle interpret the practical effect of the Boland amendment as being a killer amendment, a killer amendment in the sense that it specifically would require, we believe, the Contras, the Nicaraguan democratic resistance, to lay down their arms, to give up their fight, to cease the struggle against the Communist government of Nicaragua, in order to receive assistance.

The gentleman in the well just ticked off the long list of agencies and departments, the State Department, the CIA, the Defense Department, and all of the others, that his amendment prohibits from handling this action.

I would suggest that there is virtually no agency of the Federal Government equipped to run this program, no agency of the Federal Government that operates internationally that in fact would qualify under the terms of the gentleman's amendment to be able to provide this assistance to the Contras.

I expect to renew this point later on, Mr. Chairman. But the fact of the matter is, and a point for everyone to understand, the practical effect of the Boland amendment is to defeat the purpose of the Michel amendment, to make it virtually impossible for us to carry out the purposes of the program. It is a killer amendment. You cannot vote for Michel and Boland and be consistent. If you want to provide aid and assistance to the Contras, if you want to provide aid and assistance to the Nicaraguan democratic resistance, you in fact have to defeat the Boland amendment.

Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Chairman, I would like to point out to my colleagues that the Boland amendment is inappropriately presented now. It is most appropriately presented in the Intelligence Authorization Act for fiscal year 1986 where it has been adopted by the bipartisan Intelligence Committee in a very slightly modified form, and when that bill is called up for vote on the floor, it will pass virtually unanimously and we will have the Boland amendment. So bringing it up here in this context is unnecessary and wrong. But there is a difference.

I yield to my friend, the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Well, what the gentleman says is in the intelligence bill is absolutely correct, but the Michel amendment has been offered to the supplemental appropriation bill, with the result that if the Boland amendment is not adopted, I think the President might very well sign the supplemental appropriation, but he may not sign the intelligence bill if the Boland amendment is carried in it.

Mr. HYDE. If I might recapture my time, I am sure he will sign the defense intelligence bill because it passed on a bipartisan vote, and it deals with intelligence agencies and it belongs in the intelligence bill. To put it in this bill is redundant. It does not belong here.

Now, regarding the Boland amendment, I think what we are trying to do here is to put it in concrete. The amendment the gentleman from Massachusetts offered is a permanent adoption of the Boland amendment. I remind you of the Brezhnev doctrine. Socialism is irreversible. And what this does is set our impotence in concrete and make us enforcers in our own hemisphere of the Brezhnev doctrine. It obliterates that War Powers Act. It ensures a Communist sanctuary, and it is sublimely ignorant of historical perspective, not to say of human nature.

Now, it ignores human nature because it destroys incentives to negotiate. Why in the world would the Sandinistas want to talk to anybody when they are immune from any military attack by us or by anybody we are going to help directly or indirectly? What a marvelous Christmas present to give to the comrade comandantes. It ignores history because it is absolutely impossible to expect communism to give up power because somebody asks them to. I ransacked the history books to find some instance when a power, not to say a Communist power, a totalitarian power, has yielded power to somebody because some group asked them to.

We have spent a long time, in April, as a matter of fact, trying to recapitulate the lessons of Vietnam. I do not know that we have learned them yet. But I suggest there are lessons of World War II that we ought to ponder a little bit, too, the easiest war in history to stop, and yet we lost 50 million lives worldwide as a result of World War II. And what are the lessons of World War II? Appeasement and isolationism do not work. The road to peace does not run through Munich. But some people are intoxicated with the notion of sitting down at a table and just talking. But unless there is a reason to talk, unless there are some incentives, the talking is going to be endless and pointless.

Now, what is wrong with the Boland amendment as it is presented here is that it forbids the intelligence agencies from exchanging information. Are you going to ask an arm of the U.S. Government—and I cannot think of any which qualifies to distribute our humanitarian aid under Boland. Even the doormen for this building probably have an intelligence function, so they cannot serve. But if you can think of somebody who might possibly want to help distribute food down there and not be disqualified under the Boland amendment, who is going to tell them where to drop the food and where it is safe and where it is unsafe? Won't you let our intelligence agency say, "Don't go in there, there is an ambush"? Won't you let them do that much? That destroys the word "humanitarian" from any meaning whatsoever. Won't you permit us to give intelligence to these Contras so they can defend themselves against the helicopter gun ships? Is that not elementary decency?

No, this will not permit the exchange of information. It is the only real estate in the world where this immunity is given to Marxism-Leninism. I would not be caught dead voting for it, really, and I love Mr. BOLAND, I think he is a great gentleman. He is just so wrong.

Now, we have heard so much about the Contras as being Somocistas. All of the National Guard that Somoza had was 6,000. Half of them are in jail. So you are down to 3,000. And I point out to you there are 15,000 Contras, growing 500 every month. And certainly what a slander it is to call Fascist people like Adolfo Calero, Arturo Cruz, Alfonso Robelo, or even Eden Pastora as an earlier speaker did. What a slander to call all Contras Fascists. These are democrats. These are people who fought Somoza, and there are more ex-Sandinistas than ex-Somocistas fighting with the democratic resistance.

Mr. BOLAND. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. I thank the gentleman for yielding.

Mr. Chairman, I would simply like to ask the former chairman of the Intelligence Committee a question. Mr. McDADE took offense at my remarks earlier and said it was not true that the Michel amendment allowed the possibility of money being provided for military or paramilitary aid after October 1, and I would like to check that out. Is it not true that the Michel amendment makes funds available through March 31 of the next fiscal year, which means we will be well into the next fiscal year?

□ 1350

Mr. BOLAND. The Michel amendment does precisely that.

Mr. OBEY. Is it not true, therefore, that the Michel amendment, without the gentleman's amendment, allows the possibility for the administration after October 1, to resume military or paramilitary aid to the Contras? Is that not precisely why we need the gentleman's amendment?

Mr. BOLAND. In my judgment, that is certainly a possibility and maybe a probability.

Mr. CHENEY. Mr. Chairman, I yield myself 2 minutes on that point.

Mr. Chairman, that charge has been repeated several times over the course of the last couple of weeks. It has been in a "Dear Colleague" letter by the gentleman from Massachusetts [Mr. BOLAND]. He said, in effect, that the Nichel amendment would soon permit, the President to provide military aid to the Contras. It has been repeated by Mr. OBEY in his remarks on the floor today. It has been repeated by Mr. BONIOR in a "Dear Colleague." It is untrue. It is factually, flatly untrue.

Whether or not the Michel amendment does or does not pass has absolutely no impact upon the question of whether or not military funds can be provided out of the reserve for contingencies by the CIA. If the Michel amendment does pass today it will not alter the circumstances that the gentleman from Wisconsin just mentioned.

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

Mr. CHENEY. I yield to the gentleman.

Mr. BOLAND. I thank the gentleman for yielding.

Mr. Chairman, Members may have different interpretations of what the Michel amendment does. My interpretation of it is that if the Boland prohibition is not adopted, the CIA's reserve for contingencies may be used on or after October 1, 1985, for military aid to the Contras.

Mr. CHENEY. Mr. Chairman, reclaiming my time, the fact of the matter is, the charge is that the reserve for contingencies could be used to provide military assistance to the Contras beginning September 30 or October 1, 1985. That has absolutely nothing to do with this amendment. The Michel amendment does not touch that. That is true regardless of whether or not the Michel amendment passes.

More than that, we have gone to the National Security Council and to the White House and to the administration and asked for and have been given the following assurances: With regard to the Nicaraguan Covert Action Program, the administration has assured the sponsors of the Michel amendment that neither the reserve for contingencies nor other funds available will be used for any material assistance other than that authorized by the Michel amendment for humanitarian assistance for the Nicaraguan Democratic Resistance, unless authorized by a future act of Congress.

Mr. BOLAND. Mr. Chairman, I yield 5 minutes to the distinguished chairman of the Subcommittee on Defense Appropriations the gentleman from New York [Mr. ADDABBO].

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

Mr. Chairman, only a month or more ago we defeated House Joint Resolution 239 which called for the release of $14 million for military and paramilitary aid to the Contras. It was defeated by an overwhelming vote.

We then received a substitute amendment which called for the provision of $14 million in humanitarian aid, and what was the humanitarian aid? It covered everything, and now we see in today's amendment by Mr. MICHEL again the term humanitarian aid and it explains it a little better this time. The amendment defines humanitarian aid, as follows: "As used in this paragraph, the term 'humanitarian assistance' means the provision of food, clothing, medicine, other humanitarian assistance, and it does not include the provision of weapons, weapons systems, ammunition or other equipment, vehicles or material which can be used to inflict serious bodily harm or death." I emphasize, "Which can be used to inflict serious bodily harm or death."

So the interpretation is this humanitarian aid cannot be used to inflict serious bodily harm but can be used as a means to inflict other harm. So there is again an ambiguity in the interpretation. Under section 102 of the amendment of the gentleman from Illinois [Mr. MICHEL], the current prohibition on funding of military and paramilitary operations in Nicaragua is interpreted to allow the U.S. Government to exchange information with the Contras. I am not sure anybody can tell me the effect of this interpretation but, of course, this would mean that CIA involvement with the Contras would be started again. What type of information will be exchanged is limited by only your imagination. In addition to intelligence information, could training procedures for the Contras be exchanged, could instruction in terrorist activities be exchanged, could instruction on the planting of bombs on ships in Nicaraguan ports be exchanged? Who would define the type of information to be exchanged? Nobody knows, is the answer. I think with no limitation on exactly the type of information that can be exchanged, the Congress would be foolish to allow this language to remain in Mr. MICHEL's amendment.

The Boland amendment would correct this situation by eliminating the objectionable language and restating the long standing Boland amendment which prohibits the funding of military or paramilitary operations in Nicaragua and would prevent the exchange of objectionable information. Mr. BOLAND's amendment would remain in effect without regard to fiscal year limitation and would require Congress to enact a joint resolution repealing the prohibition.

Congress cannot afford to give a free hand to the CIA in exchanging information with the Contra groups. There have been too many ill advised actions taken by the CIA in the past such as the publishing of manuals on the assassination of civilians.

If the administration is seeking a political solution and not a military solution, then why is there opposition to the Boland amendment? I urge the adoption of the Boland amendment.

Mr. CHENEY. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. I thank the gentleman for yielding me this time.

Mr. Chairman, when it comes to matters of national security, this House divides not only on party lines but also on generational lines. Today the membership of the House includes many who have no direct recollection of World War II and the enormous sacrifices that Americans made some 40 years ago.

Many members of the other body too, have little recollection of the Cuban missile crisis which occurred some 23 years ago, and represented one of the most dramatic events in American history, and in our relations with the Soviet Union.

Let me refresh our collective memory.

In 1962 the Soviet Union mounted a very grave threat to the security of the United States by emplacing nuclear missiles in Cuba 90 miles from the U.S. mainland. Those missiles could have annihilated a sizeable portion of the U.S. mainland. The discovery of those missiles by U.S. reconnaisance aircraft came as a surprise to the Kennedy administration. But President Kennedy immediately recognized the danger we faced, and did not flinch. He flew almost half the U.S. Air Force into southern Florida, and assembled there most of the combat-ready American soldiers and Marines we had available. Literally the world was on the verge of war. The security—indeed, the future—of the United States were hanging in the balance.

But John F. Kennedy—a decorated naval lieutenant in the second World War—without fanfare or histrionics, faced up squarely to the Soviet challenges. He imposed a total naval blockade of Cuba. The Soviets, recognizing his determination, blinked. They turned their ships around and headed home on that historic Sunday in October 1962 and not a single shot was fired, let me point out.

Mr. Chairman, John Kennedy knew a military threat when he saw one. And he also knew that a threat would not yield to hesitation, good intentions, or indecision.

Let us make no mistake about it, Mr. Chairman. The Soviet Union is once again deliberately testing us in Central America, as it did in 1962.

So far as we know now, there are no nuclear missiles in Nicaragua. But there may soon be some nuclear-capable Mig-23's on Nicaragua's newest military airfield, and as the Soviet sealift daily brings more weapons to the Sandinistas. To be sure, the warning time this time is longer; but this new threat is clearly as great a threat to America and to our interest in the Western Hemisphere as was the last one.

It is not strange, Mr. Chairman, that many of the Members in this chamber today who refuse to recognize that another Soviet confrontation with the United States is now under way in Nicaragua were also Members of this House when President Kennedy faced down those Soviet ships and sent them high-tailing back to Soviet ports. Indeed they were President Kennedy's close friends. They hailed his courage and his leadership then, and justifiably so.

But what a change in 20 years!

Instead of determination we see vacillation here in the House. Instead of acknowledging a military threat before it grows to unmanageable proportions, we are told we cannot even assist those groups who want to support us in meeting this challenge.

Instead of the kind of firm military power that John Kennedy showed Nikita Khrushchev, we are urged today to send to those who want to rally to our cause only Coca Cola and peanut butter sandwiches.

Faint heart n'er won fair lady. Nor will faint hearts ever maintain the freedom that John Kennedy won for us in the Caribbean on that October afternoon in 1962. I strongly urge defeat of the Boland amendment. It sends the absolutely worst kind of signal. John Kennedy won the first battle of Central America. But the Soviets haven't given up, and we must not give up either, in 1985.

□ 1400

Mr. CHENEY. Mr. Chairman, I yield 7 minutes to the distinguished gentleman from Pennsylvania [Mr. MURTHA].

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

Mr. Chairman, I do not think anybody in the House has more experience with guerrilla warfare than I do. I do not think anybody can talk more about the need for intelligence information in the field than I can.

I served for a year on the ground south of Danang with marines, and I can remember vividly the signals that the North Vietnamese used to send to us when we were in the midst of the fighting. We would have a unit surrounded and they would try to send a feinting movement or signals over the radio that indicated they were operating someplace else so we could pull back from that particular operation we were involved in to take the pressure off.

There was a continual battle between the marines on the ground in intelligence. There was no comparison between the soldiers and the marines that fought on the ground and the Vietnamese troops. The intelligence was the key element in the whole battle.

Somebody else brought up Vietnam and they said that there is a real comparison. Let me tell you something. I had a unique experience. I remember coming to Congress and there was 2 months left in the war. I went over on a special mission that President Ford sent over to ask how much money was needed, what was going on, and see if there was any possibility of the South Vietnamese continuing the war on their own and what the level of funding should be.

I remember talking to General Truong, who was the I Corps commander. General Truong said:

"We have a real problem. Every time we try to operate the way you taught us to operate without American troops, with the shells, with the information, with the intelligence, with the air wing cover we need, you cut our funds. You send us different signals. We cannot operate that way. There is going to be a catastrophe because the signals from Washington are that you are going to withdraw your support.

I said, "That is the reason we are over here."

He flew me in a helicopter to the front lines of an airborne unit. The airborne unit was defending south of Danang, fighting against a North Vietnamese regiment.

The first question the lieutenant colonel asked me after we talked a few minutes was, "What are the solons."

And that is what he called the American Congressmen, "Sitting in their air-conditioned offices criticizing what was going on, and the South Vietnamese fighting a war on their own and we were just giving them support."

They said, "What are the solons in Washington going to do?"

I said, "Well, I do not know. We are going to go back and report to the President and we will see what the action might be."

We went back and we reported to the President what we saw. We said, and I remember this vividly, "There is going to be a bloodbath in Cambodia."

And all of you know how many millions of people died in Cambodia after the Americans left, and we know the thousands of people who died trying to escape from South Vietnam once the country was overrun.

A treaty was signed, and they, of course, saw the signal from the United States because the Congress voted down sufficient aid and the country crumbled. Well, you can say that was not the reason, and JOHN MCCAIN at that time was in a prison camp and he can tell you a heck of a lot more about the North Vietnamese than I can, but I can tell you this: They had good communications and they had good intelligence, and that is the only thing that they had.

That is what we are talking about here today—signals and intelligence. One of the signals that was sent out right prior to the Korean war was that the United States would not defend against anything that happened in Korea. Right after that there was an incursion. It was a miscalculation, and that was a real mistake by the United States, and the Truman administration, of course, went in and that is the reason there was a confrontation, because the initial signal that was sent out was absolutely inaccurate.

In El Salvador not long ago we sent a signal that we supported President Duarte. I admit he is a unique individual, and there is no question about it that he has proven to be that way. We stood on the floor in this House and we defended the position that he took, and we said, "This individual, we think, is going to do well," and we gave him enough money over a long enough period of time that he could get by.

I am going to tell you something: There is nothing worse than sitting in a foxhole waiting for somebody to bring you aid, whether you know it is aid you know is imminent, and it is one thing to be an American troop when you know they are doing everything they can to get aid to you, and it is something else when you are sitting there and in the meantime you have a Congress 12,000 miles away that is trying to decide your fate. You cannot operate a war that way. You cannot operate any kind of an operation like that.

What we are talking about here is an administration which has changed its position substantially. The administration has said to the American people, "We are trying to stop the outflow of information, the outflow of a revolution, from Nicaragua to other countries." We want them to stop trying to influence El Salvador, which all of us know is happening. We want to try to stop the exodus of information, arms, bullets, and ammunition from Nicaragua into these countries in Central America.

We have to send a clear signal to those people, because if it is misunderstood, as the gentleman from New York just said, as it was misunderstood in the Cuban intervention, Khru-

shchev miscalculated what was going to happen in Cuba, and that miscalculation almost led to World War III.

If we send a clear signal, if we say to them,

Let me tell you something: You stop exporting revolution, you stop trying to overthrow the other governments in that area, that hemisphere, then you will not have any problem with us,

I think the U.S. Congress would immediately take action to change the whole situation. I think it has happened already. I think the President of the United States understands the importance of what we have asked him to do.

A lot of people doubt that he has changed his mind. I feel very strongly about it, and I think the only way we are going to avoid a war in Central America in the years to come, and there are many people who served in this Congress who talked very strongly about it, but let me tell you this: If you were in the infantry, if you fought in the mud and the water up to your waist, if you were in a prison camp like JOHN MCCAIN was for 7 or 8 years, let me tell you that you do not want a war, and you cannot fight a war from here. The way you are going to avoid it is make sure there are no mixed signals.

So I ask you today to make sure there is not a mixed signal and vote against the Boland amendment and vote for the Michel amendment without any amendments.

□ 1410

Mr. BOLAND. Mr. Chairman, I yield 1 minute and a half to the distinguished gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Chairman, the definition of "humanitarian aid" is to in fact alleviate human suffering. This amendment is precisely the opposite. This amendment will cause human suffering, not alleviate it.

It is not humanitarian to provide logistical support for an army in the field. That is financing violence, not alleviating violence.

Combat troops, K rations, helicopters, and radar are not humanitarian aid. Are you going to tell the people in Managua that it was a humanitarian airplane that dropped a bomb on their neighborhood? Are you going to tell the peasants that it was a humanitarian piece of dynamite that blew up their farm?

Let us debate what we are talking about. The issue is not the Sandinistas; the issue is the Contras. You can put poison in a candy wrapper, but it is still no less poison. You can call the Michel amendment "humanitarian," but to the people in Nicaragua it is still an undeclared war.

If the President wants to aid the Contra guerrillas, then he should ask for it honestly. But when it comes to the Contra guerrillas, my colleagues on the other side of the aisle are strangely wide-eyed and gullible. Suddenly they are Nicaraguan democratic resistance forces.

I do not mean to belabor the obvious, but the Contra commanders are not democrats, regardless of what they call themselves.

The Contras are nothing like the Founding Fathers I learned about in school. George Washington was not a rapist, Sam Adams was not an assassin, Tom Jefferson was not an arsonist, John Hancock was not a cutthroat. And the country they founded has no business financing a band of thugs who violate every principle we stand for. The Contras, as the Republicans describe them, remind me of Little Red Riding Hood. I keep on looking for my saintly grandmother, but I keep on seeing a wolf with big white teeth.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. MARKEY] has expired.

Mr. CHENEY. Mr. Chairman, may I inquire as to how much time remains on both sides?

The CHAIRMAN. The gentleman from Wyoming has 11 minutes remaining, and there are 13½ minutes remaining on the other side.

Mr. CHENEY. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Virginia [Mr. DANIEL].

Mr. O'BRIEN. Mr. Chairman, will the gentleman yield?

Mr. DANIEL. I yield to the gentleman from Illinois.

Mr. O'BRIEN. Mr. Chairman, it may be bad form to inject a statistic at this particular level of the debate, but in my district in Illinois, which is mid-Illinois, half Democrat and half Republican, in response to this question on my questionnaire which just came back, "Do you support U.S. economic and military assistance to Central American countries to prevent the spread of Soviet and Cuban influence?" Five out of eight said, "Yes."

Mr. Chairman, I thank the gentleman for yielding.

Mr. DANIEL. Mr. Chairman, I rise in strong opposition to the Boland amendment.

Mr. Chairman, as many of the Members of the House know, I have opposed covert military aid to the Contras. Indeed, I have opposed providing covert military goods of any kind whatever to the Contras. But, I must also oppose the Boland amendment. I do so principally for two reasons:

First, on its face, it eliminates the ability of the President of the United States to protect U.S. citizens and diplomats in Nicaragua in the event of a hostage situation or rapid destabilization in the area, and to honor our solemn treaty obligations to our allies if that becomes necessary in the future.

Second, it is an amendment to the wrong legislative vehicle, since the Michel-McCurdy-McDade amendment does not provide any of the money that the new Boland amendment restricts.

The Michel amendment only provides humanitarian aid and allows sharing of information with the Nicaragua democratic resistance. The Boland amendment would gut the Michel amendment. It goes so far as to prohibit the United States from exchanging information with the groups opposing communism in Nicaragua. It makes no sense to say we will give humanitarian aid to groups fighting Communists on our doorstep but we cannot talk to them.

If the U.S. Government cannot talk to them, how are we supposed to deliver humanitarian aid to them? How are we supposed to monitor and encourage their observance of human rights?

The first point I mentioned about protecting Americans concerns me greatly. The Boland amendment makes clear that no matter what happens—even if the Sandinistas seize our Embassy or round up all Americans in Nicaragua—the President of the United States is not allowed to use the U.S. Armed Forces to protect American citizens. Listen closely to what the Boland amendment says—and I am quoting the relevant portions:

No funds available during any fiscal year to the * * * Department of Defense * * * may be obligated or expended for the purposes of which would have the effect of supporting * * * military or para-military operations in Nicaragua by any nation * * *.

The plain result of that language is that no Department of Defense money can be used for the United States to conduct military operations in Nicaragua under any circumstances, no matter how bad things get.

Now, I do not believe that the sponsor of the Boland amendment intends that the President should be prohibited from sending U.S. special operations forces temporarily into Nicaragua to rescue Americans in a hostage situation like we had in Iran.

But that is what the Boland amendment says, and I do not think we should pass a law that says right on its face that something is prohibited and then rely on some assurances of Members of Congress that it doesn't really mean what it says, that it means something else the exact opposite. Also, by adopting the Boland amendment, we would supersede the War Powers Resolution, which was so carefully crafted to take care of just these kinds of problems.

I do not think this is wise.

I note also that the same Boland amendment language, which I quoted just a minute ago, absolutely prohibits the President from using the Department of Defense to come to the aid of

Costa Rica and Honduras for defensive operations in Nicaragua if they are attacked by the Sandinistas. Thus, the Boland amendment could be viewed as an abrogation of our solemn treaty obligation to aid in the defense of our allies under the Rio Treaty if the Sandinistas attack them.

I believe this President when he says that he will not tolerate Soviet high-performance aircraft in Nicaragua. I do not believe we, as Members of Congress, should place the President in a position of being forced to accept a strategic threat to our security interests. Yet, if adopted, the Boland amendment will have exactly that consequence. In short, we must defeat the Boland amendment—to preserve the minimum flexibility the President of the United States—any President must have to protect the security interest of the United States.

As I stated earlier, the Boland amendment does not belong on this supplemental appropriations bill. The proper place to consider the Boland amendment—which establishes a permanent prohibition on a particular use of U.S. intelligence funding—is on the fiscal year 1986 intelligence authorization bill. That bill has already been reported by the Intelligence Committee and the Armed Services Committee and is currently pending on the House Calendar.

When we take up the bill to provide intelligence money for fiscal year 1986, that is when we should take up the question of how to restrict intelligence money for fiscal year 1986.

I believe it is important to point out that, just 4 weeks ago in marking up the fiscal year 1986 intelligence authorization bill, the House Intelligence Committee specifically rejected the Boland amendment prohibition, which is now under debate as too restrictive and unduly encumbering of Presidential prerogatives. I believe the Intelligence Committee made the right decision in defeating the Boland amendment in committee and I believe we should defeat it now on the floor.

I urge my colleagues to oppose the Boland amendment.

Mr. Chairman, I also rise in support of the Michel-McCurdy-McDade amendment.

Let me say at the outset that I have served in a legislative body for about 27 years, and there has been more confusion over this simple issue than any which I have encountered in that quarter century.

The issue is communism or democracy, freedom or slavery. And if there are any among us who do not know the difference between the two, I would refer them to Lech Walesa in Poland or the Jews in Russia.

Communism is socialism in a hurry. It is socialism plus the firing squad. It matters not how you choose to define it, it is an international conspiracy designed to rob people of their liberty and their freedom. It comes to power by deceit and remains in power by force. I know of no better example than the situation in Nicaragua today to illustrate the point. The Sandinistas promised Nicaragua democracy and they delivered a police state. Many of our colleagues have confused leftwing rule with communism, but there is a vast difference.

If we are concerned about the forces arrayed against us in other parts of the world such as the Near East and Southeast Asia, we should be alarmed that those same forces—the PLO, the East Germans, the North Vietnamese, and the Russians—are arrayed against us in Central America. It makes little sense to spend $300 billion a year to protect ourselves from Russian communism and allow it to flourish on our own doorsteps.

The question has been raised, How can a small country of 2½ million people pose a threat to the United States? The answer is, it cannot. The threat is posed from forces outside the area, working through the Government of Nicaragua. Marxism cannot survive in Central America without external involvement.

It should be pointed out that had this Congress not propped up this Communist government with a donation of $117 million to allow it to consolidate its gains, we might have a different situation in Nicaragua today.

Here let me speak directly to my Democratic colleagues. Last fall, we were trampled at the polls in the Presidential election. The score for the States was 1 to 49. Postelection polls indicated that one of the reasons for that political loss was the perception that the Democrats were soft on defense. If we now fail to oppose the spread of communism in this hemisphere, and we are once more perceived to be soft on defense, and communism, then we could be shut out completely in the next election.

Our record on the replacement of rightwing military dictators over the past several years has not been a good one. In Cuba, we supported Castro over Batista; in Iran, we pulled the rug out from under the Shah in favor of Khomeini; and then we collaborated in the process of replacing the oppressive Somoza regime with communism.

I do not mean to imply that these rightwing dictatorships were acceptable forms of governing, they are not. However, they did not with one exception attempt to impose their repressive forms of government on others. Yet Castro has used his island base to export revolution in Latin America and has supplied the manpower for Communist mischief in Africa; Khomeini has poisoned the entire Middle East with his fanaticism and has collaborated with Russian client-states where it suited his purposes; and Communist Managua has announced—and demonstrated—that its revolution is without borders.

Why should we be concerned? There are many reasons. First there are humanitarian concerns. When Communist regimes take hold, the people flee—they vote with their feet. They fled Eastern Europe after the Second World War. They fled North Vietnam after the partition. They fled Cuba when Castro came to power. And where will they go? No other Central American state can support its own populace, let alone an influx from first one fallen country then another.

They will move slowly, but in great numbers across the land-bridge which is Mexico. And what will we do then? The burden on our Southwest and Southeast will be insupportable. Our unemployment rate will rise dramatically. Our capacity for providing services will be exhausted. We must care what happens to these people who do not want to leave their homelands, but have no choice. And we must care what happens to our own land in the face of such a crisis.

And there are concerns of the economy and trade. We are a maritime nation. The sealanes of the Caribbean must remain open and available to us, if we are to continue to function to the modern world.

Two of the most revered Democratic Presidents of the 20th century have been forced by circumstance to confront communism.

In 1947, President Truman recognized the peril to world peace inherent in the Communist attempt to take over Greece. He set forth our national goal in that regard, and the Truman doctrine was born. Just 15 years later, President Kennedy was also forced to look in the face of the Communist threat when with great courage he called the Russian bluff, and ordered the missiles out of Cuba.

In the first case, we possessed the strength of the victor; in the second, we were favored with a lot of luck. In both cases, open warfare was averted. Now, if the Soviets decide to put missiles in place in the outskirts of Managua, who among us can say with confidence that two dozen Russian submarines will not rise in the Pacific and the Caribbean to deny us the right to protest?

Our Republican President has indicated there will be no Cubas on this continent on his watch. Does this Congress want to prove him wrong?

We cannot afford the luxury of temporizing or compromising with marxism in this hemisphere. There must be no appeasement, the cost will be too steep. We need do nothing more nor less than to impose the Truman doctrine in order that this foreign ideology will not spread beyond the Cuban

boundaries. Because as Hiram Mann so aptly said:

> No one wins when freedom fails.
> The best men rot in filthy jails
> And those who cry "Appease! Appease!" pease!"
> Are hanged by those they try to please.

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

Mr. DANIEL. I yield to the gentleman from Louisiana.

Mr. ROEMER. Mr. Chairman, I thank my colleague, the gentleman from Virginia, for yielding. Let me just ask him a question.

I talked with some Democrats today, good solid colleagues of mine in the House, who planned to vote for MICHEL but also planned to vote for BOLAND, kind of covering all their bases.

Would the gentleman address that subject for a minute?

Mr. DANIEL. If they are going to vote for both, that is contradictory.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. DANIEL] has expired.

Mr. CHENEY. Mr. Chairman, I yield 2 additional minutes to the gentleman from Virginia [Mr. DANIEL].

Mr. DANIEL. Mr. Chairman, I say to the Members, if you are going to vote for both, that is contradictory. You cannot be consistent if you vote for both of them.

Mr. ROEMER. Mr. Chairman, if the gentleman would yield further just briefly, is the gentleman telling us on our side of the aisle that if we do in fact support some aid to the Contras to keep the pressure on the Sandinistas for freedom, if we do that, we should vote for the Michel amendment and against the Boland amendment?

Mr. DANIEL. In my judgment, the gentleman is correct.

Mr. ROEMER. So the Boland amendment is the critical vote, and we should vote no?

Mr. DANIEL. The gentleman is correct.

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

Mr. DANIEL. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding.

A few minutes ago the distinguished chairman of the Intelligence Committee indicated that really the Boland amendment would not destroy the Michel amendment; it would only constrain funding through intelligence agencies. But on October 10, 1984, I think he laid out some different legislative history for essentially the same amendment, for he said, and I quote:

> Let me make very clear that this prohibition applies to all funds available in fiscal year 1985 regardless of any accounting procedure at any agency. It clearly prohibits any expenditure, including those from accounts for salaries and all support costs. The prohibition is so strictly written that is also prohibits transfers of equipment acquired at no cost.

So, Mr. Chairman, I would submit that in fact the distinguished gentleman's amendment would destroy the Michel amendment.

Mr. DANIEL. Mr. Chairman there are no funds in this bill to which the Boland amendment would apply, not $1.

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

Mr. DANIEL. I yield to the gentleman from New York.

Mr. BIAGGI. Mr. Chairman, I rise in support of the Michel amendment to H.R. 2577, the supplemental appropriations bill for fiscal year 1985. This represents a reiteration of my earlier position in favor of providing humanitarian aid to the Contras in Nicaragua. I believe this position was sound 2 months ago and it remains so today.

As I did at the time of the last vote, let me state that it is not a statement of support for any U.S. military involvement in Nicaragua. I have voted against that specific proposal before and would again.

In addition, my support of humanitarian aid to the Contras is not a blanket endorsement of the Contras. In some respects we must evaluate this issue from the context of what is the lesser of the two evils. In my judgment, the failure to provide aid and maintain pressure on the Sandinista government would be the greater of the two evils.

I wish to focus my attention on one important dimension of this issue. It is the issue which for me cements the rationale for why I support humanitarian aid. It is also the issue, which frankly, reveals a degree of naivety or even hypocrisy, on the part of some in this body.

The issue most simply put is—the Soviet-Sandinista link. It is strong, it is growing stronger, and as it does, poses a genuine threat to this hemisphere and our national security. It is the single most compelling reason why we must support the Contras.

I stood in this well just days after President Ortega made his now infamous trip to Moscow. It occurred just days after the narrow vote in this House against providing any aid to the Contras. I said at that time that the picture of Ortega and Soviet leader Gorbachev may not be worth a thousand words, but certainly it should be worth at least the two votes necessary to gain passage of a humanitarian aid package. I believed that then—I believe it now—and I sense it will be confirmed later today when we vote again on the Michel amendment.

An interesting but revealing footnote on Ortega and his propensity to visit Moscow—according to the DSG this was, in fact, Ortega's seventh visit to the Soviet Union in the past 5 years. However, this visit at least produced some visible results with renewed commitments of aid from the Soviets.

I ask—for those of my colleagues who have condemned the Soviet Union for their invasion and occupations of Czechoslovakia and Afghanistan and their reign of terror by satellite in Poland—what about Nicaragua?

For those who rightly condemned the Soviet Union for their shooting down of Korean Air Line flight 007 and the resulting murders of more than 250 innocent people includng our late colleague, Larry McDonald—I say, what about Nicaragua?

For those who join as cosponsors of various resolutions commemorating Captive Nations week or month and the more than 50 million people in this Nation under Soviet domination—I say, what about Nicaragua?

For those who denounced the Soviet Union's murder of Maj. Arthur Nicholson—I say, what about Nicaragua?

For those who condemn and join in marches to protest the Soviet Union's ruthless treatment of Soviet Jews—I say, what about Nicaragua?

For those who express concern about continued Soviet violations of arms agreements such as SALT II—I say, what about Nicaragua?

My concern here rests with the occasional double standard we employ in dealing with the Soviet Union and their policies around the world. For those of my colleagues who stand up and defend Israel and rightfully so—how can you then turn and vote against aid to the Contras. The effect of this vote is to maintain the Sandinista regime backed and financed by the Soviet Union. The Sandinistas are openly courting and seeking alignment with PLO and reports continue to increase about anti-Semitism being practiced in Nicaragua.

It is time we applied a little consistency around here. Either we are against Soviet expansionism or we are not. Either we are against Soviet adventurism or we are not. Either we are against the establishment of Soviet satellite or puppet governments around the world or we are not.

If we are against the above points, then there is no real choice but to vote for humanitarian aid to the Contras who are as their name means—the main alternative to the Sandinistas in Nicaragua.

I contend that as long as the fundamental premise behind providing humanitarian aid to the Contras is to try and stop further Soviet expansion into Nicaragua and Central America—that is a sound and defensible premise. It is obvious that with each passing day that we do not provide aid to the Contras—it solidifies the position of the Sandinistas and continues to give the Soviet Union the foothold it wants in

that region. All one has to do is consider the new military aggressiveness of the Sandinistas against its border nations of Honduras and Costa Rica to see how committed the Soviets are in this region.

To me we are faced with a historic choice today. We can vote now for humanitarian aid to allow the freedom fighting Contras to stay strong and maintain pressure on the Sandinistas to work for a restoration of freedom and movement toward a diplomatic solution, this we can do without causing us to drift any further into a military commitment in Nicaragua. The alternative is to vote down all aid to the Contras and let the Soviet-Sandinistas link grow stronger.

The consequences of failing to adopt the Michel amendment to me seem quite ominous. It will result in unilateral expansion on the part of the Soviet Union, an expansion we can ill afford to see happen. The choice is clear—a vote today for humanitarian aid may well avert the need for a later vote—on a more dangerous option military aid to combat the new Soviet regime in Nicaragua.

□ 1420

Mr. BOLAND. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Iowa [Mr. BEDELL].

Mr. BEDELL. I thank the gentleman for yielding.

Mr. Chairman, I think it is important that we understand exactly what we are talking about as we talk about the Boland amendment. I have talked to other people and I get the impression there is some confusion in regard to what this would do as far as the CIA is concerned.

Many of us were concerned when the CIA mined the harbors and did some of those things, and many of us are concerned over the lack of control that we have over the activities of the CIA in the Congress. The minority side has recognized that in what they put in their amendment.

Now, the Boland amendment will expire the first of October. We have a chance in this amendment to say that it is going to continue, that we are going to continue to prohibit the use of the CIA contingency fund to do whatever they please in Nicaragua. I think we ought to do that. I would think that the minority would agree that indeed that is what we ought to do.

If you were in favor of it before and you are in favor of it now, this is your chance.

True, sometime later we might be able to bring up a bill to do it. But now is the time we have an opportunity to do that. This does what the minority says they want to do. It says that indeed funds will not go through the CIA, will not go for military action, which is what everyone here says.

It seems to me that we sure should take advantage of this opportunity to stand tall to be sure that indeed there is no mixed signal as to what we believe.

I urge support for the Boland amendment.

Mr. BOLAND. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Oregon [Mr. AUCOIN].

Mr. AUCOIN. Mr. Chairman, I rise in support of the Boland amendment and against the Michel amendment.

From the beginning, our adventures in Nicaragua have been a textbook lesson in how not to run foreign policy, a lesson in how to start a war. Without the advice and consent of Congress, the Reagan administration initiated a covert war against the Sandinista government. As this war began to escalate, the administration gave Congress a series of conflicting stories regarding the nature of our support and the goals of the 15,000 Contras fighting in Nicaragua.

Ironically, the tables have now turned. Today the administration openly seeks to topple the Sandinistas, but Congress has become skittish, so has tried to disguise proposals as humanitarian assistance.

The Michel amendment turns this deception into an art form and would wipe out every gain Congress has made in the past 2 years to prevent direct U.S. military involvement in Nicaragua.

First, by allowing the CIA to immediately begin sharing information with the Contras, the Michel amendment would partially roll back an existing prohibition on U.S. military aid to these forces. Now, CIA involvement is defended by the amendment's sponsors as a way to "ensure that we can monitor and encourage—the Contras—observance of human rights." This is the same CIA that wrote and distributed a how-to primer on terrorist techniques for the Contras. This is the same CIA that secretly mined Nicaraguan ports in violation of international law. Congressman MICHEL can find no stronger candidate for the role of moral guardian to the Contras?

Next, Michel would allow the restrictions on U.S. military aid to the Contras to end altogether on October 1. Members should know that by ending these restrictions, we give the President authority to give the Contras military aid and supplies from existing CIA contingency funds—a prescription for disaster.

But the Michel amendment doesn't stop there. To make absolutely sure that they want for nothing, the amendment allows $27 million in humanitarian aid to the Contras between now and the end of March—a tidy subsidy of nearly $3 million a month.

Let's put this aid in context. The United Nations High Commission on Refugees currently runs a camp in Nicaragua providing food, clothing, and shelter to over 19,000 refugees. The annual budget for this camp? Just over $4 million. Even if you buy the argument that the funding provided by the Michel amendment is humanitarian, you're voting to create the Club Med of refugee camps.

But if you take a closer look, it becomes clear that Michel is not humanitarian aid by any stretch of the imagination. The $27 million will not be used to meet the needs of civilians displaced by the covert war, but to provide food and equipment—possibly including C-47 cargo planes and other aircraft—to the combatants themselves.

The Michel amendment escalates the war. A war that the former U.S. military commander in Central America has said the Contras probably can't win. A war that has earned us the censure of our allies in Latin America and Europe. A war that runs a daily risk of spreading into Honduras or Costa Rica. A war that gives the Sandinista directorate an excuse to continue repressive policies and increase the size of its armed forces.

It doesn't have to be that way. The United States is not alone in its concern about the nature and actions of the Sandinista government. But, while the Sandinistas have been roundly condemned by governments throughout Latin America, none of these governments—with the exception of Honduras and El Salvador—supports our covert war against Nicaragua. The trade embargo recently imposed by the administration has had the embarrassing result of making Ortega a welcome guest in the capitals of Western Europe.

Instead of approving more military aid, we should be working to build a regional consensus that will allow for a peaceful settlement of the problems in Central America. To start down this road, the House must alter the Michel plan by passing two amendments to be offered by Congressmen BOLAND and GEPHARDT.

The Boland amendment would continue, indefinitely, the prohibition on direct or indirect military assistance to the Contras, forcing us to scale back our involvement in the covert war. The Gephardt amendment would delay implementation of the Michel plan for 6 months to allow the Contadora nations, Mexico, Venezuela, Panama, and Colombia, more time to frame a regional settlement for Central America. There is reason to hope that Contadora can bring results. Right now, the group is debating the final draft of a regional peace proposal, with high level discussions scheduled for the near future.

Contadora will not succeed without U.S. support. That the process has come this far is a testament to the

desire of nations throughout Latin America for a peaceful resolution.

Far better than the Michel plan, even if it is amended, is an alternative to be offered by Congressmen HAMILTON and BARNES. The Barnes-Hamilton alternative allows for $14 million in assistance to Nicaraguan refugees. This aid is to be administered by either the Red Cross or the United Nations High Commission on Refugees—if they determine the money is needed to meet legitimate need. Both the UNHCR and the Red Cross have an international reputation for impartial and efficient distribution of relief aid. While I believe that $14 million is an inflated total, by going this route we assure that, to the extent possible, U.S. humanitarian aid will not be used to underwrite the Contras.

Mr. CHENEY. Mr. Chairman, I yield 1 minute to the gentleman from Alabama [Mr. SHELBY].

Mr. SHELBY. Mr. Chairman, today's debate has once again highlighted the problems endemic to this body's exploratory process—a process which often leads us to be too preoccupied with the "how," "where," and "what" rather than the "why." This is understandable. It is easy to focus attention on Contra human rights abuses. It is far more difficult to dwell on the systemic oppression which has come to permeate Nicaraguan society—an oppression which has provided the fertile ground from which the Contras have spawned.

The Sandinistas have betrayed their own revolution. They have betrayed their supporters at home. They have betrayed their supporters abroad. Most of all, they have betrayed themselves.

The Sandinista dictatorship is a totalitarian state, and it has done what all totalitarian states do: it has stifled both democracy and those who so ably uphold its values—the press, the church, and ultimately the voters.

There are those who say this isn't America's problem. Why should it matter if Nicaragua is a totalitarian state? Well, this seems to beg the question. Free elections, I've been told, are a rare commodity in totalitarian states. Dissent is a precarious occupation. Ask Mr. Castro's political opponents what they think about Cuban political debate.

Mr. Chairman, democratic states do not attack their neighbors. Democratic states do not readily carry out war. Democratic states, as we well know, are reluctant to spend a great deal of money on arms. In short, democratic states are not, nor will they ever be a threat to the free world.

The Contras are not angels. There are certainly objectionable elements among their ranks. But as Winston Churchill once said: "Democracy is the worst system in the world except for all of the others." For all of their faults, the Contras are far preferable to the alternative—the alternative of millions of "foot people" fleeing possible totalitarian states in Central America, the alternative of our borders being overrun by millions of hungry refugees who only desire to live in peace; and the alternative of Soviet satellite governments sitting astride the Rio Grande.

Closing our eyes and wishing the threat away may temporarily work in Afghanistan, but to abrogate our duty here in our own backyard does not bode well for the future of a nation such as ours.

Vote to aid the Contras.

Mr. ADDABBO. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, I rise today in support of what I believe to be the preferred road offered us in terms of U.S. policy in Nicaragua. I am convinced that the options available to us at this time are found at neither extreme—but rather a middle course allowing us the flexibility to respond to what I hope will be changing circumstances in Nicaragua.

I think it is important that we apply pressure on the Sandinista government. We should continue to make known our concerns about the policies of the Sandinista government. We must continue to press for freedom of the press and religious freedoms in Nicaragua. We must not turn our backs on those in Nicaragua who want more for—and from their country.

We have been at odds for years now over how best to bring about change in Nicaragua. I think there is little doubt that the policies of the past have yielded deficient results. In addition, the policies of the past have resulted in our isolation both regionally and globally. We stand virtually alone now in our quest for a democratic Nicaragua.

We must now look toward the future and determine exactly what our goals are in the region. Must we insist upon a government just like ours in order to establish friendly relations? Must we insist that the Sandinistas relinquish their control over that country? Or, should we insist that the Government of Nicaragua respect the concerns of nations in this hemisphere that excessive military buildup and Marxist rhetoric only serve to further destabilize a region in crisis?

It seems to me that our goal should be a friendly government in Nicaragua which allows basic freedoms for its people, free from external intervention, in strong pursuit of the ideals which spawned the 1979 assumption of power of the present government.

There is currently a force of 15,000 plus in Nicaragua fighting to reverse the shortcomings of the Sandinista government. This is a force which began receiving U.S. support 4 years ago even though in a clandestine fashion. It is a fighting force which leaves much to be desired but it is all that we've got. We cannot at this time simply wash our hands of the entire matter and leave them to their own devices.

Mr. Chairman, I intend to support the Michel amendment today. The situation in Nicaragua is fluid: One minute that government appears ready to address the concerns expressed by other nations in this hemisphere and the next moment anti-U.S. rhetoric permeates the air. We, on the other hand, tend to respond to these political swings with threats and innuendo.

I believe that the Michel amendment offers a well-balanced approach to maintaining pressure on the Sandinista government: The provision of nonlethal material support and incentives for domestic reforms.

However, I do not believe at this point that we want to open the door for renewed full U.S. intelligence activities against the Government of Nicaragua. We have failed terribly at this task over the past several years and I am not convinced that we have developed a program for involving these agencies. For this reason I intend to continue my support for the Boland amendment.

My anticipated votes on this issue are consistent with my past position on aid to the Contras. I have consistently opposed covert direct or indirect military or paramilitary aid to the Contras, but rather continued support for those seeking changes in the Nicaraguan Government.

Mr. ADDABBO. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH of Iowa. Mr. Chairman, the largest issue before this body neither relates to support nor lack thereof for the Sandinistas. Few in America are sympathetic to the leftward lurch in Nicaragua.

The primary issue is the rule of law and the constitutional process. In this context I am reminded of the reminiscences of the German Pastor Martin Niemoller, reflecting on that dark moment in the human soul we now call the Holocaust:

"First," Pastor Niemoller wrote, "they came after the Jews and I was not a Jew, so I did not object.

"Then they came after the Catholics and I was not a Catholic, so I did not object.

"Then they came after the trade unionists and I was not a trade unionists, so I did not object.

"Then they came after me and no one was left to object."

As we craft law in this body, we are responsible above anything else to see that the rule of law is advanced. In

this context might it not be suggested that:

First they broke the law of the land—the Boland amendment—and we were not Nicaraguans, so we did not object.

Then they mined the harbors and distributed assassination manuals and we were not Nicaraguans, so we did not object.

Then they withdrew from the jurisdiction of the World Court and we were not Nicaraguans, so we did not object.

Then they asked for full-fledged authority to wage a full-fledged war. Now we have no choice but to object.

I urge adoption of the Boland amendment.

Mr. CHENEY. Mr. Chairman, I yield 2 minutes to the distinguished chief deputy whip on the Republican side, the gentleman from Texas [Mr. LOEFFLER].

Mr. LOEFFLER. Mr. Chairman, by defeating the Boland amendment this body will be taking an essential first step in redeeming our Nation's commitment to our friends, our ideals, and our fundamental interests in Central Amercia.

To each on both sides of the aisle may I reiterate once again that the Boland amendment is a gutting amendment. It is a killing amendment to the Michel amendment, for if Boland passes, there will be no method by which we can distribute even humanitarian assistance to the Nicaraguan democratic resistance, the freedom fighters in that country. And there will be no way, it will be totally impossible for our Nation to share information and to receive information from the Nicaraguan democratic resistance.

Make no mistake about it, the Boland amendment is a gutting amendment. You cannot have it both ways by voting for Boland and voting for Michel. They go in two different directions; so either you stand for the Michel amendment, which provides assistance to a freedom-seeking people in Central America, or you stand for Boland and you rip from the grips of a freedom-seeking people in Nicaragua the very opportunity for them to get their government to honor a commitment given in 1979, and that was a commitment for democratic pluralism.

□ 1430

I say to the Members of this body also remember that the Boland amendment as now in law, in statute form, has been enforced for half a year and it has produced nothing but Sandinista intransigence and consolidation of power.

Making the Boland amendment permanent, as his amendment would do, will simply crown the Sandinistas as the permanent rulers of a Communist Nicaragua. None of us want that.

I would submit to you that today is the day of reckoning in behalf of a people who want a life similar to our own, a people who have not gotten that type of life via their inherent birthright, but a people who desperately want peace based upon the framework of democracy.

I urge absolute defeat of the Boland amendment and adoption of the Michel amendment.

Mr. CHENEY. Mr. Chairman, I yield myself the remaining 1 minute.

Mr. Chairman, I think it is very important to emphasize again the point that has been made here repeatedly today, that the Boland amendment as offered by the gentleman from Massachusetts to the Michel amendment that is pending before us is a killer amendment. It will in fact make it impossible for us to provide humanitarian assistance in a workable fashion to the Contras in Central America.

The Michel amendment itself requires significant reports from the President on human rights violations every 90 days to the Congress. That would be impossible if in fact we are not able to share information.

The bottom line, Mr. Chairman, is for the Members of this House to keep in mind and remember very clearly, if you believe in supporting the Nicaraguan democratic resistance with humanitarian assistance, if you believe in supporting those people who are opposing the Communist regime in Nicaragua, if you believe in carrying through on the administration's and this Government's commitment to freedom and democracy in this hemisphere, you not only have to vote for the Michel amendment, you have to vote against the Boland amendment.

The Boland amendment is a killer amendment and it deserves to be defeated.

Mr. BOLAND. Mr. Chairman, I yield the remainder of the time to the distinguished majority leader, the gentleman from Texas [Mr. WRIGHT].

The CHAIRMAN. The gentleman from Texas, the distinguished majority leader, Mr. WRIGHT, is recognized for 7 minutes.

Mr. WRIGHT. Mr. Chairman, this vote comes to the very heart of the matter, where we draw the line between humanitarian assistance and military intervention. That is what we have to decide.

For the past 3 years the law has contained one very clear prohibition, and that is the prohibition contained in this Boland language today. We have said that our Government will not use taxpayers' money to finance a military invasion of Nicaragua or the overthrow of that government.

That prohibition will expire on October 1 unless we extend it today. It is not in the Senate bill. Whatever you think about the Michel amendment, and I recognize there is much support for the idea of trying to do something of a humanitarian nature, I would suggest to you that if you want some restraint you had best vote for this amendment. If you think the language is somehow internally inconsistent, we can try to work it out in the conference in a way that will not be inconsistent with our purposes.

But if we vote today to reject the Boland amendment, we are clearly voting to do away with the restraint that exists in present law against the U.S. financing a military invasion of that country and the forceful overthrow of that country's government.

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

Mr. WRIGHT. No, I cannot yield at this time. If I have time when I have finished my statement, I will gladly yield to the gentleman.

At this time I thank the gentleman for his offer to contribute, but I would just rather say some things that I feel need saying. I have listened to the gentleman and I did not ask him to yield.

Mr. HYDE. I yielded to my friend from Massachusetts, Mr. BOLAND, and I thought the gentleman might reciprocate.

Mr. WRIGHT. There are some considerations that I think we have to face. I just have a very little time in which to say them, and it is not any disrespect to my distinguished friend from Illinois [Mr. HYDE], but I just would like to say these things first while I have time remaining.

This is our choice: For the first time we are going to be saying, if we reject this language, that we are accessories to this effort to overthrow that government by force. Whatever we may think of that government, however we may disagree with some of its internal policies, it is the established government of that country.

We want to think very carefully before we make that fateful choice. If our efforts should fail, if the Contra forces are not successful in spite of our open identification with the military group attempting to overthrow that government, as some of our best military minds suggest they will not be, what do we do then? Then where do we go? Do we then abandon the cause and swallow our pride and our dignity as we did after the Bay of Pigs? Or at that point do we introduce U.S. troops?

We should be prepared to answer those questions if today we vote to do away with the restraint that exists in present law. There is much in the Michel amendment with which most of us can agree. I think most Members are willing to provide true humanitarian aid, medical care for the sick and the wounded, of whatever ideological affiliation, shelter for the homeless, food for the starving, of whatever ide-

ology, resettlement for refugees who have been driven from their homes or fled persecution. That is humanitarian aid. Those are things most of us would support, and they are contained as well in the Hamilton substitute.

But the fact is clear that despite the 1982 prohibitions which Congress wrote, the CIA actively recruited and trained and equipped thousands of men and sent them into Nicaragua to engage in war. Perhaps we do have some responsibility to those people who in good faith must have thought that they were answering the official call of the U.S. Government. But how far does that responsibility go? Does it mean having lured them into battle that we will bind up their wounds and care for their families; or does it mean that we will guarantee them a military victory?

It seems to me that the latter is the commitment we are tacitly making today if we abandon this Boland restriction.

In El Salvador we are fulfilling our commitment under the Rio Treaty to protect local self-determination from outside invasion and to protect a duly elected government from violent overthrow. That is quite a different matter. In Nicaragua we will be acting under no obligation of treaty and no sanction of international law.

Whatever our motives may be, we will be seen throughout Latin America as once again imposing our will by force on a smaller nation, and installing a government of our choice, not their choice, a government which in the minds of many will bear the label, "Made in the USA."

I know Mr. Reagan said today that he is not attempting to overthrow the Government of Nicaragua by force, but he said just a few weeks ago that what he wanted to force them to say "Uncle." All of us know what that means. It is a term of physical surrender. That is the cry of the vanquished when overcome by superior force. Its utterance is the price for letting a defeated foe get up off the ground. That is what it means, isn't it?

In July of 1983, less than 2 years ago, Ambassador Stone delivered a letter from President Reagan to the Presidents of Panama and Colombia and Venezuela and Mexico. In that letter President Reagan wrote as follows: "There must be respect for the principle of nonintervention, including a ban on support for subversive elements that seek to destabilize other countries."

Now, if that principle is to have meaning, does it not have to work both ways? Must it not apply to ourselves as well as to others? Can we consistently condemn external efforts to destabilize El Salvador while publicly engaging in efforts to destabilize Nicaragua, however abhorrent its form of society may be to us?

We have every right to insist that Nicaragua leave its neighbors in peace and pose no threat to the peace of this hemisphere so far as its external relations are concerned. But we have no right to dictate the form of its internal society. We are not the dictators of the hemisphere. We should try to influence by example as well as by precept, and it seems to me that we will gain respect and ultimately have the help of others in the hemisphere if consistent with those principles to which we have committed ourselves in the Rio Treaty and in the charter of the OAS—the principle of nonintervention, and the principle of the sanctity of borders of other countries. If we are to preach those principles with any credibility then we should practice them with some consistency.

● Mr. SOLOMON. Mr. Chairman, I rise in strong opposition to this amendment. I do so because this amendment, if adopted, would have the effect of gutting the entire intent of the bipartisan Michel-McCurdy-McDade amendment. Moreover, this amendment, if adopted, would sound the death knell for the democratic opposition in Nicaragua. What incentive would there be for the Sandinista dictatorship to even consider the international appeals from the Contadora group, or the calls for dialog with freedom-loving Nicaraguans, if the democratic opposition in Nicaragua is crushed? Yet that is precisely what this amendment would do—pull the rug out from under those Nicaraguans who are horrified at the betrayal of the Sandinista revolution, those Nicaraguans who fought for the establishment of a democratic government 6 years ago and have seen those hopes crushed under the foot of Commandante Ortega and his Communist henchmen.

I oppose this amendment because it seeks to confuse the issue. Make no mistake: What we have in Nicaragua today is not a case of American policy having failed, as this amendment would suggest—it is a case of a revolution having failed, a small clique of tyrants having subverted the very liberties the Sandinista revolution was intended to establish.

If the Sandinista leadership was content to act as a self-conscious parody of the ideals the Nicaraguan people were fighting for in 1979, that would be bad enough. But when that same leadership surrenders the country's sovereignty to curry the favor of Moscow and to act as a surrogate force to spread the false dogma of Communist revolution into neighboring countries, it is the concern of every country in this hemisphere.

Mr. Chairman, the Sandinistas have betrayed their own revolution. And true to form, they have resorted to a psychology of crisis, a policy of ongoing revolution as the only justification for continuing their despicable regime. Communism always sponsors revolutions against everything except communism itself, the most reactionary model for social and political development ever devised.

Mr. Chairman, this amendment represents one more variation on the theme of "Blame America First!"—the battle cry of those new isolationists who have grown weary of supporting that "long twilight struggle" that President John F. Kennedy summoned us to join. And that is what we will be saying if this amendment is adopted. You are on your own, Central America! Do not look for American help to support your struggle for freedom, dignity, decency, and democracy.

One final observation: in the course of a congressional session we debate American policy toward many countries. We debated about South Africa just last week. We will be talking about the Philippines when the foreign aid bill comes up. We have had resolutions in recent weeks concerning Chile and Turkey. Why is it that whenever we discuss a country that has not had a grand and glorious left-wing revolution, we always do so in terms that suggest a certain inevitability, a historical necessity for change that must inexorably come. But, whenever we talk about a Communist country, we do so in terms that suggest an acceptance of the present tyranny as a permanent fact of life.

That is what this debate is all about. The passage of this amendment is tantamount to accepting the tyranny of the Sandinistas as a permanent and legitimate fact of life in this hemisphere.

I urge an overwhelming vote against this amendment. Stay with the Michael-McCurdy-McDade approach. Let us uphold the interests of the American people and of all freedom-loving people in this hemisphere.●

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. BOLAND] to the amendment offered by the gentleman from Pennsylvania [Mr. MCDADE].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. BOLAND. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 196, noes 232, not voting 5, as follows:

[Roll No. 154]

AYES—196

Ackerman	Anthony	Bedell
Addabbo	Applegate	Beilenson
Akaka	Aspin	Bennett
Alexander	Atkins	Berman
Anderson	AuCoin	Boggs
Andrews	Barnes	Boland
Annunzio	Bates	Bonior (MI)

Bonker
Borski
Boucher
Boxer
Brooks
Brown (CA)
Bruce
Bryant
Burton (CA)
Carper
Carr
Clay
Clinger
Coelho
Coleman (TX)
Collins
Conte
Conyers
Coyne
Crockett
Daschle
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart (OH)
Edgar
Edwards (CA)
Evans (IL)
Fazio
Feighan
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Frost
Garcia
Gaydos
Gejdenson
Gephardt
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Gonzalez
Gray (IL)
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Green
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Hall (OH)
Hamilton
Hayes
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Howard
Hoyer
Hughes
Jacobs
Jeffords
Jones (NC)
Jones (TN)
Kanjorski
Kaptur
Kastenmeier
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Leach (IA)
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Miller (CA)
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Roybal
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Smith (FL)
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Weaver
Weiss
Wheat
Whitley
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Williams
Wirth
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Yates
Yatron
Young (MO)

NOES—232

Archer
Armey
Badham
Barnard
Bartlett
Barton
Bateman
Bentley
Bereuter
Bevill
Biaggi
Bilirakis
Bliley
Boehlert
Boner (TN)
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Brown (CO)
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Burton (IN)
Byron
Callahan
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Carney
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Cobey
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Coleman (MO)
Combest
Cooper
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Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis
de la Garza
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dowdy
Dreier
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Dyson
Eckert (NY)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Fascell
Fawell
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Franklin
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Fuqua
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Gunderson
Hall, Ralph
Hammerschmidt
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Hartnett
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Jones (OK)
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Shuster
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Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (NE)
Smith (NH)
Smith (NJ)
Smith, Denny
Smith, Robert
Snowe
Snyder
Solomon
Spence
Stangeland
Stenholm
Strang
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Valentine
Vander Jagt
Vucanovich
Walker
Watkins
Weber
Whitehurst
Whittaker
Wilson
Wolf
Wortley
Wylie
Young (AK)
Young (FL)
Zschau

NOT VOTING—5

Bosco
Bustamante
Hawkins
Mitchell
Schulze

□ 1450

Mrs. LONG and Mr. McKINNEY changed their votes from "aye" to "no."

Mr. FRANK changed his vote from "no" to "aye."

□ 1500

So the amendment to the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. BUSTAMANTE. Mr. Chairman, as a result of an electronic malfunction my vote on the Boland amendment was not recorded. Though I inserted my card with over 4 minutes left for voting, my vote was not recorded. Had the malfunction not occurred, the record would have shown my vote against the amendment.

AMENDMENT OFFERED BY MR. GEPHARDT TO THE AMENDMENT OFFERED BY MR. MC DADE

Mr. GEPHARDT. Mr. Chairman, under the rule, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. GEPHARDT to the amendment offered by Mr. McDADE: In the paragraph under the heading

"HUMANITARIAN ASSISTANCE FOR NICARAGUAN DEMOCRATIC RESISTANCE"—

(1) strike out "March 31, 1986" and insert in lieu thereof "September 30, 1986, subject to the requirements of section 105 of this chapter"; and

(2) strike out the second sentence of that paragraph (Beginning with "Notwithstanding" and ending with "second such report.").

In section 105 and section 106—

(1) strike out "SEC. 105" and "SEC. 106" and insert in lieu thereof "SEC. 106" and "SEC. 107", respectively; and

(2) in subsection (a) strike out "enactment of this Act" and insert in lieu thereof "enactment of a joint resolution under section 105 of this chapter".

Add the following new section 105 after section 104:

SEC. 105. (a) In order to provide an opportunity for negotiations through the Contadora process or other diplomatic channels, funds appropriated by the paragraph of this chapter headed "HUMANITARIAN ASSISTANCE FOR NICARAGUAN DEMOCRATIC RESISTANCE" may not be obligated or expended during the 6-month period beginning on the date of enactment of this Act. After that 6-month period, funds appropriated by that paragraph may be obligated or expended for assistance in accordance with that paragraph if after the end of that 6-month period—

(1) the President submits a request to the Congress for authority to provide such assistance, such request to include (A) the President's assurance that he has consulted with the Contadora nations concerning the provision of such assistance, and (B) a description of the response of the Contadora nations to the proposal to provide that assistance; and

(2) the Congress enacts a joint resolution authorizing the use of funds for such assistance.

If the Congress enacts such a joint resolution, one-third of the amount appropriated by that paragraph shall be available for obligation as of the date of enactment of that joint resolution, an additional one-third shall be available for obligation 90 days after such date of enactment, and the remaining one-third shall be available for obligation 180 days after such date of enactment, notwithstanding the Impoundment Control Act of 1974.

(b)(1) The provisions of this subsection apply, during the 99th Congress, to the consideration in the House of Representatives of a joint resolution with respect to the request submitted by the President pursuant to subsection (a).

(2) For purposes of this subsection, the term "joint resolution" means only a joint resolution introduced within 3 legislative days after the Congress receives the request submitted by the President pursuant to subsection (a)—

(A) the matter after the resolving clause of which is as follows: "That the Congress hereby authorizes the obligation and expenditure of funds for assistance for the Nicaraguan democratic resistance in accordance with section 105 of the Supplemental Appropriations Act, 1985.";

(B) which does not have a preamble; and

(C) the title of which is as follows: "Joint Resolution relating to Central America pursuant to the Supplemental Appropriations Act, 1985.".

(3) A joint resolution shall, upon introduction, be referred to the appropriate committee or committees of the House of Representatives.

(4) If all the committees of the House to which a joint resolution has been referred have not reported the same joint resolution by the end of 15 legislative days after the first joint resolution was introduced, any

committee which has not reported the first joint resolution introduced shall be discharged from further consideration of that joint resolution and that joint resolution shall be placed on the appropriate calendar of the House.

(5)(A) At any time after the first joint resolution placed on the appropriate calendar has been on that calendar for a period of 5 legislative days, it is in order for any Member of the House (after consultation with the Speaker as to the most appropriate time for the consideration of that joint resolution) to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of that joint resolution. The motion is highly privileged and is in order even though a previous motion to the same effect has been disagreed to. All points of order against the joint resolution under clauses 2 and 6 of Rule XXI of the Rules of the House are waived. If the motion is agreed to, the resolution shall remain the unfinished business of the House until disposed of. A motion to reconsider the vote by which the motion is disagreed to shall not be in order.

(B) Debate on the joint resolution shall not exceed ten hours, which shall be divided equally between a Member favoring and a Member opposing the joint resolution. A motion to limit debate is in order at any time in the House or in the Committee of the Whole and is not debatable.

(C) An amendment to the joint resolution is not in order.

(D) At the conclusion of the debate on the joint resolution, the Committee of the Whole shall rise and report the joint resolution back to the House, and the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion.

(6) As used in this subsection, the term "legislative day" means a day on which the House is in session.

(7) This subsection is enacted—

(A) as an exercise of the rulemaking power of the House of Representatives, and as such it is deemed a part of the rules of the House, but applicable only with respect to the procedure to be followed in the House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of the House to change its rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House, and of the right of the Committee on Rules to report a resolution for the consideration of any measure.

The CHAIRMAN. Under the rule, the gentleman from Missouri [Mr. GEPHARDT] will be recognized for 30 minutes, and a Member opposed to the amendment will be recognized for 30 minutes.

The Chair recognizes the gentleman from Missouri [Mr. GEPHARDT].

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

Mr. Chairman, last night the President sent a letter promising to pursue a diplomatic solution to the violence in Central America.

I agree with the President. My amendment will give Congress the opportunity to support, in clear and decisive terms, a diplomatic solution.

The amendment is simple. It would delay Contra funding for 6 months. It would give the Contadora process a chance to work. After 6 months, we can assess where Contadora stands and whether we should then enact Contra funding.

Over 100 years ago, Congressman Abraham Lincoln rose in the Chambers of this House to speak against another war in another place.

Speaking of the Mexican War, Lincoln said the reasons for the war kept changing, the policy behind the war remained unclear, and the end of the war appeared nowhere in sight. Lincoln urged the President to act for peace. "Let him answer with facts and not with arguments."

Lincoln said, "Let him remember that he sits where Washington sat, and so remembering, let him answer as Washington would answer."

Today, Mr. Chairman, we sit where Congressman Lincoln sat. Let us answer, as best we can, as he would answer.

We stand on the threshold of an important decision. History will remember what we do in the coming hours.

Any American policy, to succeed, must be supported by the American people. Any policy, to succeed, must be supported by America's allies, and America's friends.

The current policy fails these tests. The American people reject a military solution. They want a diplomatic solution, as my amendment suggests.

The democracies of Latin America almost unanimously reject the Contra solution. They urge us to support Contadora, as my amendment suggests.

The Presidents of Colombia, Mexico, Venezuela, Panama, Argentina, and others, have asked us to put the full force and power of the United States behind the Contadora process.

That is what my amendment does.

So I ask my colleagues on both sides of the aisle: Let us stand with the democratic nations of Latin America.

Mr. Chairman, the wave of the future in Latin America is democracy, not communism. The most popular leader is Pope John Paul, not Fidel Castro. The Latin nations are part of the Western world, not the Eastern bloc.

But we should listen to these democracies, not just praise them. That is what my amendment does.

Several weeks ago, one of the greatest Latin democrats, one of America's strongest friends in the region, asked for our help.

The President of Colombia said. "Do not give us a preparation for war. Give us a plan for peace."

The choice before us is clear: The Contadora nations will be meeting in the coming days. They will be trying to find agreement on the outstanding differences that impede a Contadora treaty. Success is within reach.

By voting for my amendment, we will be sending them a strong message of support.

By rejecting this amendment, we disrupt Contadora. We hurt the process. And we move one step closer to war.

I ask all of my colleagues to carefully consider what we are about to do.

Some 20 years ago, Congress passed a resolution that took us a quantum leap closer to another war.

Then the Gulf of Tonkin was passed by Congress, the United States had embarked on a one-way street to war in Vietnam.

Today we are being asked to do something similar.

We are being asked to escalate this war.

We should be clear—we are being asked to give $27 million to those who want to escalate this war.

□ 1510

If we take this step, private contributions for purely military purposes will increase as well. So we are being asked to provide more than $27 million to escalate rather than de-escalate a war.

I think it is ironic that the Michel amendment provides $2 million to help the peace process. We are being asked to do something even more profound, and in my view, even more dangerous: We are being asked to legalize the war in the statutes of the United States. We are being asked to make a quantum leap toward a commitment to war in Central America.

I think my amendment offers a better course. The Contra forces have been in the field for 9 months now without direct American aid. If my amendment passes, they will be in the field for another 6 months, and the pressure they bring on the Sandinista government to negotiate will remain. In fact, I would argue by accepting my amendment, the pressure on the Sandinistas to negotiate seriously will even intensify.

I would also argue that the greatest reason the Sandinistas want to negotiate is because of the U.S. Marines; not the Contras. The spectre of the use of military forces of the United States in Nicaragua is not diminished in any way by a vote for my amendment.

I really do not see what we lose by accepting this approach. The pressure will continue; the diplomatic process will be intensified; the pressures on the country of Nicaragua to put their performance behind their words will intensify. They have said they are willing to throw the Soviet and Cuban advisers out of the country. They have said they are willing to agree not to export arms to other situations in Central America. They have said they are willing to negotiate and keep verification procedures which would back up their words with performance.

Why in the world are we afraid to give that a chance? This amendment gives us a chance to see if they will match their words with concrete performance. If they do not, if they are not willing to negotiate that treaty, if they are not willing to live with that treaty, this Congress can come back and take further action.

So to sum up, the Gephardt amendment says these things: First, the Contadors nations and most Latin Democrats have asked for a plan for peace. True friends of Latin democracy will help them, not aid the war.

Second, we can work with not against the great majority of our allies in Europe who have suggested this approach.

Third, we can act in a manner that can inspire, not alienate, the vast majority of people in Latin America.

Fourth, we can slow the drift toward an escalating war and resist making a commitment on behalf of the American nation, a commitment that will surely be used to justify more and more support or more aid in the future.

Last, we can remember that we are not forsaking stronger options, only giving the Contadora process a chance to work. I think today is an important day and this is an important decision. If you are for giving aid to the Contras, but you want to give peace a chance, the Gephardt amendment is the way to do both.

Mr. BROOMFIELD. Mr. Chairman, I rise in opposition to the amendment and yield myself such time as I may consume.

Mr. Chairman, of the choices before us, the Gephardt amendment is the worst of all worlds.

It is a policy of benign neglect.

It is nothing but a cop-out for 6 months with the hope that the Communist leaders of Nicaragua will somehow be enticed by our inaction to the bargaining table.

It proposes a kind of bargain with the devil.

Under this amendment, we, in effect, make a deal with Ortega to withhold supplies from the democratic forces in Nicaragua and look the other way for 6 months in the hope that he will be able to wipe out his opposition once and for all.

By doing nothing, this amendment does all of the wrong things.

It is essentially what we did 6 weeks ago when the House debated the issue at length and came up empty.

The result is on the record for anyone to see.

Far from encouraging Ortega and his Soviet comrades to come to the negotiating table, it encouraged them to increase the stakes in Central America.

The day after the House voted to ignore the conflict that is underway just a few hundred miles from our borders, Ortega took off for Moscow and the eastern-bloc nations and returned with promises of nearly $300 million in assistance.

How many times are we going to do this before we get the message?

The Nicaraguan Government is already armed to the teeth and ready to roll over its neighbors.

The only thing holding them back is Ronald Reagan's resolve and the off-again, on-again efforts of the Congress in half-hearted support of the President.

Some Members have been quoted as saying that they won't be able to endorse the President's policies until Soviet missiles and Migs appear in Nicaragua.

Well, Mr. Chairman, the mischief incorporated in this amendment is just the sort to encourage Ortega and his Soviet comrades to up the ante again.

Maybe, if we waffle one more time and then give them 6 months, they'll have those Migs in operation. We already know that Nicaraguan pilots are being trained to fly high performance Soviet fighters. But training takes time, and introducing them takes courage. We are preparing with this amendment to give them both.

The democratic forces in Nicaragua are a viable and effective force willing to die for the principles we all believe in.

We don't need to send the Marines to Managua. They are willing to do the job themselves. All they are asking is that we give them a little support and encouragement and that we don't give aid and comfort to the enemy.

The Michel-McCurdy amendment offers that minimum support, a mere $27 million.

We spend more than that on Senate campaigns in some States.

The Pentagon spends that much for toilet seats, screw drivers, and ashtrays.

Yesterday, with very little fanfare, we voted $2 billion for two countries in the Middle East that are not even at war. And that was a bonus in addition to the regular funds appropriated under the Foreign Assistance Act.

What we are talking about for the freedom fighters in Nicaragua is peanuts by our standards.

Yet, we are afraid we might be overreacting by giving those who are willing to die for a cause that is fundamental to most Americans a piddling $27 million.

The Gephardt amendment is simply a cop-out.

It ties the white flag of surrender to the gun barrels of the freedom fighters and tells them to throw in the towel and get in the soup line.

A vote against Gephardt will be a vote for democracy and a vote against the policy of benign neglect.

I urge a no vote on this amendment.

Mr. GEPHARDT. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. BARNES].

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

Mr. Chairman, I rise in very strong support of the amendment offered by our distinguished colleague from Missouri, Mr. GEPHARDT. I would like to just very briefly flesh out what the gentleman from Missouri was saying about the negotiations that are under way and why it is that our neighbors and friends and allies in the hemisphere are opposed to our acting today to finance the war that is ongoing in Nicaragua.

As everyone knows, the four Contadora countries, Mexico, Panama, Venezuela and Colombia, have been engaged in the so-called "Contadora Initiative" trying to find a peaceful solution to the problems in Central America and to address the very concerns that we are hearing so eloquently spoken to today on both sides of the aisle.

□ 1520

We all share the same concerns, and the Contadora nations share them, and that is why they undertook their initiative. They have drawn up, and by the way, this is information I have obtained from the State Department about the current status, from the Reagan administration I have obtained this information about the current status of the Contadora process.

The Contadora Group has drawn up five "documents" that seek to reconcile the September 1984 draft treaty which, as you will recall, the Nicaraguans agreed to sign and the so-called Tegucigalpa draft subsequently drawn up by Honduras, El Salvador and Costa Rica, with the United States' participation, incorporating the changes that they wanted in the September draft.

Two of these documents, two of the five documents, pertain to verification, and three to security measures. The two verification documents were accepted in April by the five Central American countries, including Nicaragua, and one of the three security documents was accepted last month, in May, so three of the five documents have now been agreed to by all five of the Central American countries, as well as the four Contadora countries.

The other two security documents do contain some difficult issues, but negotiations are underway. Large numbers of diplomats from all nine countries are at work on those issues and they will be meeting shortly on them.

The September draft treaty was accompanied by a draft protocol which would have been open for signature by other nations. This was objected to, particularly by our country, which did

not want the Cubans and the Soviets becoming a party to a Central American agreement.

The Contadora group has gone back to the table and has now drafted four new protocols to replace that earlier one that seek to resolve the problems with the first one. The first three have been agreed to. The first three of those four protocols have been agreed to. They would be open for, in the first instance, the Contadora countries, in the second by the members of the verification commission, and third, by other American states. The fourth protocol, which has not yet been agreed to, is still under negotiation and we are informed, as informed earlier today by the Government of Venezuela, that a meeting of the Contadora nations is scheduled within the next week at the ministerial level.

We are also informed by these countries who are engaged in these negotiations, which have already demonstrated substantial progress, frankly more than I and many others would have thought possible when the initiative was undertaken, that a vote by the Congress today to fund the Contras will seriously undermine if not destroy the diplomatic effort that they are making, countries that are democracies, friends of the United States who are engaged in a serious diplomatic effort.

The only hopes we have left this afternoon to give them the opportunity to achieve success are the Gephardt amendment, which I urge a vote for to give them at least 6 months to do so, or the Hamilton amendment, which I think is even better than Michel as amended by Gephardt because it clearly puts the imprimatur of the Congress behind the Contadora initiative.

Mr. BROOMFIELD. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. LAGOMARSINO] a member of the Committee on Foreign Affairs.

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

Mr. LAGOMARSINO. Yes; I yield to the gentleman from Illinios.

Mr. HYDE. I thank the gentleman for yielding.

Mr. Chairman, those students of logic who just heard the last speaker, our dear from Maryland, talk, heard a prime example of what is called the fallacy of the false alternative. You cannot have negotiations and support the Contras at the same time. Nonsense. They go hand in hand.

Mr. LAGOMARSINO. Mr. Chairman, I rise in strong opposition to the Gephardt amendment.

The Gephardt amendment in effect reformulates the procedure adopted by the House last October in the continuing resolution, which put off any action in support of the democratic resistance in Nicaragua and says the best action is further inaction.

There has been no U.S. Government funding of the democratic resistance in Nicaragua for more than a year; if, as the Gephardt amendment presumes, there were any inclination on the part of the Sandinistas to negotiate, they could have taken advantage of the time during the past year to negotiate as requested by the bishops there. In fact, they could have easily demonstrated their sincerity in negotiating by expressing their interest during the bilateral talks with the United States at Manzanillo.

For that matter, you need only look at the actions of the Sandinistas since the vote in April to determine their sincerity. They told visiting congressional delegations they would have a moral obligation to institute liberalizing measures, using their words if Congress defeated aid to the Contras. The House defeated the aid, but the Sandinistas did anything but take liberalizing measures since that vote.

I would like to quote from the Managua Domestic Service dated April 23d.

Question. Commander Ortega, can you tell us something more about the proposal that you made and sent through the two Congressmen and that Mr. Shultz has described as a fraud?

Ortega. We were exchanging views with the Congressmen. The truth is that we have presented nothing new, as Mr. Shultz and President Reagan's spokesmen have tried to imply. Instead, we simply arranged the peace proposals that Nicaragua has always made.

Well, what has happened? Sandinista action since the vote has been more repressive internally and aggressive externally. Examples include:

Visit to Moscow.—On April 27, Ortega began a tour of Europe beginning with the Soviet Union. He was greeted warmly by the Soviet bloc and received a promise of increased Soviet oil shipments. This contrasts with the rather guarded reception he received in western European capitals, apparently added on short notice after the public relations gaffe of visiting Moscow became obvious.

Labor repression.—An attempt by independent labor unions on May 1 to march peacefully to protest GON policies was violently broken up by government-sponsored mobs and armed police; on June 3, a number of strikers protesting GON suspension of payment in kind reportedly were beaten and arrested; on June 5 labor activists attempting to organize a protest strike were detained by authorities.

Press censorship.—Between April 10 and 24 censorship of La Prensa diminished, with only a single article censored on April 22 and 23. For 2 weeks following the vote, censorship continued fairly light, but in early May began to pick up again. On May 6 and June 5 the newspaper was unable to publish because of the number of articles and features forbidden for publication.

Human rights.—In response to the defection of a high ranking security official in March, GON has taken into custody the man's family, including a 3-year-old child; wife is a U.S. permanent resident. Family members from Costa Rica who attempted to visit detainees were arrested and harshly interrogated, and claim they were warned the family will never be released if the defector talks about his official activities in Nicaragua. At least 35 Nicaraguans have been arrested and most sentenced for anti-Sandinista political activities; charges have ranged from actual participation in resistance actions to providing military supplies to the armed opposition or assisting youths to leave the country to avoid military service. Sentences ranged from 3 to 30 years.

Support for subversives. On April 29, Defense Minister Ortega told the public that the Nicaraguan armed opposition had surface to air missiles, and warned that Salvadoran guerrillas might obtain similar weapons. On May 23 Nicaraguan dailies reported a meeting between Bayardo Arce, FSLN political section chief, and Guillermo Ungo, leader of the Salvadoran FDR/FMLN insurgents. Ungo told the press the Salvadoran guerrillas received moral support from Nicaragua, and termed such aid "legitimate."

Harassment of religious groups. The Nicaraguan State Telecommunications Agency cited "technical problems" for the failure to broadcast live the investiture of Archbishop Obando y Bravo as cardinal in Rome on May 25, despite repeated flawless tests of the satellite link-up shortly before the event; GON officials continued to withhold from intended recipients the humanitarian assistance brought to Nicaragua with GON approval by evangelist Larry Jones in mid-April. Rumors suggested the GON had confiscated the goods for distribution by and to their own supporters.

Miskito Indian reconciliation talks. The last round of negotiations on May 25-26, led to complete breakdown in conciliation efforts, as GON rejected basic Miskito demands for political, autonomy, demilitarization of Miskito areas and third-party verification of agreement implementations. GON termed Miskito position as "arbitrary and absurd." Just prior to the congressional vote in April the GON had come to a preliminary agreement with the Miskito representatives that was publicized as evidence of the GON's good intentions.

Contadora. After having accepted a proposed revision of verification provisions at April 11-12 meeting of group, the Nicaraguans in May meeting backed off from previous positions: specifically, they rejected the concept

of an international corps of inspectors as "unnecessary," insisted that decisions by the verfication group be by unanimous agreement, and retreated from earlier support for the simultaneity aspect, thereby casting serious doubt on GON support for meaningful verification procedure.

Border violations. The most serious border violation occurred on May 31, when EPS troops crossed into Costa Rica and attacked a Costa Rican Civil Guard Patrol, killing two men. Despite direct contact with officers of the EPS, Costa Rican efforts to retrieve the body of one of the dead were impeded by heavy fire from EPS troops against the recovery teams, and the body was not retrieved until June 6. Nicaragua denied its involvement, but Costa Rica's own investigation left no doubt that the aggressors were members of the EPS. Prior to the incident the residents of the border region complained of Nicaraguan shelling of Costa Rican territory, and Nicaraguan aircraft reportedly carried out cross-border incursions. Nicaraguan military troops repeatedly violated Honduran territory during the late April to June period. In one incident on May 10 five Hondurans were killed. From May 4-6, several Honduran villages were shelled by Nicaraguan troops.

Internal reconciliation. GON officials continued to insist they will never negotiate with the armed opposition, and showed no indications they would consider negotiation with internal civic opposition either; following U.S. embargo, GON statements suggested political opposition would be closely watched to ensure support for Sandinista policies.

Some liberalizing measures!

To assume that the Sandinistas wish to negotiate in good faith is to ignore the facts of their past attitude toward negotiations. Brooklyn Rivera, head of the Nicaraguan Indian rebel group Misurasata, tried for 8 months to negotiate with the Sandinistas, and all for nothing. When the talks broke down, Rivera said, "The dialog is stalled because of the intransigence and inflexibility of the government in not recognizing the historical rights of the Indians."

Administration critics continue to press for negotiations based on the Contadora process but ignore the Sandinistas own efforts to circumvent Contadora. The talks with the United States at Manzanillo broke down precisely because the Sandinistas were trying to cut a deal which would allow them to get around those provisions discussed in the context of Contadora which require internal dialog and internal reconciliation.

Under the Gephardt amendment, there are no incentives to force the Sandinistas to negotiate. The amendment in effect does nothing. Doing nothing in Nicaragua does not advance the cause of peace and does not prevent a military solution in the region. It leaves the initiative to the Soviet Union and Cuba to determine what will happen in Central America.

Doing nothing in Nicaragua ignores those fighting to gain freedom and democracy for their country. Many of the very people who supported the Sandinistas when they took over have left the Sandinista party and joined the opposition: Leaders from political parties, labor unions, the business community, the press, the church, and even human rights organizations.

The Gephardt amendment is not formulating policy, it is abdicating responsibility. We must not condemn to totalitarianism those seeking freedom.

I urge my colleagues to defeat the Gephardt amendment.

Mr. GEPHARDT. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. SOLARZ].

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

Mr. Chairman, I rise in strong support of the Gephardt amendment. The Contadora process, like motherhood and apple pie, has entered the lexicon of American verities. Everyone says they are for it, but in truth, everyone does not really like it.

There is, I think very clearly, a good deal of skepticism about the viability of the Contadora process in spite of the lipservice which virtually everyone pays to it. So I think it is worthwhile, therefore, to briefly recount the progress that has already been made within the framework of the Contadora process in order to establish the fact that this is indeed a viable diplomatic undertaking.

So far the countries in Central America have already agreed within the framework of the Contadora process to a prohibition on the establishment of foreign military bases.

□ 1530

They have already agreed on a prohibition with respect to the presence of foreign military advisers. They have already agreed within the framework of the Contadora process to refrain from interfering in the internal affairs of their neighbors. They have already agreed in large measure to effective procedures for verifying all of these other undertakings, and they have also agreed within the framework of the Contadora process to commit themselves, each and every country in the region, to a process of national reconciliation once the Contadora agreement becomes effective and is implemented.

Mr. HUNTER. Mr. Chairman, will my friend, the gentleman from New York, yield?

Mr. SOLARZ. Not until I finish, because I only have 3 minutes.

Mr. Chairman, what this demonstrates, I think, is that not only has real progress already been made within the framework of Contadora but there is a very real possibility that the Contadora process can succeed.

Now, if everyone here really believes that it is worth supporting the Contadora process—and I have not heard a single Member on either side of the aisle speak against the Contadora process—if you really believe it is worth supporting, then should we not ask what the Contadora countries themselves would have to say about this proposal? I would submit that every one of them, Mexico, Colombia, Venezuela, and Panama, if their ambassadors or Presidents were present in this Chamber today and could speak and could vote, every one of them would say, "Pass the Gephardt amendment. Give diplomacy a chance. Give us 6 more months."

Now, my friends on the other side of the aisle say that this is a policy of benign neglect, that it removes all incentives on the part of the Sandinistas to make additional concessions, forgetting the fact that they have already made substantial concessions.

But the answer, I say to my friends, is that, first, they would have an incentive. This gives them 6 months, and if they do not cooperate, the President can come back and we can resume aid for the Contras.

And second, the most serious incentive they have is their fear—and I fear their fear is well founded—that the President of the United States is leading us inevitably and ineluctably to the introduction of American combat forces into Nicaragua. That is their incentive to reach an agreement.

Mr. BROOMFIELD. Mr. Chairman, I yield 4 minutes to the gentleman from Arizona [Mr. MCCAIN] a member of the Foreign Affairs Committee.

Mr. MCCAIN. Mr. Chairman, I thank the gentleman, and I would like to begin by yielding to my good friend, the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Chairman, I thank the gentleman for yielding.

I was about to ask the previous speaker what he thinks Costa Rica thinks about it, now that the Nicaraguans are crossing over and killing Costa Ricans, or what perhaps El Salvador thinks about it, or what perhaps Honduras thinks about it.

And what about Mexico? I do not mean to disparage our wonderful neighbor to the south, but they have made a career of throwing meat to the alligator, hoping that their leg will get bitten last. But that is all right. I understand that. They are still surviving, but there are other countries down there. They tell you one thing privately, and publicly they say something else.

Mr. MCCAIN. Certainly. And I do not think this subject could be com-

plete without a quote from one of the great leaders in Central America, who as recently as the first of June had this to say:

> We have denounced that Nicaragua is the haven for Salvadoran subversion. Extremist, leftist groups are trained there. Logistical aid for the Salvadoran guerrillas is coming from Nicaragua. Nicaragua is the center of the operation where terrorist actions against El Salvador are planned, decided, and ordered. Nicaragua is a cancer in Central America.

It was Jose Napoleon Duarte who made that statement. I am sorry that quote escaped the attention of my colleague, the gentleman from New York.

Mr. Chairman, an argument can be made, and will be made in the Barnes-Hamilton, amendment, that we should not aid the Contras, and I am sure that very eloquent statements will be made on behalf of that side of the issue. And there is an argument we are trying to make here today in favor of aid to the Contras. But make an argument to delay is simply incredible and can best be described as frivolous.

I know that my colleague, the gentleman from Missouri, has great in-depth knowledge of tax matters and other issues, but to say, "Let's leave the Contras in the field for 6 more months without food, without clothing, and without boots" simply shows an abysmal ignorance of anything to do with military operations, much less the implementation of foreign policy and what motivates Marxist-Leninist governments to negotiate.

The last amendment we just defeated, I am happy to say, was death by decapitation. This one is death by hemorrhage. It says, let us allow the Contras to bleed to death during the next 6 months, and then we will revisit them again. I notice that in the Gephardt amendment there is no provision for restoration of aid to the Contras; we will just revisit it.

I keep hearing over and over the constant comparisons of the situation in Central America with that of the Vietnam war. Most of those comparisons are made by people who never came within 10,000 miles of the place, and the lessons and the comparisons they are making, I say to my colleagues, are dead wrong.

For example, they say this is a Tonkin Gulf resolution. A cursory glance at history tells us the Tonkin Gulf Resolution gave the President of the United States a blank check to send American troops in whatever quantities and whatever materiel he chose to for an unlimited amount of time. We now have the War Powers Act. We have the Foley amendment which prevented the United States from sending any troops into Central America. There is no comparison between what we are doing here today and the Tonkin Gulf resolution, and any comparison that indicates we are doing so demeans and degrades the debate in which we are engaging.

There is a lesson from the Vietnam war which has not been mentioned, and that is the lesson of sanctuary. History indicates, not just in that war—because all too often our frame of reference in the discussion of foreign policy on the floor of this body begins and ends with the Vietnam war rather than looking at the broad scope of history. Sanctuary is a privilege which if given to a nation that is bent on the destruction and overthow of its neighbors, insures that the aggressor nation will eventually prevail. By failing to provide aid to the Contras, we will indeed provide sanctuary to the Government of Nicaragua.

The CHAIRMAN pro tempore. (Mr. BEILENSON). The time of the gentleman from Arizona [Mr. MCCAIN] has expired.

Mr. BROOMFIELD. Mr. Chairman, I yield 30 additional seconds to the gentleman from Arizona [Mr. MCCAIN].

Mr. MCCAIN. Mr. Chairman, I would like to remind our colleagues here that the same individuals who were arguing 3 years ago and 2 years ago against military aid to El Salvador, using exactly the same arguments, that our policy in El Salvador was doomed to failure, were wrong then, and they are wrong now. If we delay aiding the Contra movement, then the prospects for freedom and democracy in Central America are bleak indeed.

Mr. PANETTA. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Chairman, I would just like to point out that the word, "delay," has been used quite often, and one person's concept of delay in this matter could be another individual's solemn vote to give peace a chance in a 6-month period.

There is no question that the Michel amendment has the support that is necessary here, as evidenced by the vote on the Boland amendment. The vote on the Boland amendment is one that will come back to haunt this House, because I believe it is a declaration of war, that it will move this country inexorably toward war. This is an opinion, however, and that opinion can be contested by all.

But I wonder what is so wrong about giving peace a chance. While we continue to move inexorably toward war, what will be the posture of this House when American troops start coming back in body bags? I think when that starts to happen, perhaps we will change our whole attitude here and perhaps the House will take on a whole different focus.

I would like to discuss briefly my recent trip to Central America. One of the questions that was asked of Mr. Ortega by an individual in the audience was: How did he account for the hunger and how did he account for the hardship and the poverty in the country since he was so outspoken against Somoza and the conditions of the country during that dictatorship?

Mr. Ortega said,

> I cannot get about the business of cleaning up my country because of a Yankee imperialist that forced war upon me, and I cannot spend money for butter if I have to spend it for guns.

Mr. Chairman, we have become the whipping boy in Central America. By our action today, two wrongs certainly cannot make a right. But the amendment offered by the gentleman from Missouri [Mr. GEPHARDT] gives us an opportunity to give peace a chance, and I do not particularly feel that that is all wrong.

Mr. BROOMFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. GOODLING].

□ 1540

Mr. GOODLING. Mr. Chairman, first of all, I guess I should say that I hope sometime the gentleman from New York has more than 3 minutes and I have more than 3 minutes and we will discuss just what the Sandinistas as a matter of fact do in respect to the Contadora process. Oh, sure, they gave a lot of lipservice. But why wait until last night, as a matter of fact, to say,

> I think I will free a few prisoners, and maybe I will release the tension that I have put on this county.

Why last night? Why not do it after we voted a couple of weeks ago instead of going off to the Soviet Union which had to be embarrassing to the Speaker of the House and the majority leader and, in turn, embarrassing the entire Congress because they represent us.

Let me first of all touch on this whole issue that we are discussing today. Before, during, and since serving on the Intelligence Committee I was not a supporter of covert activity in Nicaragua. Everybody knows that. But the Congress of the United States made the decision partially on faith, because the Intelligence Committee of the House and the Intelligence Committee of the Senate said it is in our best interest to make the Sandinistas turn inwardly. I have to emphasize that, because we seem to talk about interdicting arms, but we forget if you look at the transcripts, that "make them turn inwardly" was expressed over and over and over again. So that is what the Congress decided was in our best interest.

So I believe now, even though I was in opposition to that move, that as a matter of fact we have a moral responsibility to provide the humanitarian aid that is necessary to support the Contras, because we put them there.

Now, what is a 6-month delay going to do in this situation? Let me tell you

I do not know anything positive that it can do. I do know that a 6-month delay positively means continued bloodshed in Nicaragua. It cannot mean anything else.

Now, I do not know anything else we do will not mean continued bloodshed; I do know that a 6-month delay tells us that we positively, definitely will continue the bloodshed in Nicaragua.

So why delay and take that chance? Why not take a different approach and see whether as a matter of fact a little pressure—might help bring peace to the area. I really owe a lot to the people who brought up this Michel-McCurdy-McDade initiative that we are talking about today, because they brought my administration in a direction that my administration had to be brought in, and I am proud to see that they did just exactly that.

So let us not delay for 6 months and ensure killing and ensure that we continue to have no talks, no dialog. Everything is in place. If Mr. Ortega wants to discuss with the Contadoras the problem, it is all in place. They can do it. He could have done it the last 6 months. He could have done it the last year. He does not think he has to do it. And if we do not put some kind of pressure on him, the bloodshed goes on.

I cannot guarantee that that will not happen without it; I can guarantee that a 6-month delay will merely mean more bloodshed, more fighting in Nicaragua and no step closer to any political settlement which my administration now wants and I have wanted since day one.

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

Mr. PANETTA. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. McHUGH].

Mr. McHUGH. Mr. Chairman, I rise in support of the Gephardt amendment. As the gentleman from Missouri has explained, the purpose of this amendment is to afford some additional time for all of the interested parties to pursue, in a meaningful way, the Contadora initiative to promote political negotiations in Central America.

Those who support the McDade amendment must ask themselves this question: What is the purpose of this so-called humanitarian aid? What U.S. policy does it seek to promote?

There are only two possibilities. The first is that this aid seeks to promote as U.S. policy the forcible overthrow of the Nicaraguan Government. The second possibility is that this aid to the Contras is for the purpose of putting pressure on the Nicaraguan Government to enter political negotiations.

The President has been very unclear about the real purpose of his policy, but there can be no doubt about the goal of the Contras. They clearly have in mind the overthrow of the Government in Nicaragua. If this is our purpose in aiding them, we must then ask if this goal is attainable without the employment of U.S. military forces. According to General Gorman, the former chief of our Southern Command, the goal is not attainable without U.S. forces. The evidence to date surely supports General Gorman's conclusion. The Contras have no hope of gaining power on their own. Therefore, if the purpose of this aid is to help the Contras overthrow the Nicaraguan Government, if that is the goal of our policy, it will not succeed, and we will inevitably be faced with the prospect of the introduction of U.S. troops to implement that policy goal. Are the proponents of the McDade amendment prepared to stand up and embrace that goal?

If, in the alternative, they are supporting the McDade amendment to foster political negotiations, they should be willing to support the Gephardt amendment. By its express terms, it makes very clear that its purpose is to "provide an opportunity for negotiations through the Contadora process or other diplomatic channels * * *."

This is the policy supported by our friends throughout the region, not a policy of military intervention. For example, in a letter to President Reagan following his visit to the United States earlier this year, President Betancur of Colombia said, and I quote:

> * * * military aid to the groups in opposition to the government of Nicaragua troubles me: in the various speeches which I made during my trip to the United States, among them before the House and Senate as well as before the Organization of American States and Georgetown University, I stated that one of the bases which sustains the common inter-American law is the self-determination of peoples, nonintervention, and peaceful settlement of disputes.
>
> These principles have arisen in our hemisphere not in the heat of the moment but after the passage of many years, until they have become a fundamental part of the Charter of the Organization of American States, which is our compass.
>
> And those same principles are repeated in the Act for Cooperation and Peace in Central America proposed by the Contadora Group.

This is the prevailing view of our friends in Central and Latin America: Let's negotiate over differences, not intervene militarily. And this is clearly the prevailing view of the American people. They understand that we have legitimate interests in Central America, and that we have legitimate concerns with the Sandinista Government. But before supporting the extreme step of military intervention in a foreign nation, directly or indirectly, they expect their government to first negotiate in good faith, to work with our friends in a meaningful effort to resolve differences peacefully. Until they are convinced that such efforts have been made, they will not support an interventionist policy. And that is why by a substantial margin they do not support intervention today. In a democracy like ours, a policy of intervention simply will not work in the absence of public support.

The Gephardt amendment fairly reflects the prevailing views of the American people and our friends in the region. It would focus American policy first on political dialog, a policy which has not been tried in any meaningful way. Before we embark further on the course of military intervention, a course that does not enjoy public understanding or support, we should aggressively pursue political negotiations. The Gephardt amendment could put us on that course, one which the American people and our friends do support.

For these reasons, I urge my colleagues to support the Gephardt amendment.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. McCOLLUM].

Mr. McCOLLUM. Mr. Chairman, I think that the last vote indicated that many of our colleagues, many more than before, now recognize the true nature and threat of the Communist Sandinistas. We are facing in the Communist Sandinistas, avowed Marxists-Leninists and those who are antisemitic, who have in fact driven out the small Jewish community that was in Nicaragua.

We are facing in the Communist Sandinista leadership terrorists. Commandante Borge was trained by the PLO in Lebanon in 1969. The PLO today have a virtual embassy in Nicaragua, in Managua. They are associated with the Libyans, as we all know, with arms supplied. The Red Brigades in Italy provided five people to assist the Sandinistas in training of terrorist activities in February of this year.

I submit that we are dealing with that type of person.

In addition to that, in his speech last year before his own party members, Commandante Arce, who is the political guru of the commandantes of the Communist Sandinistas said in no uncertain terms, "We are international revolutionaries. We believe in the spread of our Communist philosophy to our neighbors and any suggestion by the United States that we compromise on that is totally unacceptable."

Now, that is the nature of whom we are dealing with and when we see what happened after the last vote in this body on aid to the Contras when Mr. Ortega immediately went over to Moscow, when we saw the response in terms of only sending home a hundred of the Cuban 8,000 that are down there, when we see how they have taken advantage of the time given to them in the interim since that last vote to launch expeditions inside

Costa Rica and inside Honduras and to beef up their gunship helicopter activities, I think we have to clearly understand, as I think many of my colleagues now finally do, that we are dealing with part of the Communist international interests spreading throughout the hemisphere and that unless we go ahead now and support the Contras with the Michel amendment proposals at this time, we are just going to give them more time to work their will.

I urge a no vote on Gephardt and a yes vote on the Michel amendment.

Mr. GEPHARDT. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Chairman, my remarks are directed toward the 58 Democratic colleagues who voted against the Boland amendment just a few minutes ago. What I want them to know is that after 4 years of spending over $150 million to fund the Contras to find out whether they interdicted arms or not, not one single cache of weapons has been interdicted.

Further, Nicaragua has agreed, as has been stated here repeatedly, to meet all of the administration's stated security concerns under the auspices of the Contadora process, and that is why the Gephardt amendment is the only rational hope of sanity to add to this Michel program that we are now confronted with.

I urge you to give it serious consideration.

Mr. Chairman, I yield to the gentleman from Illinois [Mr. HAYES].

□ 1550

Mr. HAYES. Mr. Chairman, I rise today in strong support of the Gephardt amendment which would delay for 6 months the implementation of the Republican plan in order to provide more time for the ongoing Contadora peace negotiations. Six months is not a long time to wait, especially when peace is the reward. I believe that it is critical that we do not undermine the negotiations, that we must give our friends and allies a chance so that they can negotiate an agreement that they, as well as we, can live with. It was much less than 6 months ago that those of us in this very Chamber voted down a proposal similar to the Michel amendment. Six months is a very short time to wait for peace.

We must listen to our friends and our allies here in the Americas. We rarely listen to them, and that is one of the reasons that we are so isolated in our foreign policy. We didn't listen to our European allies when they told President Reagan during the economic summit that they could not support his policy toward Nicaragua, and that they would not join in his economic sanctions. We did not listen 2 weeks ago when Mexico signed a multimillion dollar agreement to sell oil to Nicaragua. We didn't listen when, in the last 2 weeks, Canada signed a trade agreement with Nicaragua. And we are not listening now, as our friends in Columbia, Panama, Venezuela, and Mexico are working for peace in our hemisphere.

Fellow Members of this honorable body, now is the time for us to stand up, listen to our neighbors and vote for peace. This vote that we make today is as close a vote for war as we have taken during my tenure in the Congress. I say that we must give peace a chance. I urge a yes vote on the Gephardt amendment. Thank you.

Mr. CONYERS. The Contadora process, a process supported by all Central American countries, calls for the withdrawal of foreign advisers as well as external military support. Nicaragua has agreed to this in principle so long as the administration agrees to stop financing the proxy war. Gephardt asks for only 6 months to let this process come to fruition. It is our chance for peace.

Remember, our track record is not too fine down there. The administration refused to inform Congress about the mining of the harbors, the terrorist murder pamphlets that the CIA put out. The administration refused to go along with the World Court. We have not been accurate on the military aid to El Salvador, nor have we with any of the pretexts for this war. This is the one way that we have a chance to get back with our friends and to make the Contadora process work.

Please, I ask you to join with us and make this amendment perfect what is a very bad notion. Otherwise, we are issuing a declaration of war on Nicaragua. It is urgent that the Democrats realize this is the one chance that we have of taking some position that makes sense in the Central American policy.

It is about time that we stand up and mean what we say about bringing peace to that war-torn region. Eight thousand people have been killed in Nicaragua by the Contras, 8,000. In Honduras we are already hearing, as the gentleman from Wisconsin, Mr. MOODY, said in a 1 minute speech, that the Hondurans are now joining with the Contras in an effort to stave off unemployment. In Guatemala, where 150,000 people have been killed by security forces since the last real democratic election in 1954, and where the Catholic bishops of that country have likened the situation to genocide, the Reagan administration now wants to send military aid. It is a crazy situation. Support Gephardt.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes and 30 seconds to the gentleman from California [Mr. DORNAN] a member of the Foreign Affairs Committee.

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

Mr. DORNAN of California. I yield to my distinguished colleague, the gentleman from California.

Mr. HUNTER. I thank my distinguished friend for yielding. I just wanted to say with respect to all of the statements that have been made about the Contadora process, in fact the Contadora members in confidence are telling the United States, "Hang tough in Nicaragua. Don't give in to the Sandinistas."

The idea that somehow these countries which are very intimidated by the Cubans and the Nicaraguans are going to bring about a peace process is being very naive, and I thank the gentleman for yielding.

Mr. DORNAN of California. I thank the gentleman.

Mr. Chairman, June 12 is a day I will never forget. All of my distinguished friends on the other side of that aisle, and a small handful over here, do not want to hear this argument couched in the following simple statement, but we cannot escape from it. In spite of all of the intellectualizing, this is an up or down vote on the solidification, the entrenchment of communism on the southern part of the Northern American Continent.

Now, we have a visitor in the gallery that although I cannot vouch totally for his bona fides, I have only become acquainted with him this year, has earned his spurs on the field of valor in combat, overthrowing the dictator Somoza.

The last time he was in a body like this he captured the whole place, along with 300 tourists, and ended up becoming the hero of the revolution, Comandante Zero.

POINT OF ORDER

Mr. GEPHARDT. Regular order, Mr. Chairman. It is against the rules of the House to refer to somebody in the gallery.

Mr. DORNAN of California. I apologize for breaking the rules, but today, June 12, makes it important to do so.

Now, he has written a Dear Colleague letter.

Mr. GEPHARDT. Mr. Chairman——

Mr. DORNAN of California. I apologize.

Mr. OBEY. Mr. Chairman, regular order.

Mr. DORNAN of California. I apologized.

The CHAIRMAN. The gentleman from California [Mr. DORNAN] will observe the rules of the House.

Mr. DORNAN of California. Mr. Chairman, I will not make that infraction again maybe for another 8 years.

Now, the gentleman has written a "Dear Colleague" to us, although he has never served in this Chamber, because he considers us colleagues in freedom.

Here is part of that message:

To the United States Congress: For more than one year, those of us in the south of Nicaragua, fighting for freedom, have received no assistance from the free men of your country and women.

We do not know objectively what it is that drives this attitude in America. We fear that it may be due to our political and ideological postures which we have always maintained. We are, still true Sandinistas because we are independent nationalists, revolutionary democrats, and defenders of our sovereignty and independence. And it is for these reasons that we are decisively engaged in a war to the death against international communism, which by its own essence is dictatorial, interventionist, and their master's imperialists.

Before I conclude, allow me to paraphrase the words of one of the greatest North American patriots—Patrick Henry—as I say to you, ladies and gentlemen, give us your assistance to fight for liberty or the communists will give us death.

Free fatherland or face death, Eden Pastora, your hero.

Mr. GEPHARDT. Mr. Chairman, I yield 3 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Chairman, I rise in support of the Gephardt amendment.

June 12, the day the Boland amendment was defeated, was the day of my only son's 16th birthday. I hope there will be no further connection down the road.

There are at least four Latin American countries that don't want to see our planes, our trucks, our guns, or even our butter going to the Contras in Nicaragua. These nations—the nations of the Contadora group—know what they want—they want our support for a diplomatic settlement to the regional conflicts in Central America.

In the words of President Belisario Betancur of Colombia:

We have asked the big powers not to turn Central America into an arena of the their conflicts, but rather to promote the development and well-being of the people there. We have told them that they will win the hearts of the people of Latin America and the Caribbean with deeds, not weapons. We, the presidents of Venezuela, Mexico, Panama and Colombia, who are engaged in the Contadora efforts, agree on this.

The United States has things more valuable than money to give.

We have democracy. We have a commitment to the peaceful resolution of conflict. We have diplomacy.

Diplomacy doesn't always work. But diplomacy cannot work if we don't try it. Let's listen to our friends in Latin America who are telling us—give peace a chance. Surely they—just as much as we—have a stake in the outcome of this conflict.

The Contadora process is at a critical juncture. They are trying to reach a final compromise treaty, but these efforts are fragile. The opportunity for peace may be destroyed if we immediately resume aid to the Contras. The Contadora process can't work without the firm support of the United States. And we can demonstrate that support right now by giving it something more valuable than money. We can give it time.

Mr. Chairman, I oppose aid to the Contras. It is a bad idea. But bad timing can make a bad idea even worse—and I can think of no worse time than the present.

By delaying aid to the Contras for 6 months, the Gephardt amendment would give the Contadora process much-needed time to work. I urge my colleagues to support it.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. DEWINE] a member of the Foreign Affairs Committee.

Mr. DEWINE. Mr. Chairman, this is a gutting amendment; let us make no mistake about it.

What it is saying is that in 6 months we are going to do something. It does not say really what we are going to do. There is nothing automatic that will occur if you pass this amendment. There is nothing that automatically occurs in 6 months if you pass this amendment.

It is like what we used to learn in law school. It is an agreement to agree in the future, and what our law professors told us was that such an agreement meant nothing, and that is what this amendment is. It is clearly a gutting amendment.

We are going to start all over again in 6 months, revisit this again. We are going to give Comandante Ortega one more chance.

How many times have we given him one more chance? In May 1984 this House effectively ended aid. Every month that has gone by we have given the Communists in Nicaragua one more chance. Why 6 more months?

In April of this year, several months ago, this House voted by only two votes to give them one more chance. How did they respond to that? How did the Communists respond?

We know how they responded. Daniel Ortega immediately went off to his friends in Moscow. The Sandinistas have now consolidated the revolution even more. They have attacked into Costa Rica.

No, we gave them one more chance. What we have learned through the history of our dealings with the Communists, and through the history of our dealings with the Communists in Nicaragua is that one more chance, unfortunately, usually does not mean just one more chance.

□ 1600

It means we are going to do it again and again and again. Let us not give them one more chance. Let us use the carrot and the stick approach contained in the Michel amendment. The Michel amendment is a well-balanced approach. That is how we will avoid the gentlewoman's 16-year-old son from having to go to Nicaragua; that is how we ensure peace.

We do not want any more Vietnams, we do not want any more Cubas, we do not want Americans fighting and dying in Nicaragua. The Michel amendment is the way to avoid that.

Mr. GEPHARDT. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. MRAZEK].

Mr. MRAZEK. Mr. Chairman, in our hemisphere, there is a nation in which the practice of torture by government security forces has been found to be "systematic and widespread" by Amnesty International.

In the same country, no political party has been allowed to function legally since the overthrow of the previous, popularly elected government. The overthrow itself destroyed a politicial system long held as a model of democracy in Latin America. With the revolution came the murder and torture of thousands of the nation's citizens. Civil liberties were essentially eradicated. Censorship was imposed. And fundamental human rights were repeatedly violated.

These conditions have been in effect for almost 12 years. Although popular elections are scheduled in 4 years, it is speculated that the military junta ruling the nation will not release its grip.

Also in our hemisphere is another country where many of the same conditions exist, although to different degrees. Since this country's revolution 6 years ago, many societal conditions are conceded to have improved. But the electoral process remains in the control of the government, and a recent election was termed a "sham" by the President of the United States.

The first country cited here is supported by the U.S. Government. The second is a sworn enemy of our Government that overtly or covertly the Reagan administration wants to see overthrown.

Why the contradiction? Why does the United States seek to eliminate one nation's government and not the other? The answer is simple, at least in foreign policy terms, for this administration. The first example, Chile, is ruled by a military junta brought to power at least in part by the manipulation of its internal politics by the U.S. Government. It is a sworn enemy of communism as well as every other political party in the nation. Its internal politics are brutal and totalitarian, but it is a regime supported by U.S. foreign policy. The second example is Nicaragua. Although far less brutal, it too stifles dissent and democracy. However, this is not why the Reagan administration is committed to its overthrow. The administration does not believe that a socialist country has the right to exist in our hemisphere. That is the larger picture.

If you live in Nicaragua, if you happen to be a farmer on one of the agricultural cooperatives that is looked at as a military target by the Contras, if it is your children who live in that village when it is surrounded by certain Contra force groups who then fire mortars into that village and drive out the few militiamen representing the Sandinista government; if it is your child that has its legs blown off you have one perspective. If you are talking about it here in these sacred halls, it is another thing. If it is your child though, you have a very different perspective. I hope we can give the Contadora process a chance to work by delaying further aid for 6 months under the Gephardt amendment.

Mr. BROOMFIELD. Mr. Chairman, may I inquire of the Chair as to how much time remains on both sides?

The CHAIRMAN. The gentleman from Michigan [Mr. BROOMFIELD] has 8 minutes remaining, and the gentleman from Missouri [Mr. GEPHARDT] has 1 minute remaining.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. I thank the gentleman for yielding.

Mr. Chairman, I would like to remind the people of this body I am from Texas. As I mentioned to one of the folks from up North the other day, one of the things we are aware of is that if the Communists from South America are going to try to come through Texas to get to Ohio we will do the best we can to stop them down there, but I think you ought to give us all a little help.

Now, I have heard people telling us, "Let's give them 6 months to work it out in the Contadora process."

Hey, 6 months from now, if we try that, the freedom fighters are going to be dead. Communists are liars, stealers, cheaters, and murderers; when are we going to figure this out around here? You cannot do business with the Communists. They do not keep treaties, they do not live by agreements.

They made all the promises to the OAS, they promised all the liberties of a democratic society. That is not what is going on in Nicaragua today. Those people fighting for freedom are the people who fought with the communists once before and they were betrayed and they were denied their rights. Now they are back.

I have heard that, and I want to make the point that where I come from you judge the pudding by the eating. For the last 2 days I have been in the presence of Commander Eden Pastora, who told me, "I love freedom more than I love life." Now that man has himself, but more convincingly, he has his two boys out in the jungles fighting for freedom. When you are willing to take your two boys to the jungles to fight for what you believe in, that is something that you can trust.

Now that is the kind of people that are asking not for us to send our boys down there but for us to send material aid to deal with the wounds, with the starvation, to put shoes on their feet, to allow those young boys in Nicaragua in those jungles to fight against the Communists that you and I ought to know better than to trust.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON], a member of the committee.

Mr. BURTON of Indiana. I thank the gentleman for yielding.

Mr. Chairman, one thing that 6 more months will accomplish, it will allow the Communists 6 more months to indoctrinate the young people of Nicaragua.

You know, some parallels can be drawn between Nicaragua and Vietnam. Gen. Fred Weyand, the last commanding general in Vietnam, was asked the question: "How do you rate the motivation of the Vietcong?" His answer was, enlightening, very enlightening. He said, "The Vietcong has superior motivation. I am perplexed over why. They lost 1 million dead in the war. Every family in North Vietnam must have suffered a loss. They all endured hardship. So why didn't they protest? Why do they continue to send their sons south to almost certain death in a cause they hardly understand?" And he said, "I know of a North Vietnamese textbook that gives a clue, early ideological indoctrination. For instance, arithmetic was taught to Vietcong children in terms of how many imperialists would be left if four imperialists appeared and two would be killed?"

The same thing has taken place in Nicaragua—they like Cuba, the U.S.S.R., and North Vietnam teach revolution to the very young.

Six more months will give them, those leaders in Nicaragua, time to teach more young people how to add, subtract, multiply and divide, using AK-47 automatic rifles, hand grenades and showing people killed to show how to add and subtract.

They are indoctrinating those young people down there in ironclad Communist doctrine. If we wait 6 more months, 2 or 3 more years, our boys are going to have to fight those boys in combat.

We will then ask the same question that was asked of General Weyand, why do they keep coming? Because, as the tree is bent, so it grows.

My friends, don't be soft on communism. Vote against this amendment.

Ms. FIEDLER. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I would be happy to yield to the gentlewoman from California.

Ms. FIEDLER. I thank the gentleman for yielding.

Mr. Chairman, I just simply want to support what he is saying, but also raise this fact to my colleagues: Don't forget that the Nicaraguan Government today is an ally of the PLO, they have recognized the PLO as a legal entity. In fact, they have an embassy in Nicaragua and they are expanding anti-Semitism. The entire Jewish community in Nicaragua was, in essence, exiled as a result of the harassment that they faced by the Government. And it brings to mind to me some of the comments that were made during the Bitburg debate.

Don't forget the fact that that kind of an element that was responsible for anti-Semitic acts in Nazi Germany are alive and well today in Nicaragua.

Mr. BROOMFIELD. Mr. Chairman, in order to close the debate, I yield the balance of the time to the gentleman from Illinois [Mr. HYDE], a member of the Committee on Foreign Affairs.

The CHAIRMAN. The gentleman from Illinois [Mr. HYDE] is recognized for 4 minutes.

Mr. HYDE. Mr. Chairman, because I have only 4 minutes, I will not talk too much about this, but I thought, since one picture is worth a thousand words, I would provide a look at what liberation theology looks like. This is Father Donald McKenna, a liberation theologian with the troops. And that is not a rosary or a crucifix, but an AK-47 over his shoulder.

Now the gentleman from New York said this administration cannot tolerate a Socialist country in this hemisphere. There is a difference between a Socialist and a Communist. And it is crucial to understanding foreign policy.

Now a Socialist is someone like Carlos Andres Perez, the vice president of the Socialist International, who sent Daniel Ortega a letter saying, "I won't come to your inauguration because your election was a sham."

□ 1610

Now, the gentleman of the left, on this side of the aisle, remind me of the husband who had a private detective follow his wife, and got his first report, and the detective said, "Well, I followed them into this motel, I peeked through the window; they embraced and then they turned out the lights." The husband says, "God, always this doubt. Always this doubt."

It is tough for you to understand and to grasp the nettle, but these guys are Communists. They are Communists, and revolutionary truth is not truth as you define it, but it is truth as they define it, whatever helps the revolution.

Mr. LELAND. Will the gentleman yield?

Mr. HYDE. Oh, sure, I yield to my friend.

Mr. LELAND. We embrace the People's Republic of China, the largest Communist nation in the world. We love them, do we not?

Mr. HYDE. The gentleman embraces the People's Republic of China.

Mr. LELAND. You ought to be ashamed, Henry. Shame on you. Shame on you.

Mr. HYDE. Is that the gentleman's tie, or had he has open heart surgery?

You know what his bill does, the Gephardt amendment? It says, "Hang in there, boys for 6 more months. You may be hungry, you may have no shoes, but hang in there, because if there guys do not live up their revolutionary truth, you know what we will do? We will come back and have another vote, that is what we will do."

That ought to really bring them to their knees.

Now, the Soviet bloc has sent over $500 million worth of weapons, and military equipment into Nicaragua. That will keep coming while we are in a state of suspended animation and the Contras can just hang in there.

Say, how do we reassemble the Contras in 6 months? Do we have a reunion in Tegucigalpa? Do we have them come back the class of 1985 if they can bring themselves together and then march on Managua? I think that is nonsense.

By the way, overthrowing a government, as though that is a mortal sin, the Sandinistas got a lot of international help when they overthrew Somoza. I heard no quarrel about that. When we pulled the rug on the Shah of Iran, no problem. He was an autocrat; he was a tyrant; he had a secret police. Of course, what we got in his place we do not want to talk about.

No problem. If a group were going to overthrow Pinochet, do you think the gentlemen of the left would be objecting? Why, they might even go so far as to write a personal check. I kind of doubt that, but it is possible.

You know one thing President Duarte said, "Communists stick together." Now in Nicaragua you have got Bulgarians, you have got North Koreans, you have got East Germans, you have got Cubans, you have got Russians. They hang together.

Who do the forces of freedom turn to when we turn our back on them?

Please defeat this amendment.

Mr. GEPHARDT. Mr. Chairman, I yield the final minute to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Chairman, my colleagues, I think the fundamental weakness of the Michel amendment and the policies of this administration are that they fail to enjoy the broad support of the nations and the organizations that have as vital an interest in the stability of Nicaragua as we do.

Let us not be so presumptuous today to assume that this is just a matter that is of interest to U.S. citizens. It is as much an issue for the campasino in Mexico, for the worker in Panama, for the businessman in Venezuela, for the family in Colombia, as it is for us; and that is the reason these nations came together in the Contadora effort, to try to find a regional solution, to work together for the cause of peace.

It is not easy for these countries to do that. They have worked hard; they developed a draft treaty, and all they are asking of this country is that we make a good faith effort to try to find peace in conjunction with this regional effort.

Is that too much to ask? Is that too much to ask? That is what the amendment of the gentleman from Missouri is proposing. This amendment seeks to make a commitment that we will work within the Contadora effort; it makes a commitment that we will work to find a regional solution; and it tries to justify to our children that we have taken the very last step to try to find peace in that part of the world.

Let me expand on some of the reasons for adopting this amendment:

> * * * The goal of restoring peace and confidence . . . can be achieved only through unconditional respect for the principles of international law, especially with regard to the right of peoples to choose, freely and without outside interference, the model of political, economic, and social organization best suited to their interests, through institutions that represent the freely expressed will of the people.

Mr. Chairman, those inspiring and honorable words could easily have come from our own Declaraton of Independence—for they convey the very essence of liberty and freedom of determination that this country espouses—they could have, but did not. Instead, they are contained in the preamble of the Contadora Act for Peace and Cooperation in Central America.

We are today involved in one of the great debates of our time; whether this Nation will choose the rhetoric and posture of war or the path of peace. It is not any easy decision, and both sides of the issue have very real reasons for believing as they do. I am not going to stand here before you, Mr. Chairman, and distinguished colleagues, and tell you that the Sandinista government is a model of democracy and human rights. I am not about to defend the Contras, either. Instead, I am here to defend peace.

There are, without doubt, a great many challenges facing us in Central America; but it is not our challenge alone. The conflict between the Sandinistas and the Contras does not after all, affect only the Governments of Nicaragua and the United States. I believe it would be the ultimate in hypocrisy to believe that the coffee farmer in Colombia or the common laborer in Panama has less of a stake in the conflict within Nicaragua than any citizen of the United States.

If this is so, then ought not the Governments of Latin America—Mexico, Colombia, and Venezuela among them—have a voice in the search for peace in that troubled region? I believe that they should, and must, have a voice in these negotiations if peace is to be achieved, and maintained. Certainly, we must participate, but we must not convince ourselves that the conflict in Nicaragua is between the United States and the Sandinistas alone, or between the United States and the Contras alone—for to do is to preclude the most obvious avenue for peace: regional cooperation.

In January 1983, the foreign ministers of four nations—Mexico, Colombia, Panama, and Venezuela—met on Contadora Island, off the Pacific coast of Panama, to consider means to resolve the many conflicts in Central America. Their agenda did not consist solely of the challenge of Nicaragua, but rather they considered this issue, among others, in the context of the larger issues gripping the region as a whole.

Since that first meeting, progress for the Contadora nations has come slowly. They have met periodically throughout Central America attempting to resolve differences in perception and approach. They have not always been successful. They have not always received enthusiastic or sincere support. But they are trying.

Last month, after 2 days of talks, the Contadora nations agreed to establish an independent panel to monitor compliance with the provisions of a future regional peace treaty—a peace treaty that will, hopefully, provide for an end to violence and a beginning of regional stability in Latin America. This decision represented one of the most concrete achievements in the more than 2 years since the Contadora initiative first made headlines.

The latest proposal would set up three panels, to be composed of representatives of nations that are neither part of Central America nor of the Contadora group. These panels would monitor compliance in three areas: security, economic and social issues, and issues involving internal politics and refugees. Another major meeting between the nations of the Contadora group will likely be held soon—possibly be the end of this month—between representatives on the ministerial level. This meeting could be the breakthrough we are all hoping for.

The nations of the Contadora group have chosen the paths of diplomatic negotiations and peace through mediation over the power of military might and taunting threats. I would suggest to my esteemed colleagues that these principles are comparable to the highest American ideals of peace and sovereign respect. We should, I believe, work to further this process for peace.

My distinguished colleague from Missouri [Mr. GEPHARDT] has forwarded an amendment to the Michel proposal regarding aid to the Contras in Nicaragua. Mr. GEPHARDT's plan would delay the implementation of the Michel amendment for 6 months, in order to allow more time for the Contadora peace negotiations to work at achieving progress toward peace. The Gephardt amendment would not rule out the provision of aid to the Contras, but would merely delay the timing of that aid. At the end of the 6 months, Congress could reconsider the question of aid in the context of any progress in the Contadora peace process.

This amendment, in other words, does not seek to label either side in the Nicaraguan conflict; it neither encourages nor discourages aid to the Contras. This amendment seeks to give the nations of Latin America the time they need to work out their own problems in their own way. Ought we not give them that chance?

I believe the Contadora process has reached a crossroads. And we, as a nation, have two choices. We can either choose to help those nations along, or we can remain uninvolved and continue on our present course. But let me ask my colleagues to consider for a moment where we will be 1 year down the line if we continue our current policies. I would suggest that the likelihood of military involvement in Nicaragua is great if we continue to aid one side over the other and refuse outstretched arms offering peace initiatives.

But if we choose to support the Contadora process, perhaps 1 year from now we will be closer to peace in that troubled region. One thing is certain, we will be closer to peace if we support Contadora, than if we ignore it. And when that decisive time in Nicaragua comes—perhaps 1 year, or 2, or 5—who among us would be willing to stand up and admit that he or she had voted against a proposal that chose peace and negotiation?

I am not here to ask my colleagues to adopt my line of thinking in the conflict between the Sandinistas and the Contras. I ask only that we give peace a chance. Because when the final chapter of our history is written, no matter what the eventual outcome of the conflict in Nicaragua, I want those who come after us to say that we explored every avenue of peace, that we left no stone unturned in the quest for regional stability. In the final analysis, is that not what this country stands for?

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Missouri [Mr. GEPHARDT], to the amendment offered by the gentleman from Pennsylvania [Mr. MCDADE].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. GEPHARDT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 172, noes 259, answered "present" 1, not voting 1, as follows:

[Roll No. 155]

AYES—172

Ackerman
Addabbo
Akaka
Alexander
Anderson
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnes
Bates
Bedell
Beilenson
Berman
Boland
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brooks
Brown (CA)
Bruce
Bryant
Burton (CA)
Carper
Carr
Clay
Coelho
Coleman (TX)
Collins
Conyers
Coyne
Crockett
Daschle
de la Garza
Dellums
Dingell
Dixon
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart (OH)
Edgar
Edwards (CA)
Evans (IL)
Fazio
Feighan
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Frost
Garcia
Gejdenson
Gephardt
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hayes
Hertel
Howard
Hoyer
Hughes
Jacobs
Jones (NC)
Kaptur
Kastenmeier
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lowry (WA)
Luken
Lundine
Manton
Markey
Martinez
Matsui
Mavroules
McCloskey
McHugh
Mikulski
Miller (CA)
Mineta
Mitchell
Moakley
Moody
Morrison (CT)
Mrazek
Murphy
Neal
Nowak
Oakar
Oberstar
Obey
Olin
Owens
Panetta
Pease
Penny
Perkins
Price
Rahall
Rangel
Ridge
Rodino
Roe
Rose
Rostenkowski
Roybal
Russo
Sabo
Savage
Scheuer
Schroeder
Schumer
Seiberling
Sharp
Sikorski
Smith (IA)
Solarz
St Germain
Staggers
Stark
Stokes
Studds
Swift
Synar
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Vento
Visclosky
Volkmer
Walgren
Waxman
Weaver
Weiss
Wheat
Williams
Wirth
Wise
Wolpe
Wright
Wyden
Yates
Yatron

NOES—259

Andrews
Archer
Armey
Badham
Barnard
Bartlett
Barton
Bateman
Bennett
Bentley
Bereuter
Bevill
Biaggi
Biliraki
Bliley
Boehlert
Boggs
Boner (TN)
Boulter
Breaux
Broomfield
Brown (CO)
Broyhill
Burton (IN)
Bustamante
Byron
Callahan
Campbell
Carney
Chandler
Chappell
Chappie
Cheney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Combest
Conte
Cooper
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis
DeLay
Derrick
DeWine
Dickinson
Dicks
DioGuardi
Donnelly
Dornan (CA)
Dowdy
Dreier
Duncan
Dyson
Eckert (NY)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Fascell
Fawell
Fiedler
Fields
Fish
Flippo
Franklin
Frenzel
Fuqua
Gallo
Gaydos
Gekas
Gibbons
Gilman
Gingrich
Glickman
Goodling
Gordon
Gradison
Gregg
Grotberg
Gunderson
Hall, Ralph
Hammerschmidt
Hansen
Hartnett
Hatcher
Hefner
Heftel
Hendon
Henry
Hiler
Hillis
Holt
Hopkins
Horton
Hubbard
Huckaby
Hunter
Hutto
Hyde
Ireland
Jeffords
Jenkins
Johnson
Jones (OK)
Jones (TN)
Kanjorski
Kasich
Kemp
Kindness
Kolbe
Kramer
Lagomarsino
Latta
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Loeffler
Long
Lott
Lowery (CA)
Lujan
Lungren
Mack
MacKay
Madigan
Marlenee
Martin (IL)
Martin (NY)
Mazzoli
McCain
McCandless
McCollum
McCurdy
McDade
McEwen
McGrath
McKernan
McKinney
McMillan
Meyers
Mica
Michel
Miller (OH)
Miller (WA)
Molinari
Mollohan
Monson
Montgomery
Moore
Moorhead
Morrison (WA)
Murtha
Myers
Natcher
Nelson
Nichols
Nielson
O'Brien
Ortiz
Oxley
Packard
Parris
Pashayan
Pepper
Petri
Pickle
Porter
Pursell
Quillen
Ray
Regula
Reid
Richardson
Rinaldo
Ritter
Roberts
Robinson
Roemer
Rogers
Roth
Roukema
Rowland (CT)
Rowland (GA)
Rudd
Saxton
Schaefer
Schneider
Schuette
Schulze
Sensenbrenner
Shaw
Shelby
Shumway
Shuster
Siljander
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (NE)
Smith (NH)
Smith (NJ)
Smith, Denny
Smith, Robert
Snowe
Snyder
Solomon
Spence
Spratt
Stallings
Stangeland
Stenholm
Strang
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Valentine
Vander Jagt
Vucanovich
Walker
Watkins
Weber
Whitehurst
Whitley
Whittaker
Whitten
Wilson
Wolf
Wortley
Wylie
Young (AK)
Young (FL)
Young (MO)
Zschau

ANSWERED "PRESENT"—1

Gonzalez

NOT VOTING—1

Hawkins

□ 1630

Mr. REID changed his vote from "aye" to "no."

Mr. FROST and Mr. RODINO changed their votes from "no" to "aye."

So the amendment to the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Pursuant to the unanimous consent agreement agreed to in the House earlier today, the gentleman from Pennsylvania [Mr. MCDADE] will be recognized for 10 min-

utes and the gentleman from Massachusetts [Mr. BOLAND] will be recognized for 10 minutes.

The Chair would like to inform the Members that in addition to the 20 minutes debate just announced, there are an additional 2 hours of debate on the Hamilton amendment and unless the Committee comes to order, it may be midnight before we get through.

The Chair recognizes the gentleman from Pennsylvania [Mr. MCDADE].

PARLIAMENTARY INQUIRY

Mr. MCDADE. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. MCDADE. Mr. Chairman, I believe that I have the right to close debate. May I say to the Chair that it is my amendment, and I believe as author of the amendment, I have the right to close debate.

The CHAIRMAN. Under the present circumstances, the Chair agrees with the gentleman that he should be allowed to close. Would he like to open also?

Mr. MCDADE. Mr. Chairman, do I take it that the Chair has indicated that I will be the only speaker?

The CHAIRMAN. No, the gentleman from Massachusetts [Mr. BOLAND] has 10 minutes also.

Mr. MCDADE. Mr. Chairman, has the gentleman yielded it back?

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, first of all, let me compliment both sides of the aisle on the tenor of the debate that took place here on the Michel amendment. I congratulate the distinguished minority leader for his craftsmanship and for the manner in which that amendment was handled by his side of the aisle. I also want to compliment Members on this side.

The die has been cast on this particular amendment; I am not going to change 26 or however many votes were cast against it, so let me just indicate that when the Hamilton-Barnes amendment comes to the floor, I intend to support that. In my judgment, that is the best way to secure the kind of negotiations we need in that part of the world to secure a lasting peace.

Mr. Chairman, we are approaching the end of yet another debate on Nicaragua.

Whatever the outcome today, I doubt that we have heard the last of either the Sandinistas, or the Contras.

Because we will undoubtedly revisit this issue in the future, I want to make personal observations about the tenor of the debate of date.

I have served in this body for more than 32 years, and I have heard arguments on all sorts of subjects.

I must say, however, that I have never heard more frenetic rhetoric on any issue than I have heard on the issue of aid to the Contras.

I appreciate the use of hyperbole as much as the next person, but I think that rhetorical art form has been taken to previously unexplored heights by comparing the Contras to our Founding Fathers.

In addition, questioning the patriotism of those Members of the Congress who oppose the provision of military aid to the Contras, or describing that opposition as somehow equivalent to advocating unilateral disarmament in this hemisphere, has been neither helpful nor truthful.

Some in the Reagan administration have expressed frustration with the unwillingness of Congress to cede all responsibility for foreign policy to them.

That is not a frustration unique to this administration.

It has been my experience that, in foreign affairs, most Presidents and their advisers prefer Congress to be in on only the crash landings, never the takeoffs or the inflight corrections.

Mr. Chairman, we dare not renege on our responsibilities to legislate in the area of foreign affairs.

Our system is one of checks and balances.

For the Congress, one of the most powerful ways to insure balance is to refuse to write the check.

We were reticent to use that power in the not-too-distant past, and that reticence contributed to the tragedy our Nation experienced in Southeast Asia.

We cannot afford to go down that road again.

The time to question foreign policy decisions is at their inception, not when it is too late to do anything about them except try to control the damage.

The actions of this House with respect to the administration's policy in Nicaragua have been in keeping with the best traditions of the oversight responsibilities given to the legislative branch by our Founding Fathers.

We need make no apologies for those actions, and we certainly need not be ashamed of them.

It has been this House that has demanded that the administration develop a coherent and consistent policy with respect to Nicaragua, and that it have the courage to fully explain that policy to the American people.

If that kind of policy is ever developed, and that kind of explanation ever provided, it will be as a result of what has been done in this body—on four occasions over a 2-year period—and not anything that has been done across the plaza or down Pennsylvania Avenue.

I believe that when the history of the Contra issue is written, it will be clear to all that the insistence by the House of Representatives that a grip be kept on the funding of the not-so-covert war, may have kept a much larger war from developing in Central America.

We need not, and we must not, loosen that grip today.

We are not going to achieve the kind of settlement I believe the majority of the Members of this body want to see in Nicaragua by encouraging the continuation of the war.

That has been the inescapable truth which has driven our votes on this issue over the past 2 years.

I hope we will not lose sight of it in our votes this afternoon.

So on that basis, Mr. Chairman, let me conclude by saying that it was a nice day, we lost, we may win again sometime. We will revisit this issue in the future.

Mr. Chairman, I urge the defeat of the Michel/McDade amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. GARCIA].

● Mr. GARCIA. Mr. Chairman, this is the fifth time we have debated aid to the Contras. Each time we have sent the same message: We are against such aid; we are against this "course." Yet, each time the President has refused to listen. So again, we are forced to consider this issue.

Unfortunately, this time the stakes are a little higher. The Secretary of State has warned that if we don't shape up and give the President what he wants then troops might be sent. Yesterday, however, in an 11th hour plea, or should I say ploy, the President said it was not his intention to overthrow the Sandinistas. What are we to believe? The confusion the White House has created with these contradictory statements is very much like the confusion created by its overall policy toward Nicaragua.

Only last week, the New York Times published two articles about plans for U.S. military involvement in Nicaragua. One intelligence official even went so far as to say that launching a successful invasion of Nicaragua would be like "falling off a log."

It seems to me that this is the way that all wars begin, with overconfidence, with unrealistic expectations. There is also a tendency to disregard the consequences of our actions because we are swept up in the self-righteousness of our actions. No war is like "falling off a log." No war is won easily, without great cost. But as much as I resent this casual regard for war, I also resent the veiled threat that if Congress doesn't follow the President's course of action, then we must pay the price of U.S. involvement.

I have consistently opposed aid to the Contras because it is a bad policy and because I don't want to see the United States become unnecessarily involved militarily in Nicaragua. If you

want to see thousands of refugees fleeing into this country in search of a safe haven, all we have to do is spark a regional war. These individuals will not be coming to flee from Communist tyranny but to flee from the threat of the terror of war.

To be certain, we have legitimate security interests in Central America. To be certain, we do not want to sit back and watch a tyranny of the right be replaced by a tyranny of the left. Daniel Ortega did go to Moscow. Nicaragua is not an open, democratic society, but we are not going to change the Sandinistas by holding a gun to their head. Neither can we change the Contras by simply changing their name. To paraphrase Shakespeare, a rose would smell as sour by any other name.

It is important to note that our policy has repercussions beyond Nicaragua. Even if we could defeat the Sandinistas in short order, we would leave a residue of ill feeling with our allies in Latin America. We risk becoming the true heirs of gunboat diplomacy, but that kind of diplomacy simply will not work any more. We can no longer sneeze and expect Central America to quake. As I said, we have every right to protect our interests, but we should not do so with complete disregard for our allies. We should make use of some of our European allies. We should also give the Sandinistas room to hang or vindicate themselves. Recent events in Costa Rica indicate that they may already be preparing their scaffolding.

As I have said on numerous occasions—Central America and Nicaragua—is not ours to lose. The nations of the region must be allowed to shape their own destinies. That does not mean that we are without input. It does mean that we must not attempt to impose our will, independently, without consultation.

Let's at least give the diplomatic approach a chance while we still have the option. War is a very expensive proposition. It should only be considered as a last possible course of action. I, therefore, urge my colleagues to say no to the Contras and yes to Contadora and negotiations.●

Mr. BOLAND. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. NELSON].

Mr. NELSON of Florida. I thank the gentleman for yielding. Mr. Chairman, I rise today in support of this amendment to send humanitarian aid to the counter revolutionaries in Nicaragua.

In 1983, I traveled to Central America, visiting the countries of Nicaragua, El Salvador, Costa Rica, and Guatemala. The bipartisan delegation that I led included three of my colleagues from this Chamber. And, after comparing our observations, we all reached the same general conclusion—we cannot give up on Central America.

The United States has high stakes in the area not only because of our national security interests, but also because of the potential mass immigration of Central Americans to America if those countries come under Communist governments.

I am convinced we must keep the pressure on the Sandinista regime to stop supporting the guerrillas who are trying to overthrow the elected government of El Salvador.

The United States should pursue a foreign policy of encouraging a regional peace. If Nicaragua would leave their neighbors alone and stop supplying arms and training to guerrillas in El Salvador. And if they would stop exporting their revolutionary communism, then we could hope for a mutual peace among the nations of Central America. Only then, can Central America be economically revived.

I believe that this U.S. assistance will more likely bring Nicaragua to genuinely negotiate a regional peace. Obviously the cutoff of assistance over the past year has not caused a change for the better. I encourage my colleagues to join me in supporting this necessary action.

Mr. BOLAND. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. CHAPPELL].

Mr. CHAPPELL. I thank the gentleman for yielding time to me. Mr. Chairman, I rise today in support of the Michel-McDade amendment to provide humanitarian aid to the Nicaraguan democratic resistance and economic incentives to the Sandinista government to negotiate a peaceful settlement with them. This measure also authorizes funds for the Contadora peace process and urges the President to resume bilateral talks with the Nicaraguan Government and to persuade other Central American nations to join with the United States in using economic sanctions to pressure the Nicaraguan Government into changing its policies.

The single greatest issue in determining this Nation's policy toward the situation in Nicaragua is whether or not we are willing to accept the establishment of another Marxist-Leninist beachhead—like Cuba—in the Western Hemisphere. To fail to recognize the threat the Sandinista government poses to the security of Central America and the United States is to bury our heads in the sand.

The head of our own intelligence agency, Bill Casey, tells us that since 1979, when the Sandinistas seized control over the government: "They have developed the best equipped military in the region." He estimates the Sandinistas have 6,000 to 7,500 Cuban advisers and another several hundred other Communists from the Soviet Union and Eastern European Soviet bloc countries to assist in their military buildup and consolidation of power.

If we allow the Soviets and Cubans to develop this powerful beachhead in Central America and that ferment spreads, our Nation will know a security threat that we cannot abide.

Clearly, there is only one choice consistent with our national security and foreign policy objectives: We must apply pressure from all possible sources to make the Sandinistas call a cease-fire and come to the negotiating table with the democratic resistance, known as the Contras. This will be especially difficult at a time when Nicaragua's conversion to a Marxist-Leninists state is 80-percent complete. They are already suppressing the press and expelling those not on their side. They are arresting and imprisoning political opponents. They are exporting communism to other countries. They are tightening down more on the private sector. And the evidence goes on down the line, that the Sandinistas are intent on following everything Cuba has done.

It is also an unfortunate political reality that Marxist governments do not revert to democratic forms of government. Not one of the some 21 countries that have gone Communist have been reversed. In Nicaragua, however, there is somewhat of a unique situation. A grassroots resistance movement is fighting for a democratic form of government and the same kinds of freedoms this country enjoys. But the leaders of the democratic resistance emphasize shortages of food, medicine, and clothing which severely impede their ability to successfully wage their fight. By passing the Michel amendment, we can encourage and help the democratic resistance continue and bestow legitimacy on their efforts. Thus, we would send a clear message to the Sandinistas and to neighboring countries whose borders have been violated that we intend to protect the freedoms and the democratic form of government in this hemisphere. If we are going to provide aid—humanitarian or other—to the Contras, we had better do it now and in a fashion that doesn't slowly bleed them to death and diminish the strongest incentive for the Sandinistas to negotiate.

There are those critics who charge any support for the democratic resistance will result in the United States entering the war in Nicaragua with our own military forces. The President himself has clearly told us: "His administration does not seek the military overthrow of the Sandinista government or to replace it with supporters of the old Somoza regime." We certainly don't want another Vietnam on our hands. We certainly must never again get into a situation that we don't intend to win. But whether or not this country would ever have to make the

tough decision of military intervention is not the issue at this time.

Let's first utilize all the peaceful means that are available through the Michel amendment to try to accomplish our objective of preventing another Marxist-Leninist beachhead. We better not keep sticking our heads in the sand and say "the situation in Nicaragua will go away by itself" because that simply will not happen. It's a lot easier to pay for peace now by helping those grassroots resistance forces who want freedom for themselves and are willing to fight for it, than to pay for war with our own blood on a far larger scale, once that beachhead has grown into a monstrous threat that cannot be stopped in any other way.

I urge the adoption of the Michel amendment and a rejection of all amendments which would weaken this amendment.

Mr. RINALDO. Mr. Chairman, I rise in support of the amendment offered by the distinguished minority leader to provide $27 million to the Contra freedom fighters in Nicaragua. These 18,000 young men and women carry on the fight for democracy not only in Nicaragua but in the entire Western Hemisphere.

The revolution in Nicaragua has been betrayed. At no time was this more evident than during Daniel Ortega's visit to Moscow immediately after the House of Representatives voted to cut off support to the Contras last month. The 1979 revolution in Nicaragua overthrowing the Somoza regime was viewed with great hope by freedom loving people throughout the world. The repression of civil liberties in Nicaragua had finally been lifted. Land reform and other economic reforms predicated upon the belief of private ownership was to take place immediately.

Yet, this hope was short lived. There is no freedom of the press, and the Sandinistas have broken their pledge to the Organization of American States that there would be political freedom. The Sandinistas have even tried to impose their own people's church in place of the official Catholic Church, and they have driven virtually all of Nicaragua's Jewish community into exile.

Most importantly for the security of our Central American allies, the Saninistas have made no secret of their desire to export their revolution without frontiers to their neighbors, including Costa Rica, which doesn't even have an army. In fact, the Costa Rican President has stated that the Sandinista regime threatened to destabilize not only his country but all of Central America.

Nicaragua has become a well-armed outpost for Soviet and Cuban expansion in Central America. Leaders of the revolution such as Eden Pastora, and Arturo Cruz have left that country disillusioned by the course of conduct of the Marxist Sandinistan leadership. Cardinal Bravo, once a vehement opponent of the Somoza dictatorship, now watches as the government attacks the Catholic Church. Perhaps this is not unexpected from a regime headed by a man who has stated, "Marxism-Leninism is the scientific doctrine that guides our revolution."

Cuban and East German advisers provide useful knowledge to Ortega as he establishes the largest state security and secret police organization in Central America. The terrorist Palestinian Liberation Organization is given free reign in that country. The international Communist community views Nicaragua as it did Cuba 25 years ago—the great hope for expansion in the Western Hemisphere.

While some may say that it is too late to reverse course, I do not agree. Despite the oppression of their own Government the people of Nicaragua have not lost their vigilant desire to once again recapture their betrayed revolution.

I am a supporter of the Contadora peace process and am pleased that the Michel amendment also contains $2 million to assist the Contadora nations in implementing its document of objectives. This aid to the Contras will send a strong signal that the United States will not back away from its commitment to prevent the spread of Soviet expansionism in this hemisphere.

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

● Mr. GALLO. Mr. Chairman, today I rise in support of the amendment offered by my distinguished colleagues, Mr. MICHEL, Mr. MCDADE, and Mr. MCCURDY which would set aside $27 million for humanitarian aid for the citizens involved in the fight for freedom and democracy in Nicaragua.

This amendment would not overthrow the Sandinista government, nor is it aimed at prolonging the military strife in this troubled region. Rather, this bipartisan amendment would help to foster an environment that enhances the likelihood of a national dialog to bring about a lasting peace and a secure democracy.

The United States must, in the strongest possible terms, condemn the atrocities by any of the parties involved in the struggle in Central America. The democratic resistance in Nicaragua has urged the application of strict rules regarding the treatment of prisoners and civilians. This Congress should echo that call.

My visit to Central America gave me a personal perspective on the situation in this troubled region. It is my firmest belief that a policy of support for democracy, economic opportunity, and security will best serve the people of Central America and the interests of the United States. We must do all that we can to see that this policy is followed so that the democratic center may prevail over the tyrants of the left or the right.

The bipartisan amendment that we vote upon today could mark the beginning of a peace founded on the will of the people, rather than tyranny based upon the might of the Government.

I will vote in support of this important amendment and urge the support of my colleagues on both sides of the aisle.●

● Mr. KASTENMEIER. Mr. Chairman, I strongly urge the House to reject the Michel-McDade-McCurdy amendment to provide so-called humanitarian aid to the Nicaraguan Contra forces.

This amendment is ill-conceived and it is dangerous. It is ill-conceived because the Reagan administration policy of attacking Nicaragua through the Contra forces has succeeded only in rallying the Nicaraguan people, the vast majority of which continue to support the Sandinista regime. The Contra forces, by themselves, are not going to be able to overthrow the Sandinistas. It is dangerous because it pushes the United States deeper into a Central American quagmire on behalf of a personal policy promoted by a President who, I fear, seeks to involve our Nation in a military action in that region.

Mr. Reagan has heated up his obsessive opposition against the Sandinistas. Although yesterday, the President said he disavows any U.S. intent to overthrow the Nicaraguan Government, he revealed what I believe are his true intentions when, last February, he told us of his desire to overthrow the present Nicaraguan Government if the Sandinista regime doesn't cry "uncle." The administration is now openly discussing the possibility that U.S. combat forces might one day be sent into Nicaragua. President Reagan, Secretary of State Shultz, and other administration officials are warning that we may have little choice but to use military force against Nicaragua. Until he tried to appear more conciliatory yesterday, on the eve of this vote, the President's rhetoric against Nicaragua was becoming increasingly inflammatory and bellicose. We should be greatly concerned that congressional support of any funding for the Contra forces will be interpreted by the President as a blanket congressional endorsement for whatever he seeks to do in Central America. Mr. Reagan's ideological hatred of the Sandinistas is not a legitimate reason for the Congress to indulge the President in his personal whims.

There are those who are upset with Nicaraguan President Daniel Ortega's trip to the Soviet Union. The timing of

this visit was poorly planned, coming right after the House vote in April to reject any form of assistance to the Contra groups. Only the most naive observers, however, should have been surprised to see Ortega asking the Soviets to replace the aid that the United States halted since the Reagan administration came to power. Of course, the Soviet Union was not the only nation which Ortega visited in an effort to win support and backing. The European Community, for example, announced support, including financial help to Nicaragua in its fight against the recently imposed U.S. trade embargo. The European Community will help finance a $5.2 million program to expand Nicaragua's grain warehouses and export facilities.

For those who are still disturbed by Ortega's visit to Moscow, we should remember that what is at stake here today is not whether we disapprove of Ortega's going to the Soviet Union, but, more importantly, the course of the policy we seek to follow toward Nicaragua.

The proponents of this amendment would have us appropriate $27 million in "humanitarian" aid to some group or groups called the Nicaraguan Democratic Resistance. This is ludicrous. Since when can funding to a military force be considered to be "humanitarian" aid? Is this "humanitarian assistance" looked upon by the proponents of this amendment as some form of a welfare program for Nicaraguan rebels? Of course not. We all know that the purpose of this aid is to permit the Contras to conduct a war against the Nicaraguan Government.

As for the recipients of this aid, the so-called Nicaraguan Democratic Resistance, composed of Mr. Reagan's "moral equivalent of the Founding Fathers," many of these Contras are nothing more than former Somoza military who would reinstate a reign of terror if they ever came to power. Until yesterday, the Reagan administration would have us believe that the reports of incidents of killings and abductions by the Contras are nothing more than propaganda charges. However, faced with continuing reports by defectors from among the Contras of routine practices of murder, kidnaping and rape of innocent Nicaraguan civilians, the President, yesterday, belatedly acknowledged the acts of brutality committed by the Contras.

Mr. Chairman, there is no moral, political, intellectual or strategic value in funding the Contras, and it should be understood by all that by giving assistance to the Contras, we are sanctioning a war by proxy against Nicaragua. If the President says that it is not his intent to overthrow the Government of Nicaragua, then what is the purpose of this Contra aid? If the President wants to peacefully resolve our differences with Nicaragua, then let him commit the United States to the Contadora process.

Mr. Chairman, this is not the time to compromise with what I believe is the President's desire to impose his will on Nicaraguan society and with his wrong kind of farsightedness. Rather than promoting a war in Central America, we should be announcing our strong support for the Contadora peace process which offers the best prospect of obtaining a long-term commitment to peace and stability in Central America.●

● Mr. FUQUA. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Pennsylvania, Mr. McDADE. This was not an easy decision. I opposed and voted against military aid to the Contras and continue to believe that providing military aid would not be in the best interest of the United States as a statement of our foreign policy.

I seriously considered voting for alternatives offered on the floor today. There is merit in their statements. In the final analysis, however, I feel compelled to support the McDade amendment and oppose alternatives because of my serious concern with actions and efforts of the Government of Nicaragua.

Nicaragua is not a democracy. Just this week newspaper editors in that country registered strong protest of renewed press censorship. Nicaragua is a destabilizing influence in Central America. The recent attack on Costa Rican soldiers indicates that Nicaragua is continuing its war-like efforts against its neighbors.

I have been assured by officials of the Reagan administration that all of our aid will be nonlethal and genuinely humanitarian. We have a moral obligation to assist those fighting for freedom throughout the world from Afghanistan to Nicaragua.

Recently, I have met with constituents from my district who strongly oppose aid. They are sincere and articulate speakers for a prohibition on all aid to the Contras. I genuinely respect and understand their position. The fact remains, Mr. Chairman, that I cannot shake my doubts about the Nicaraguan regime and its intentions. I wish aid to the Contras was not necessary. I wish we did not have to state opposition to the Government of Nicaragua.

We live in a world of reality, not ideal. We must face reality and understand the aims and motives of the Soviet Union, Cuba, and Nicaragua. We cannot permit further Communist expansion in Central America. We simply cannot allow it.

For these reasons, I support the McDade amendment and will vote to allow humanitarian aid.●

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. McDADE] for 10 minutes to close debate.

Mr. McDADE. Mr. Chairman, let me say that I am not about to take 10 minutes, but I do want to refer a little bit to an amendment that was offered quite a long time ago. It is called by a lot of names. I call it the Michel-McCurdy-McDade amendment, and I respectfully ask this House to overwhelmingly approve it.

I want to pay very special tribute to all Members on both sides of the aisle who have given their time and their talent to put new life into this proposal, to my good friend, the distinguished minority leader, Mr. MICHEL, a lot of hours; to the very strong support and interest of the gentleman from Oklahoma, Mr. McCURDY; to my good friend, the gentleman from Pennsylvania, JACK MURTHA; to our very distinguished chairman of the Committee on Foreign Affairs, Mr. DANTE FASCELL; to my good friend, the gentleman from Arizona, JACK McCAIN; to the gentleman from New York, HAM FISH; and so many others who care so deeply, as all Members of this body care. I want to say that they have not just my gratitude, but I think the gratitude of freedom-loving people everywhere.

I want to say one more thing about that kind of thing. I have two people who nobody knows, who work for me. They are staff people, and they gave of their time day and night and weekends and months to try to get here, my good friends George Allen and Kevin Roper.

Mr. Chairman, some years ago I asked a young friend in a casual conversation whether he would be willing to fight for his country. I can remember his response to this day. He said to me, "You know, I am not sure." I said, "I find that a bit disturbing, but interesting." The young man said, "Do not be disturbed, my friend, because I will fight for liberty anywhere in the world."

Today, we are asking the House of Representatives that same question. Are we willing to stand up for liberty in Central America? If so, this is our chance to stand up and be counted with that young friend of mine. Are we willing to stand up and disown governments that betray their people? Are we willing to disown the latest in a long line of broken promises by a revolution gone bad?

History, my colleagues, is littered with the remnants of betraying governments who have gone before us. I mention a few: The Quisling government in Norway; the Vichy government in France; in my own opinion, the Castro government in Havana have one common thread. They all betrayed their people.

Today the world witnesses the latest in that tragic tale of betrayal. My

friends, I do not think there is any Member of this body who would not admit, indeed proclaim the Sandinista betrayal of the Nicaraguan people. The Sandinistas have curtailed individual liberties, political expression, freedom of worship, and the free press. They have subordinated the military, the judiciary, and the internal security functions of that great nation to themselves. Their ties with Cuba, the Soviets, the Warsaw Pact, the PLO, the Iranians, the East Germans, the North Koreans, and others threatened their friends and their neighbors.

But not content to make their own people suffer, they have made efforts on countless occasions to export Marxist terror. These are not idle charges, that litany that I just gave you. They were the stipulations of the Barnes-Hamilton amendment that we voted upon last April. It is the prelude in that whole amendment. We stipulate to that on both sides of the aisle.

Today we say, "Enough." Winston Churchill said, "If we open a quarrel between the past and the present, we shall find that we have lost the future."

□ 1650

This amendment speaks to the future. Today we offer a hand of friendship to Central America. We ask only that all the parties lay down their arms, the Sandinistas and the Contras, and we ask for and appropriate money to the Contadora nations to ask them actively and aggressively to support the peace process. We offer our financial and our personal support for peace, and we do this because all of us want to end the cancer of war in Central America.

In section 105 of this amendment, we offer more help and support in the future if the President reports on—and this is the language of the bill—any progress or promise of progress toward peace in Central America. It says, "Any promise of progress toward peace in Central America."

What does section 105 permit the President to do? Well, it could mean a new clinic in Nicaragua for suffering children. I said earlier in our debate that this great Nation of ours built one in Krakow, Poland with Public Law 480 funds, and many of the Members have seen it. It could mean a new highway, or it could mean new schools and hospitals. It is a promise, we hope, for a new life for the people of Central America.

But I say to my friends that we cannot turn swords into plowshares while the burst of gunfire ravages the land. We can do these things only when the forces of freedom enjoy our support and when the forces of Marxism know that we will stand up for liberty.

Mr. Chairman, $27 million in humanitarian aid is a scant price to pay for a chance at peace. I ask all the Members to join with me and take that chance today by voting for this amendment.

Mr. CONYERS. Mr. Chairman, will the gentleman yield for one question?

Mr. McDADE. I yield to the gentleman from Michigan.

Mr. CONYERS. Is this an indirect declaration of war on Nicaragua? Will the gentleman just answer the question?

Mr. McDADE. Has the gentleman read section 105 of the amendment? I repeat, "Has the gentleman read section 105 of the amendment?"

Mr. CONYERS. Could I ask just that one question?

Mr. McDADE. Would the gentleman just answer my question?

Mr. CONYERS. Are we being asked to fight or declare war without sending troops? Is that what this is really all about?

Mr. McDADE. No.

Mr. CONYERS. I just asked the gentleman because he was talking about what a young person would do who was going to war.

Mr. McDADE. Mr. Chairman, I reclaim my time.

May I say to my friend that if he would read the amendment, he would see that it seeks to achieve peace in Central America.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. McDADE] yield back the balance of his time?

Mr. McDADE. I do, Mr. Chairman.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. McDADE].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. McDADE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 248, noes 184, not voting 1, as follows:

[Roll No. 156]

AYES—248

Andrews
Archer
Armey
Aspin
Badham
Barnard
Bartlett
Barton
Bateman
Bennett
Bentley
Bereuter
Bevill
Biaggi
Biliraki
Bliley
Boulter
Breaux
Broomfield
Brown (CO)
Broyhill
Burton (IN)
Bustamante
Byron
Callahan
Campbell
Carney
Chandler
Chappell
Chappie
Cheney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Coleman (TX)
Combest
Cooper
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis
de la Garza
DeLay
Derrick
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dowdy
Dreier
Duncan
Dyson
Eckert (NY)
Edwards (OK)
Emerson
English
Erdreich
Fascell
Fawell
Fiedler
Fields
Fish
Flippo
Franklin
Frenzel
Fuqua
Gallo
Gekas
Gibbons
Gilman
Gingrich
Goodling
Gordon
Gradison
Gregg
Grotberg
Gunderson
Hall, Ralph
Hammerschmidt
Hansen
Hartnett
Hatcher
Hefner
Heftel
Hendon
Henry
Hiler
Hillis
Holt
Hopkins
Horton
Hubbard
Huckaby
Hunter
Hutto
Hyde
Ireland
Jenkins
Johnson
Jones (OK)
Jones (TN)
Kanjorski
Kasich
Kemp
Kindness
Kolbe
Kramer
Lagomarsino
Latta
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Loeffler
Long
Lott
Lowery (CA)
Lujan
Lungren
Mack
MacKay
Madigan
Marlenee
Martin (IL)
Martin (NY)
Mazzoli
McCain
McCandless
McCollum
McCurdy
McDade
McEwen
McGrath
McKernan
McKinney
McMillan
Meyers
Mica
Michel
Miller (OH)
Miller (WA)
Molinari
Mollohan
Monson
Montgomery
Moore
Moorhead
Morrison (WA)
Murtha
Myers
Nelson
Nichols
Nielson
O'Brien
Ortiz
Oxley
Packard
Parris
Pashayan
Pepper
Petri
Pickle
Porter
Price
Pursell
Quillen
Ray
Regula
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roemer
Rogers
Roth
Roukema
Rowland (CT)
Rowland (GA)
Rudd
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shelby
Shumway
Shuster
Siljander
Sisisky
Skeen
Skelton
Slaughter
Smith (FL)
Smith (NE)
Smith (NH)
Smith (NJ)
Smith, Denny
Smith, Robert
Snowe
Snyder
Solomon
Spence
Spratt
Stallings
Stangeland
Stenholm
Strang
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Vander Jagt
Vucanovich
Walker
Watkins
Weber
Whitehurst
Whitley
Whittaker
Whitten
Wilson
Wolf
Wortley
Wylie
Young (AK)
Young (FL)
Zschau

NOES—184

Ackerman
Addabbo
Akaka
Alexander
Anderson
Annunzio
Anthony
Applegate
Atkins
AuCoin
Barnes
Bates
Bedell
Bellenson
Berman
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brooks
Brown (CA)
Bruce
Bryant
Burton (CA)
Carper
Carr
Clay
Coelho
Collins
Conte
Conyers
Coyne
Crockett
Daschle
Dellums
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart (OH)
Edgar
Edwards (CA)
Evans (IA)
Evans (IL)
Fazio
Feighan
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Frost
Garcia
Gaydos
Gejdenson
Gephardt
Glickman
Gonzalez
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hayes
Hertel
Howard
Hoyer
Hughes
Jacobs
Jeffords
Jones (NC)
Kaptur
Kastenmeier
Kennelly
Kildee

Kleczka	Nowak	Staggers
Kolter	Oakar	Stark
Kostmayer	Oberstar	Stokes
LaFalce	Obey	Studds
Lantos	Olin	Swift
Leach (IA)	Owens	Synar
Lehman (CA)	Panetta	Torres
Lehman (FL)	Pease	Torricelli
Leland	Penny	Towns
Levin (MI)	Perkins	Traficant
Levine (CA)	Rahall	Traxler
Lowry (WA)	Rangel	Udall
Luken	Reid	Valentine
Lundine	Rodino	Vento
Manton	Roe	Visclosky
Markey	Rose	Volkmer
Martinez	Rostenkowski	Walgren
Matsui	Roybal	Waxman
Mavroules	Russo	Weaver
McCloskey	Sabo	Weiss
McHugh	Savage	Wheat
Mikulski	Scheuer	Williams
Miller (CA)	Schneider	Wirth
Mineta	Schroeder	Wise
Mitchell	Schumer	Wolpe
Moakley	Seiberling	Wright
Moody	Sharp	Wyden
Morrison (CT)	Sikorski	Yates
Mrazek	Slattery	Yatron
Murphy	Smith (IA)	Young (MO)
Natcher	Solarz	
Neal	St Germain	

NOT VOTING—1

Hawkins

□ 1710

Mr. BROWN of California changed his vote from "aye" to "no."

Mr. SMITH of Florida changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HAMILTON

Mr. HAMILTON. Mr. Chairman, under the rule, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HAMILTON: Page 44, after line 23, insert the following:

UNITED STATES POLICY WITH RESPECT TO NICARAGUA

SEC. 101. (a) The primary objectives of United States policy in Central America should be—

(1) to preserve the security of the United States;

(2) to achieve peace and reconciliation;

(3) to promote stability and economic development;

(4) to prevent the Soviet Union and its allies from seeking of destabilize the region or to develop or deploy a military capability which threatens the United States;

(5) to promote the observance of human rights and the strengthening of democratic processes; and

(6) to live at peace with Nicaragua so long as Nicaragua lives at peace with its neighbors.

(b) United States strategy for achieving the objectives stated in subsection (a) should include—

(1) an emphasis on seeking a negotiated, regional settlement;

(2) respect for the independence and territorial integrity of all nations;

(3) a clear commitment, through appropriate types and levels of military and economic assistance, to assist the nations of Central America in building and sustaining viable, democratic societies capable of withstanding aggression and subversion and of providing their people with an opportunity for better lives; and

(4) consistent diplomatic support on behalf of the observance of human rights by groups and governments, and support for free political institutions throughout the region, in recognition of the fact that subversion feeds on repression.

(c) In furtherance of the objectives stated in subsection (a), United States policy with respect to Nicaragua should include the following:

(1) Pursuit of a regional settlement through all diplomatic avenues, including—

(A) placing renewed emphasis on the Contadora process which is addressing the questions of peace and security (including mechanisms for verification and enforcement) and internal reconciliation and political pluralism;

(B) giving priority to obtaining a ceasefire in Nicaragua;

(C) renewing bilateral talks with Nicaragua;

(D) encouraging direct talks among the parties to the conflict in Nicaragua; and

(E) taking any evidence of Nicaraguan violations of the territorial integrity and sovereignty of neighboring states to the forum of the Organization of American States and seeking redress under the Charter of that Organization and the Inter-American Treaty of Reciprocal Assistance, which provide for collective action;

(2) A commitment to preserve the security of the United States by preventing the Soviet Union and its allies from developing or deploying an offensive military capability in Central America that directly threatens the United States, a capability that does not currently exist.

(3) A commitment to protect the security and territorial integrity of any nation of Central America that is invaded by Nicaragua, acting in conformance with the Charter of the Organization of American States and the Inter-American Treaty of Reciprocal Assistance.

(4) The provision of incentives to Nicaragua if the Government of Nicaragua agrees to ceasefire and to negotiate with its opponents, removes foreign military advisors, agrees not to provide material support for insurgencies and agrees to appropriate monitoring procedures under Contadora auspices to verify such agreement, respects human rights and the independence of the media, and makes progress toward national reconciliation and a pluralistic democratic system. Incentives should be structured to enable the United States to respond to positive steps by Nicaragua. These incentives could include—

(A) the suspension of United States military exercises in the region;

(B) the resumption of normal trade, including the resumption of nondiscriminatory trade treatment (MFN status), the restoration of benefits under the Generalized System of Preferences, and the restoration of Nicaragua's sugar quota;

(C) supporting multilateral assistance for Nicaragua and providing technical assistance, help in agriculture and health, and volunteer services; and

(D) the creation of a regional development organization in which Nicaragua could participate.

SEC. 102. (a) No funds available during any fiscal year to the Central Intelligence Agency, the Department of Defense, or any other agency or entity of the United States involved in intelligence activities may be obligated or expended for the purpose or which would have the effect of supporting, directly or indirectly, military or paramilitary operations in Nicaragua by any nation, group, organization, movement, or individual.

(b) The prohibition contained in subsection (a) shall continue in effect until the Congress enacts a joint resolution repealing that prohibition.

SEC. 103. (a)(1) Funds in an amount up to $14,000,000 may be used by the President during fiscal year 1985 to provide food, medicine, or other humanitarian assistance for Nicaraguan refugees who are outside of Nicaragua, regardless of whether they have been associated with the Nicaraguan opposition forces.

(2) Assistance under this subsection may be provided only through the International Committee of the Red Cross or the United Nations High Commissioner for Refugees, and only upon that organization's determination that such assistance is necessary to meet humanitarian needs of those refugees. The President shall determine whether assistance under this subsection is provided through the International Committee of the Red Cross, the United Nations High Commissioner for Refugees, or both organizations. To the maximum extent feasible, such assistance should be provided to those organizations in kind rather than in cash. Assistance may not be provided under this subsection for the purpose of provisioning combat forces.

(3) Funds used pursuant to this subsection shall be derived from the funds appropriated to carry out chapter 1 of part I (relating to development assistance) or chapter 4 of part II (relating to the economic support fund) of the Foreign Assistance Act of 1961 or section 2(b) (relating to the "Migration and Refugee Assistance" account) or section 2(c) (relating to the Emergency Refugee and Migration Assistance Fund) of the Migration and Refugee Assistance Act of 1962.

(b) Funds available in any fiscal year to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund) may be used by the President for payments to the Contadora nations (Mexico, Panama, Colombia, and Venezuela) for expenses arising from implementation of an agreement among the countries of Central America based on the Contadora Document of Objectives of September 9, 1983, including peacekeeping, verification, and monitoring systems.

(c) Assistance under this section may be provided notwithstanding any other provision of law, except that section 531(c) of the Foreign Assistance Act of 1961 (prohibiting the use of funds for military or paramilitary purposes) shall apply to any assistance under subsection (a).

SEC. 103. No less frequently than once every 3 months, the President shall submit to the Congress a written report—

(1) describing any actions by the Sandinista government, and the groups opposing that government by armed force, which have contributed to or hindered efforts to establish a political dialogue in Nicaragua, to find a peaceful solution to the conflict, and to nurture democratic institutions in Nicaragua;

(2) describing the status of the Contadora process and United States efforts to begin the political dialogue in Nicaragua and to find a peaceful solution to the conflict;

(3) containing an accounting of any funds used pursuant to section 102 of this chapter; and

(4) containing such recommendations as the President deems appropriate with respect to future United States policies regarding Nicaragua.

SEC. 104. (a) On or after October 1, 1985, the President may submit to the Congress a request for authority to take specified actions with respect to Nicaragua. The request must be accompanied by—

(1) the President's assurance that he has consulted with the Contadora nations concerning the proposed actions; and

(2) a description of the response of the Contadora nations to the proposed actions.

(b)(1) The provisions of this subsection apply, during the 99th Congress, to the consideration in the House of Representatives of a joint resolution with respect to the request submitted by the President pursuant to subsection (a).

(2) For purposes of this subsection, the term "joint resolution" means only a joint resolution introduced within 3 legislative days after the Congress receives the request submitted by the President pursuant to subsection (a)—

(A) the matter after the resolving clause of which is as follows: "That the Congress hereby authorizes the President, notwithstanding any other provision of law, to take those actions with respect to Nicaragua which are specified in the request submitted to the Congress pursuant to the Supplemental Appropriations Act, 1985.";

(B) which does not have a preamble; and

(C) the title of which is as follows: "Joint Resolution relating to Central America pursuant to the Supplemental Appropriations Act, 1985.".

(3) A joint resolution shall, upon introduction, be referred to the appropriate committee or committees of the House of Representatives.

(4) If all the committees of the House to which a joint resolution has been referred have not reported the same joint resolution by the end of 15 legislative days after the first joint resolution was introduced, any committee which has not reported the first joint resolution introduced shall be discharged from further consideration of that joint resolution and that joint resolution shall be placed on the appropriate calendar of the House.

(5)(A) At any time after the first joint resolution placed on the appropriate calendar has been on that calendar for a period of 5 legislative days, it is in order for any Member of the House (after consultation with the Speaker as to the most appropriate time for the consideration of that joint resolution) to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of that joint resolution. The motion is highly privileged and is in order even though a previous motion to the same effect has been disagreed to. All points of order against the joint resolution under clauses 2 and 6 of Rule XXI of the Rules of the House are waived. If the motion is agreed to, the resolution shall remain the unfinished business of the House until disposed of. A motion to reconsider the vote by which the motion is disagreed to shall not be in order.

(B) Debate on the joint resolution shall not exceed ten hours, which shall be divided equally between a Member favoring and a Member opposing the joint resolution. A motion to limit debate is in order at any time in the House or in the Committee of the Whole and is not debatable.

(C) An amendment to the joint resolution is not in order.

(D) At the conclusion of the debate on the joint resolution, the Committee of the Whole shall rise and report the joint resolution back to the House, and the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion.

(6) As used in this subsection, the term "legislative day" means a day on which the House is in session.

(7) This subsection is enacted—

(A) as an exercise of the rulemaking power of the House of Representatives, and as such it is deemed a part of the rules of the House, but applicable only with respect to the procedure to be followed in the House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of the House to change its rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House, and of the right of the Committee on Rules to report a resolution for the consideration of any measure.

The CHAIRMAN. Under the rule, the gentleman from Indiana [Mr. HAMILTON] will be recognized for 1 hour, and a Member opposed will be recognized for 1 hour.

The Chair recognizes the gentleman from Indiana [Mr. HAMILTON].

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

Mr. Chairman, may I join with the gentleman from Massachusetts in extending my congratulations to the gentleman from Illinois, Mr. MICHEL, for the quality of the debate and for their apparent victory on these votes. I think all of us recognize that the outcome is not in doubt, but I trust that they will grant us the opportunity to state our case for the Hamilton amendment.

It is a premise in this body that from debate and discussion better policy emerges, and it is our hope that as a result of the debate today we will have better policy for the United States.

Mr. Chairman, U.S. policy toward Nicaragua is at a critical juncture and this is the most significant vote on this issue: The vote before the House is whether or not to give direct assistance to a military force whose stated purpose is the overthrow of the Nicaraguan Government.

This is not the same debate as the House has had in previous years, when it was noting on a covert action involving 400-500 people to stop the flow of arms from Nicaragua to neighboring El Salvador. Today we are voting on the question of logistical support for a Contra army, now planned to reach 25,000 to 35,000, and whether Congress for the first time will give its stamp of approval to the Contra strategy for overthrowing the Sandinista government.

Supporters of the Michel amendment claim that what we are arguing about today is which government agency will provide humanitarian assistance, and which categories of assistance are humanitarian.

The Michel amendment is somewhat improved over the amendment the gentleman offered in April and elements of the Barnes/Hamilton amendment offered then have been incorporated. But we must recognize that the purpose of the Michel amendment has not changed.

Our central choice today is whether we vote to support an army in the field that seeks to overthrow the Sandinista government, or whether we vote for a policy to enhance the prospects for negotiations.

Hamilton amendment: My amendment to the supplemental appropriations bill emphasizes the need for negotiations; support for the Contadora process; the principle of nonintervention; and the necessity of an early ceasefire in Nicaragua.

The amendment has five parts:

First, it contains policy language which sets out what the primary objectives of U.S. policy toward Central America should be, then spells out a strategy for achieving those objectives and finally gives specific suggestions as to what should be the elements of U.S. policy toward Nicaragua.

That policy toward Nicaragua should include:

Pursuit of a regional settlement through all diplomatic avenues;

Commitment to prevent the Soviet Union and its allies from deploying an offensive military capability in Central America that directly threatens the United States;

A commitment to protect Central American nations from attack; and

A response to positive steps by Nicaragua with positive steps of our own.

Second, the amendment contains a prohibition on funding for military or paramilitary operations in Nicaragua. This provision continues in effect the Boland amendment which this House has supported on several occasions in the past.

A third section of the amendment provides assistance and makes $14 million available for Nicaraguan refugees to be provided outside Nicaragua by the International Committee of the Red Cross or the U.N. High Commissioner for Refugees for food, medicine, and other humanitarian assistance. The amendment also makes funds available to support the implementation of a Contadora agreement.

A fourth section requires quarterly reports to the Congress on the situation in Nicaragua, the status of the Contadora process and the expenditure of funds under the amendment.

And in the final section, the President may, after October 1, 1985, request for Congress authorization to take further actions with respect to Nicaragua. The President must consult with the Contadora nations about

these actions and inform Congress of their response. A joint resolution authorizing the President to take the actions would be considered under expedited procedures.

United States policy toward Nicaragua has failed over the last 4 years: The situation in Nicaragua has deteriorated in recent years.

U.S. policy has failed because everything we seek to have happen in Nicaragua has gotten worse rather than better: The Soviet-Cuban presence and involvement in Nicaragua has increased; repression in Nicaragua is more widespread; the military in Nicaragua has grown from a small force to a disproportionately large force for the region; and tensions throughout the area have escalated.

DIPLOMACY

This administration broke off bilateral talks in Manzanillo even though the Sandinistas wanted those discussions to continue. The United States cannot show any progress in the last 4 years toward trying to achieve a political or military solution in Nicaragua even with the forms of pressure we have applied.

CONTRAS

Three years of U.S. support for the Contras and over $80 million in U.S. funding of the covert war have not produced an insurgency capable of sustaining itself among the people of Nicaragua and has not caused the Sandinistas to change their policies.

The Contras have never been able to seize and hold territory in Nicaragua. They have never developed urban support. They haven't been able to sustain operations in Nicaragua without supply from the outside. They depend heavily on sanctuaries in Honduras and Costa Rica without which they could not continue their fight.

EAST-WEST

The situation in Nicaragua is now described by the administration as a critical East-West confrontation—no problem which has escalated in this manner can be considered a foreign policy success.

Policy has failed because its centerpiece is to maintain pressure on the Sandinistas, but pressure is a tactic; it is not a policy.

INTERNATIONAL SUPPORT

Policy has failed to win the support of our friends and allies. The Contadora nations strongly oppose the resumption of Contra aid, so do our European allies, and so does Latin America.

President Duarte of El Salvador told Members of Congress last month during his visit to Washington that he does not worry about a socialist government in Nicaragua that stays within its borders. He said he is prepared to live at peace with the Sandinistas and show that his system works better than theirs.

President Monge of Costa Rica is on public record in opposition to the Contra assistance. In a statement issued by his government in April, he said "I could not support such an action contrary in nature to the neutrality of Costa Rica." If even our own friends in Central America do not support aid to the Contras, there can be no pretense of international support.

U.S. unilateral actions against Nicaragua, rather than isolating Nicaragua from its neighbors and other Latin American states, has brought sympathy from them. Twenty-four Latin American nations have condemned the U.S. trade embargo of Nicaragua. So did the European Community.

Members of this body properly deplore President Ortega's recent trip to Moscow, but we should take note of some of the other stops on his trip. Ortega got a good reception from Spanish, Italian, and French leaders, was promised considerable levels of economic assistance, and received from each a condemnation of the U.S. embargo of Nicaragua.

Many Members draw one lesson from Ortega's recent trip, but I see the results differently. Our allies are determined to go in one direction and we go alone in another. We cannot succeed in isolating Nicaragua if we are the ones who are isolated.

The objectives of administration policy are not clear: Policy has failed because the rationale for key elements of policy has not been stated clearly or consistently.

The President himself has been unable to answer the question clearly whether or not it is U.S. policy to seek to overthrow the Nicaraguan Government.

It remains unclear to me just what the administration aims to achieve, and what means it considers appropriate to advance those objectives. We can all agree on the slogans: No more Cubas. No more Vietnams. But what are the precise objectives:

Since 1981, various objectives have been advanced for the covert action against Nicaragua:

First, the United States sought to interdict the flow of arms from Nicaragua to El Salvador;

Then, to force Nicaragua to turn inward;

Then, to bring Nicaragua to the negotiating table;

Then, to bring pluralism and free elections to Nicaragua;

Then, apparently to oust the Sandinistas.

Although the administration does not speak in one voice, recent policy statements on Nicaragua, especially those by the President, no longer emphasize the external conduct of Nicaragua but the removal of the Sandinistas. The President says we do not advocate the overthrow of the Sandinistas if they "would turn around and * * * say uncle." But that phraseology is surely tantamount to requiring their removal.

Sometimes the administration talks in terms of overthrow of the Sandinistas. Sometimes it rejects that goal. If it wants transformation of the Sandinistas, what kind does it want, and what do they intend to do if that change is not forthcoming?

Listen to former Secretary of State Kissinger:

> It is absolutely unclear to me how a vital interest can be served by a $14 million project. If that were all there is to it, you could go to a foundation and get the money.
>
> I think there is no precise relationship between the rhetoric we put forward and the steps we are taking * * *. I do not fully understand which of the many possible objectives I've laid out the rhetoric is supposed to accomplish. Second, it is not clear how the measures that have been put forward will achieve even the minimum objectives.

So—regardless of how this vote turns out—we must insist that the administration define with more precision our interests in Nicaragua, our objectives, and what means we intend to employ to achieve these objectives.

Administration policy is leading to increased military escalation of the conflict intervention: The evidence for this statement is in the history of U.S. support for the Contras, in the President's stated plans to expand their numbers, in his candid statement that direct U.S. military intervention must be recognized as an eventual option, and in the frank acknowledgement of his former chief military adviser in the area that the Contras, whether they receive aid from the United States or not, cannot defeat the Sandinistas.

Secretary of State Shultz said on May 23 that because congressional critics of U.S. policy toward Nicaragua are "refusing to help the freedom fighters, even with humanitarian aid, they are hastening the day when the threat will grow and when we will be faced with an agonizing choice about the use of American combat troops."

To the contrary, it is precisely the present course of U.S. policy which is deepening U.S. involvement, failing to gain multilateral support, narrowing U.S. options and providing another step down the road to direct U.S. military intervention.

In 1982 we began by supporting 500 Contras; today the number of Contras is 15,000; tomorrow the President wants us to support 35,000.

General Paul Gorman, the retiring commander of the U.S. Southern Command, stated in February 1985 that a Contra overthrow of the Sandinista government was not feasible in the near future with U.S. finanical assistance, and that such military pressure would take years to produce results. The CIA has consistently arrived at this same conclusion.

The question then arises: Since present policy isn't producing results, how do you achieve U.S. objectives?

The conclusion follows greater application of military force is the next option. A close examination of the President's own report to Congress in April confirms this. As reported in the press (and not denied by the administration), the President anticipates the deployment of from 20,000 to 25,000 Contras in the north and 5,000 to 10,000 Contras in the south of Nicaragua—a total of 35,000 Contras. This new commitment is to enlarge the Contras to a force over twice its present size.

Now we have before this body a request to renew aid to the Contras—but also to increase it far beyond the level of previous support. The request now is for so-called humanitarian aid. It rings less harshly on the ears than military aid. It is more agreeable to our sensibilities to send C-rations than bullets, and medicines rather than rifles. But every dollar the Congress appropriates for medicine, food, and shelter is a dollar the Contras don't have to raise from other sources. That means dollars from those sources can be spent directly on weapons and ammunitions. Napoleon said an army marches on its stomach. If we supply this aid, we will be helping the Contra army to march. As they grow in strength, so will our commitment to them and to their goal of overthrow.

Funding the Contras is not an alternative to intervention but an avenue to intervention. As reported in the New York Times, the President's own report to Congress in April stated: "Direct application of U.S. military force * * * must realistically be recognized as an eventual option, given our stakes in the region, if other policy alternatives fail."

In May, on the occasion of the trade embargo, the President determined further that the Government of Nicaragua constitutes an "unusual and extraordinary threat to the national security and foreign policy of the United States." The President's perception of the nature of the threat calls for the United States to take any measure to protect the United States from that threat. It prepares us for the taking of such measures. We can anticipate that he will follow the embargo with other actions to match the threat he perceives.

Make no mistake, the request for aid to the Contras is the next step on the slippery slope to escalation of the conflict.

There are other reasons why we should not support direct assistance to the Contras at this time.

There is a growing consensus in the United States in favor of increased levels of economic and security assistance for friendly and democratic states in Central America at the same time there is strong opposition to funding the Contra war. U.S. policy should not let this war dominate the U.S. agenda in the region. Rather, it should build on the emerging policy consensus.

No one yet from the administration has been able to explain how its pressure strategy is going to work. We have no good reason, based on past performance, to believe that the Sandinistas will say "uncle" under pressure or transform their government. The Sandinistas will endure any level of pressure from the United States rather than commit suicide, which is what they believe the United States demands.

At this point the administration would respond that Congress has tied the hands of the President. The fact is, however, that since congressional funding ran out in May 1984, the level of Contra military activity has been equal to or above previous levels. The number of Contras appears to have increased. This is their own claim. The Contras continue to receive funding through private and third party channels. It is unclear to me why they now need funding directly from the United States. It is clear, however, that the Contra action has now continued for 3½ years without success. The administration itself argues that the situation in Nicaragua has gotten worse, not better.

The administration is concentrating its efforts on military pressure, but the problems of this area demand political, not military solutions. Even if the Contras or the U.S. Marines marched into Managua, it would not end the war. The Sandinistas would return to the hills and fight the war they continued against Somoza for 17 years, inflicting casualties on whoever sat in Managua.

The administration has also not taken into account the danger of escalation. If we raise the ante against Nicaragua by providing direct assistance to the Contras, it will encourage the Sandinistas to look to the Soviet Union and Cuba for further support. We will be starting down a dangerous road and we do not know where it will end. There will likely be Soviet and Cuban countermoves. If there are, what will the administration do about it? It has not addressed this question.

Support for the Contadora process offers the best prospect for protecting U.S. interests: The Sandinista government does not care if it has good relations with the United States. It is a revolutionary government. But it does fear isolation.

Because of this fear our strongest pressure on the Sandinistas—short of U.S. military intervention—is not the Contras, but the exertion of pressure by the countries of Latin America and Europe. The unilateral strategy of this administration forecloses that option: A multilateral approach could put us on the path toward a negotiated settlement which would contain the Sandinistas.

Our policy must be placed in the larger context of Latin America. Any short-term gain the United States might receive from overthrowing or intimidating Nicaragua will be offset by a wave of anti-Americanism in reaction to U.S. tactics such as the embargo or aid to the Contras. In the view of Latin America, these tactics are "big stick" Yankee interventionism. With the exceptions of El Salvador and Honduras, both very dependent on the United States for economic survival, none of the Latin American democratic leaders have supported the main tenets of U.S. Central American Policy.

This is where the Contadora process fits in. All of Latin America and the European Community strongly support the Contadora process, and the Contadora countries can exert pressure on the Sandinistas in ways which we cannot.

The Contadora process has been working on an agreement for over 2 years and substantial progress has occurred. The Contadora process is addressing the issues that most concern the Reagan administration: The export of revolution, the Sandinista military buildup, ties with Cuba and the Soviet Union, and the questions of political pluralism and internal reconciliation. All of these points are addressed in the September 1983 Contadora 21-point document of objectives.

Contadora has been meeting regularly and has a diplomatic process in place. Responsible and respected Latin American presidents who are friends of the United States are leading the negotiations. Over 100 Latin diplomats are working full time on these negotiations.

Contadora has made important progress toward a regional agreement based on the document of objectives. They have outlined 5 documents and have achieved the agreement of the Central American countries, including Nicaragua, on 3 of them. They have proposed 4 protocols and achieved agreement on 3 of them.

Important work still needs to be done on the questions of verification and implementation of security agreements, but it is the view of all the Contadora countries that a regional peace settlement is within reach if the United States puts itself unequivocally behind the Contadora process.

I do not believe that the administration has made an energetic, good faith effort in support of this political option. The Contadora process has not been fully explored. We are today confronted with the question of escalation of the military effort, but before we

pursue escalation, we should give negotiations a chance to work.

The U.S. policy of trying to change the Government of Nicaragua, or acting in such a manner as to persuade Nicaragua that we demand their overthrow, makes the United States unwilling to negotiate with Nicaragua and makes Nicaragua unwilling to negotiate with the United States. The United States cannot fund the Contras whose purpose it is to overthrow the Sandinistas and claim to support, and persuade others that it does support, a negotiated settlement with the Sandinistas. U.S. funding of the Contras thus undermines the negotiating process.

The Contadora governments are all on record that renewed funding for the Contras will damage the diplomatic process and be a major setback to Contadora efforts. The administration often claims that Latin American governments in private support U.S. military policy in Central America, but many of us have spoken with Contadora representatives and they have told us their governments stand behind their statements. We must honor those statements or the administration must charge publicly that those governments are not stating their views accurately.

Observers close to Contadora point out that the next meeting of Contadora on June 17-18 is critical. At this critical moment in the process, the Congress should not act to escalate the fighting.

U.S. policy is at a crossroads: Depending on the vote we will choose fundamentally different courses for U.S. policy with fundamentally different consequences:

A vote for direct assistance to the Contras is a vote for unilateral action and a vote against a multilateral approach;

It is a vote to make constructive change less likely, and make regional support harder to obtain;

It is a vote to confirm the Marxist-Leninist leanings of the Sandinista government, not to undermine those leanings;

It is a vote to intensify the existing polarization among the people of Nicaragua, not to reconcile them;

It is a vote for Yankee interventionism which will discredit the United States in Latin America and among millions of our own citizens and among our friends abroad;

It is a vote for a military solution to a problem that must be solved politically;

It is a vote for escalation and the unknown consequences of escalation and a vote against working with our friends and allies for a regional settlement;

It is a vote for more bloodshed and a vote against trying to reduce tensions between Nicaragua and Honduras;

It is a vote for policies seeking to destabilize the Sandinista government and a vote against trying to make negotiations effective;

It is a vote to narrow U.S. policy options and concentrate them in the military arena and a vote against keeping U.S. policy options open now for broader political and diplomatic approaches;

It is a vote to fund others to fight for our perceived interests and a vote against a great power acting responsibly to defend its interests;

A vote for direct assistance to the Contras is a vote for the use of force. Force encourages further use of force. If we choose this course, we must contemplate the implications of the other side responding in force and escalating the conflict.

This vote is important for the future of U.S. policy in the region.

A vote for the Michel amendment is a vote for a new and risky policy. The Michel amendment puts the stamp of congressional approval on the Contras and their goal of overthrowing the Nicaraguan Government. Every dollar spent under the Michel amendment will be spent on behalf of an army in the field dedicated to the overthrow of the Government of Nicaragua.

That path will not take us to peace.

□ 1730

The CHAIRMAN. The gentleman from Indiana [Mr. HAMILTON] has consumed 22 minutes.

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

Mr. Chairman, I would like to acknowledge the very fine statement made by the chairman of the Committee on Intelligence on which I serve as the ranking member.

However, I must strongly oppose that amendment. As did the Barnes plan, the Hamilton amendment plays right into the Sandinista's hands. It urges the Nicaraguan democratic resistance to give up their fight for freedom and to leave Nicaragua.

It seeks to turn the democratic Nicaraguan resistance into refugees in exile, dependent upon handouts from the United States and our allies.

This amendment does absolutely nothing to encourage the Sandinistas to stop their internal repression. It does absolutely nothing to encourage the Sandinistas to stop their external subversion or to negotiate in good faith.

Ladies and gentlemen, let me remind you that the Hamilton amendment also reinstates the Boland amendment on a permanent basis. Congress would be the permanent protector of the Marxist-Leninist Sandinista regime while they repress the Nicaraguan people.

I urge my colleagues to vote against this amendment.

I yield to my colleague from Michigan.

Mr. BROOMFIELD. Mr. Chairman, I rise in opposition to the Barnes amendment.

If we want to write off democracy in Nicaragua and the region, then we should all cast our vote for this imprudent amendment. If we want to paralyze our foreign policy in the region, then vote for the Barnes approach.

I strongly oppose this amendment bacause it basically abandons the democratic opposition in Nicaragua. It clearly tells the Contras to lay down their arms and surrender. It encourages them to leave their homeland and become refugees.

As we know, the Barnes approach proposes $14 million in humanitarian assistance to the democratic forces in Nicaragua, but requires that the aid be distributed by international organizations outside that country. It also prohibits the sharing of intelligence with those democratic forces. In essence, it blinds those forces.

While we are telling the Contras to lay down their arms and become refugees, dependent on congressional handouts, the Sandinistas are pursuing their own agenda. The Barnes amendment says nothing critical about the Sandinistas, and the reality of life in totalitarian Communist Nicaragua today. The Barnes amendment lets the Sandinistas get off scot-free. It hurts, however, the forces of democracy in the region.

We debated in April about aid to the Contras. I heard comments which praised the good work of the Sandinistas and how much that government had done. After the final vote which denied any form of assistance to the Contras, crafty Commandante Ortega jetted off to Moscow, Eastern Europe, and Havana and won promises of $200 million in assistance for his Marxist revolution. That trip appeared to awaken a number of gentlemen on the other side of the aisle. They suddenly realized that the comandantes really do have a connection with Moscow.

What is being done in Managua about the failed promises of the original Nicaraguan revolution? How about their promises to the Organization of American States? What about the massive military buildup in Nicaragua? Let's look at the facts.

The Sandinistas have worked quietly and steadily toward their objectives of concentrating power in the state security apparatus and building the strongest armed forces in Central America. They have become the center for exporting subversion to Nicaragua's small neighbors.

The Sandinistas have developed the best equipped military in the region. In less than 6 years, the Sandinistas have developed a military establishment with firepower and mobility unmatched in the region. This expansion has been made possible with massive

assistance from Cuba and the Soviet Union. The total value of Soviet war materiel shipped to Nicaragua was nearly $500 million by early 1985. They have an active military strength of some 65,000 and a fully mobilized strength, including militia and reserves, of nearly 120,000.

These forces are equipped with modern Sovet tanks, armored vehicles, state of the art helicopters, patrol boats, and a new air defense system. In addition, there are about 7,000 Cuban advisers and several hundred other Communists and radical personnel in that country assisting the regime in its military buildup. In recent weeks, the Sandinista military has moved aggressively against Costa Rica. Regardless of what we say or do, they continue on their course.

If the democratic forces abandon their struggle and flee to surrounding countries, the cause of democracy in Central America will be lost. The Sandinistas will consolidate their revolution. They will more aggressively export their revolution to their fragile neighbors. El Salvador, Honduras, and Costa Rica will fall along with other states in the region. As communism spreads, millions will flee from their homelands. They will go north seeking the democracy and stability of the United States. America, already inundated with illegal aliens, will be hit by another wave of humanity fleeing from the failures of Marxist-Leninist repression and failed economic systems.

Let's be realistic in our approach to this issue. Do we want another Cuba in this hemisphere? Do we want a full-blown Soviet satellite in our backyard which may be willing to offer the Soviets naval facilities, or a good location for an intercept station to monitor U.S. communications? Do we want an armed camp that has admitted its plans to export their revolution and subvert the region? Let's be realistic.

We must make the right choice while we still have time. The Barnes approach is a nonstarter. It is unrealistic and writes off the democratic forces and the future of freedom in this region. None of us want to condemn future generations of Central Americans to the closed police states that communism brings to freedom-loving people.

My choice is the Michel approach. It is realistic and looks out for America's interests as well as the interest of freedom in this hemisphere.

Mr. STUMP. Mr. Chairman, I reserve the balance of my time.

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

Mr. LEVINE of California. Mr. Chairman, I rise in support of the Hamilton amendment.

We are here today to debate a question that has been haunting this institution and this country for too long: Whether or not to give aid to the Nicaraguan Contras. It is a question that has been debated and voted on before, and one which has aroused the passions and fears of every thinking American. But today's vote is the most critical yet. To understand why, let us look at the Reagan administration's Nicaragua policy.

Simply put, the Reagan administration's policy is to bring about the overthrow of the Sandinista government. It is trying to do that through intimidation, militarization, and support for the Nicaraguan Contras. It has given some $100 million to the Contras, who are armed insurgents who seek to overthrow the Nicaraguan Government, and who the President has referred to as "freedom fighters" and the "moral equivalent of our Founding Fathers." To help overthrow the Government, some 2,000 copies of a manual, "Psychological Operations in Guerrilla Warfare," was prepared and distributed by the CIA to the Contras. Among other things the manual instructs on the "selective use of violence," and explains how "to neutralize carefully selected planned targets."

The administration has allowed U.S. personnel to mine the harbors and territorial waters off Nicaragua, and has placed this country above the law by withdrawing it from the jurisdiction of the International Court of Justice with respect to disputes with Central American nations. The administration has orchestrated extensive military maneuvers in Central America and allowed illegal overflights of Nicaraguan territory. It has imposed a trade embargo against Nicaragua.

Yet Reagan administration policy has not brought it closer to its objective. The administration's policy does not have the support of Central American or Latin American countries. It has done nothing to staunch the growth of Soviet/Cuban influence in the region. And now even the administration itself has given up any pretense it might have had about sending in U.S. troops. As reported in the New York Times on June 3, 1985, the President, in a classified report to Congress, said the use of American military force in Nicaragua "must realistically be recognized as an eventual option in the region, if other policy alternatives fail."

This policy is fundamentally misguided. One of the greatest tragedies of President Reagan's policy is that in the name of a rigid anticommunism, he has perhaps become Fidel Castro's and the Soviet Union's best ally in Latin America. In trying to forcefully wrench the Nicaraguan Government from the grips of Marxist-Leninist ideology, he appears to be driving them right into the arms of those who espouse that very ideology. This is a tragedy, for no democratic country or citizen of the Western Hemisphere has benefited from this misguided effort.

A mechanism exists, however, for a peaceful solution of the conflicts, but it is one that has been undermined by the Reagan administration. It is the Contadora process. The Contadora nations—Colombia, Mexico, Panama, and Venezuela—have long been seeking a basis for peaceful settlement of the fighting in Nicaragua and elsewhere in Central America. We must give Contadora a chance.

Mr. Chairman, the United States has legitimate interests in Central America and in the outcome of the conflict in Nicaragua. But we must recognize how the Reagan policy exacerbates the tensions there. The United States is driving the Sandinista government to further and further dependence on the Soviet Union. We have to understand that. The embargo, like the U.S. embargo of Cuba imposed in 1959, will only reinforce Nicaragua's ties with the Soviet Union, just as other aspects of this administration's policy are doing.

Mr. Chairman, this policy is a failed policy. It is not supported by the American people. It is not supported by our allies. It is time, once and for all, to implement a policy that is responsible, and that has the potential to be constructive and effective.

We have before us a proposal that would do just that—the Hamilton amendment. There are five major parts to this amendment. First, there is a statement of U.S. policy objectives in Central America and the strategies by which those objectives should be pursued. With respect specifically to Nicaragua, the proposal states that U.S. policy should include pursuit of a regional settlement through all diplomatic avenues, a commitment to prevent the Soviet Union and its allies from deploying an offensive military capability in Central America that directly threatens the United States, a commitment to protect Central American nations from attack, and a response to positive steps by Nicaragua with positive steps of our own.

Second, the Hamilton amendment continues indefinitely the so-called Boland amendment that prohibits any U.S. funding for military or paramilitary operations in Nicaragua, a ban Congress has supported numerous times in the past.

Third, the amendment authorizes $14 million in fiscal year 1985 for humanitarian assistance for Nicaraguan refugees outside of Nicaragua, to be distributed by either the International Committee of the Red Cross or the United Nations High Commissioner for Refugees upon the determination of such organization that the assistance is necessary for humanitarian

purposes. The assistance, to the maximum extent feasible, must be provided in kind, not in cash, and may not be used for the provisioning of combat forces.

The amendment authorizes the use of economic support funds for payments to the Contadora nations for expenses arising from implementation of an agreement among the countries of Central America based on the Contadora peace process objectives.

Fourth, the proposal requires that at least once every 3 months the President report to Congress regarding efforts to establish a political dialog in Nicaragua, the status of the Contadora peace process and U.S. efforts to negotiate with Nicaragua, use of funds authorized for refugee assistance and implementation of the Contadora peace process, and Presidential recommendations for future U.S. actions with regard to Nicaragua.

Last, there is a provision to authorize expedited procedures for consideration by Congress of any Presidential request for additional action with respect to Nicaragua after October 1, 1985.

Mr. Chairman, the Hamilton amendment is a good amendment. It is responsible and constructive, and offers the best hope for reaching a peaceful solution to the conflict in Nicaragua.

This is a crucially important vote. Never before has Congress given its blessing to the strategy of overthrowing by force the Nicaraguan Government. We must turn our back on any and every effort to do that. I urge my colleagues to take this responsible, peaceful route.

Mr. HAMILTON. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. FOWLER].

Mr. FOWLER. Mr. Chairman, a few years ago one of the most controversial issues in American foreign policy was impending negotiations on the Panama Canal Treaty. Many, including then private citizen Ronald Reagan, opposed those negotiations with what they saw as a leftist if not pro-Communist regime. Critics contended that the talks carried out under Presidents Ford and Carter would weaken U.S. influence in the area while creating an opening for the Cubans and Soviets, and would jeopardize our access to the vital Panama Canal itself.

On the other side of the debate was strong and unified public governmental support throughout Latin America and elsewhere for a negotiated turnover of the Canal Zone to Panama.

In 1979 the Panama Canal Treaty went into effect, guaranteeing the permanent neutrality of the canal and providing for joint United States-Panamanian operation of the canal until the year 2000 when Panama will assume control.

In the 5 years since then, the treaty has proven to be a great success even with some of its former critics. For example, in a September 1983 report, President Reagan's State Department concluded:

> The Panama Canal Treaties were controversial in Panama, as they were in the U.S., but their approval and their implementation had an important favorable impact on bilateral relations. The long-simmering hostility toward the U.S. presence in Panama has subsided markedly . . . U.S. military forces of the U.S. Southern Command continue to operate as provided for in the treaties from bases in Panama, and there has been a marked improvement in the relationship between the U.S. and Panamanian forces defending the canal.

It has also been widely acknowledged that the aftermath of the treaty created a feeling of good will toward the United States throughout the Western Hemisphere and in Western Europe.

The purpose of this historical sketch is not to point to a change in attitude by the President or others, for I hope all of us would be openminded enough to examine new evidence and benefit from new perspectives in evaluating our policy choices. Nor do I claim that Nicaragua is like Panama or the Torrijos government akin to the Sandinistas.

No. My point is that here we have a recent case where the United States took a broader and longer term view of its national interests, where we participated in a negotiation process and the imperfect system of international law, believing that while we may not achieve 100 percent of our objectives we could protect our most important interests; and where we placed ourselves on the same side with our Latin American allies on a potentially divisive issue. It is a case where our narrowly defined interest of assured access to the canal was protected, while our wider ranging interests of enhanced prestige and relations with our allies in Latin America and elsewhere were also advanced. It is a case where we showed very clearly and effectively that unlike the Communists we do not believe that power flows only from the barrel of a gun.

As we prepare to revisit the question of U.S. policy in Nicaragua for yet another time, I believe these lessons have become lost. I continue to oppose U.S. military involvement in Nicaragua. Not because I question our Nation's legitimate national interest in limiting hostile Soviet and Cuban influences in this hemisphere. Not because I challenge proven facts as to the oppressive nature of the Sandinista government. I certainly concur with our stated policy ends in Central America: peace, democracy, stability, economic growth. I simply do not believe that the means we are now pursuing will achieve those ends in Nicaragua, and I fear that those means will damage even more important U.S. interests in Latin America and worldwide.

In short, I believe that our current attempt to win the battle in Nicaragua runs the risk of our losing the wider war for power and influence in the Americas. Our mining of harbors, our abandonment of the international legal system we helped to create, our economic embargo, and our preoccupation with a tiny country of 3 million people and a gross domestic product of under $3 billion have served to isolate us from our key friends in Latin America and Western Europe.

We have to distinguish between what is vital and what is merely desirable, between what we would like to see and what we are unilaterally capable of bringing about.

Take the question of democracy. I would hope that all of us could agree that everyone in this chamber is a democrat with a small d. We are all practitioners of it and I firmly believe that in our different ways we are all advocates of it. As a small d democrat I have a strong preference for democracy. I believe that it offers the best system of government for advancing the well-being of its citizens and enhancing the peace of this ever-shrinking planet.

Yet democracy is a very fragile flower, exceedingly difficult to export. If local conditions are not ripe, it will not thrive despite all of the hopes and best wishes of its exporters. Democracy never took root in South Vietnam in spite of millions of dollars of U.S. aid and U.S. armaments. Democracy did not begin to take root in El Salvador until the recent reemergence of Jose Napolean Duarte and other committed Salvadoran democrats as the leading Salvadoran political force.

We can and should try to help promote the conditions necessary for democracy in Nicaragua and elsewhere in the region but we should be under no illusions that support for the Contras, most of whose political leaders are better known and more highly thought of in the United States than in Nicaragua, will advance the cause of democracy in Nicaragua. A strategy of destroying the Nicaraguan economy, and polarizing the Nicaraguan population would seem to point in the opposite direction.

Between calling for the Sandinistas to "cry uncle" and actually forcing them to do so lies a wide gulf that can only be bridged by an ever-expanding U.S. commitment to the Contras and, as a last resort, direct U.S. military intervention. These facts would be clearer if the administration would declassify the material it has transmitted to the Intelligence Committees about this no-longer secret covert operation. Even so, it is possible to arrive at the same conclusion by answering a

series of questions, answers which are publicly known:

Are we willing to live with the Sandinista government as it is presently constituted? Answer: Clearly not, as indicated by Presidential statements and U.S. military and economic policies. The latest commitment to "not seek the overthrow of the Sandinista government" must be viewed in the context of similar pledges made at the outset of the covert operation and of our policies as opposed to our rhetoric.

What methods shall we employ in changing either the government or its policies? Answer: chiefly military pressure from the Contras backed up by a strong U.S. military presence Honduras. Once again, a rhetorical commitment to a negotiated settlement is not backed up by our actual policies. The central question before us today, the Contra war in Nicaragua runs directly against the recommendations of the Contadora group, for example.

Are current U.S. policies producing the desired results? Answer: Clearly not or we wouldn't be having this debate today.

And finally, what is the next step? Answer: If military pressure is the primary leverage we have over the Sandinistas and if this pressure is currently insufficient then the only alternative is to increase that pressure. And the only way to increase the military pressure is to expand the size and capabilities of the Contra forces and/or to augment the Contras with allied forces. Of course, the list of those countries backing the Contras and who have the capability of intervening on their behalf is a very short one.

So where do we go from here? The central question posed by our present policy is whether we can "stand tall" and achieve our objective without a direct U.S. combat role in Nicaragua. It seems to me that our policy of unilateral confrontation can only lead to that final result. And I would remind you that we "stood tall" in Lebanon only until American casualties started mounting.

There is an alternative and that alternative is to take a more comprehensive and longer range view of American interests in the Western Hemisphere. The alternative is to achieve a negotiated end to the fighting in Nicaragua and to the threat posed by Nicaragua toward its neighbors. That possibility was tantalizingly close last year with the draft treaty proferred by the Contadora Group, a treaty which the Nicaraguans pledged to sign. We and our Central American allies raised objections to the draft—some legitimate and necessary having to do with verification—others peripheral and questionable such as preserving our military maneuvers in Honduras. If we were to put the same effort into achieving a Contadora Peace Treaty as we have into prosecuting the Contra war I believe that we can achieve the same results as in the Panama Canal Treaty:

Reducing hostilities in the Americas;

Building respect for peaceful and lawful settlement of disputes;

Increasing U.S. prestige and influence among the nations of Latin America; and

Allowing us to turn our attention to far more important questions such as the economic and political health of the new democracies in the Western Hemisphere like Argentina, Brazil, Uruguay, Peru, and El Salvador.

I honestly do not believe that any of this can happen as long as we insist upon maintaining the "Contra option."

□ 1740

Mr. STUMP. Mr. Chairman, I yield 6 minutes to the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. I thank the gentleman for yielding.

Mr. Chairman, last April, when we went through this process, we came up with the wrong conclusion, and the House failed to provide much-needed real or symbolic support for the democratic resistance in Nicaragua.

This time I am hopeful that our error will be corrected and that the Michel-McDade-McCurdy amendment will prevail and that the meaningless and destructive Hamilton amendment will be defeated.

There is ample reason for us to support the Michel amendment for humanitarian aid for the freedom fighters. They are the only political force in Nicaragua pledged to restore the freedoms promised when Somoza was overthrown. Just today, on the press wires, is a reiteration of their pledge to bring back a pluralistic government, to provide total amnesty and pardon for political prisoners, to strengthen the judicial process and eliminate the existing tribunals, to eliminate capital punishment, to demilitarize Nicaraguan society, and to bring the country toward democratic ideals.

But, Mr. Chairman, on the other hand, despite the contentions of the gentleman from Georgia about unilateral confrontation by the United States, there is absolutely no shortage of evidence—in fact, the evidence is overwhelming—that the Communist government in Nicaragua is oppressive beyond belief. There is censorship of the press; repression of the church; burning of villages and mass relocation of people; concentration camps and prisons; torture and executions; armed military and terrorist incursions into neighboring countries. All of these are prevalent at the hands of the Sandinista regime.

Recent history is replete with documentation, photographs, and rubble denoting their path of destruction aimed at anyone who opposes them.

Earlier, I referred to the documents seized when Salvadoran soldiers captured Nidia Diaz, a leader of the Salvadoran guerrillas, and I showed a part of the Soviet-made Katusha rockets fired on a helpless Honduran village by Nicaraguan soldiers. But these are just samples of the repression that has been going on since we voted against the aid to the Contras only a few weeks ago.

Since that time, we have developed firm evidence of additional incidents. First, of course, was Ortega's trip to Moscow. But, second, there were political killings on March 15, 1985, when five Evangelicals were tied to a pillar in their meeting house in Nicaragua and burned by the Sandinistas. Four of the five died. One, Mr. Santiliz, survived.

Third, on April 17, an American pastor, Rev. Larry Jones of Oklahoma City, was promised by the Sandinista government that he could bring to Managua gifts of clothes, food, and bibles and conduct a revival in Managua. The Sandinista government reneged on its promises once he got there and they confiscated 228,000 pounds of beans and rice, 25,000 pounds of clothing, and 5,000 copies of the New Testament. The pages of the bibles were reportedly turning up in Nicaragua to be used as toilet paper.

Fourth, in Las Vegas, Honduras, in the first week in May 1985, Sandinista soldiers began a planned attack and shelling of the Las Vegas Contra base camp, knowing full well that there were men, women, and children in the camp and hundreds of Honduran citizens in the area. Five Honduran citizens were killed. And on May 31, 1985, in Costa Rica, which has no armed services, a Costa Rican civil guard patrol of 20 people was ambushed by an undetermined number of Sandinista soldiers inside Costa Rica. A second Costa Rican patrol was dispatched to assist, and both Costa Rican patrols came under fire. After the incident was over, two Costa Rican civil guards were killed, 11 others wounded. One had his legs blown off.

All that being said, Mr. Chairman, and the atrocities of the Communist Sandinista government being acknowledged, what does the Hamilton amendment do? Does it do anything to assist the cause of freedom and democracy in Nicaragua? Absolutely not. It does contain a rewrite of the Boland amendment, which was defeated in this House hours ago by a vote of 232 to 196. It does cut the amount of aid in question in the Michel amendment in half. It does create a whole class of refugees in countries apart from their homeland for those who wish to receive that aid. It does prohibit humanitarian aid from going to the freedom seekers in Nicaragua.

But it also ignores that the Sandinistas have already rejected various cease-fires and various talks. It ignores that the Sandinista rejected international observers under the Contadora process, and it ignores the ongoing Sandinista export of revolution, and it ignores the systematic Sandinista repression of human rights in Nicaragua.

Mr. Chairman, most importantly, the Hamilton amendment implies that the United States is the offending party in the face of apparent Communist aggression, and that is a concept which I cannot accept. Mr. Chairman, I urge my colleagues to vote down the Hamilton amendment.

Mr. HAMILTON. Mr. Chairman, I yield 6 minutes to the gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, as a student of Latin American government for about 30 years, I have listened to the debate today with more than congressional interest. As I have felt the ground trembling beneath me following the vote rejecting the Boland amendment, I asked myself: What is going on here?

The answer is that Congress abhors the vacuum caused by the failure of U.S policy in Central America.

□ 1750

Now, Congress is rushing to fill this vacuum with a policy to replace the failure of policy.

I first visited Nicaragua in 1971, where I found a corrupt Somoza dictatorship which maintained its power with support of the United States. I observed the administration of a brutal oppression which my government supported.

Finally, after 43 years, the people of Nicaragua, a poor and impoverished country finally revolted to throw out this despot named Somoza, who oppressed and abused the people. The popular government was later taken over by a Marxist regime that made many promises of democracy, free elections, and freedom. Americans applauded the revolution.

The Sandinistas reneged on those promises. So in 1981, the current administration began what they call a policy of administering pressure. The United States first authorized the support of 500 counterrevolutionary mercenaries. Now the administration says that it needs as many as 35,000 Contras to apply more pressure.

During the 4 years of pressure our country has helped to mine harbors; we have supported air strikes against the territory of Nicaragua; about 10,000 people have been killed, including women and children. Would you like to applaud that? Nicaragua is a poor country made up of a population of which 60 percent are children. So our policy of pressure, which is really a policy of pain, inflicts suffering mostly upon children. Innocent, helpless children. This policy of pain and suffering is what Congress has supported today.

What else has this army of mercenaries done? It has terrorized the population. It has kidnaped people. It has raped, and murdered. We are supporting that terrorism. We are supporting subversion. We are corrupting a society. That is the kind of policy that we Americans are supporting today. Mr. Reagan explains that he applies this policy of pressure in the name of freedom.

Now, after 4 years what have we to show for this policy of pressure, pain, and of suffering? What have we achieved during the last 4 years? Let me mention a few things.

We have spent about $1 billion of American taxpayers' money in supporting U.S. policy in Central America. As I mentioned, about 10,000 people have been killed. We have imposed an economic embargo which has forced Nicaragua to become more dependent on the Soviet Union. We are condemned by our allies for violating international law. Today, Congress has voted to escalate the hostility in Central America; to polarize the conflict in Nicaragua between the Sandinistas and Contras, which General Gorman, who is the retired commander of the Southern Command says that the Contras cannot win.

What then? What then? After polarization? My friend, the gentleman from Pennsylvania, asked the question today, "Will we fight for freedom? Will America stand up for liberty?" We are fond of invoking the names of our Founding Fathers to respond as Members have frequently done today. The Latin Americans are similarly fond of quoting their founding fathers. Simon Bolivar many years ago asked: "Is the United States destined to plague the Americas with misery in the name of freedom?" Today, the answer is yes.

I support Barnes-Hamilton amendment because tomorrow, that is the policy that will offer hope to the people of Central America.

Mr. STUMP. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. IRELAND].

Mr. IRELAND. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the Hamilton amendment. The Hamilton amendment is really Barnes-Hamilton II, since it is substantially similar to the Barnes-Hamilton amendment which we defeated on final passage in April by a vote of 123 yeas to 303 nays. The House defeated Barnes-Hamilton 6 weeks ago and it should do so again, now, for the same reasons.

The Hamilton amendment before the House is designed to decimate the Nicaraguan democratic resistance. The amendment appropriates $14 million for refugee assistance to Nicaraguans only if they are outside Nicaragua. The amendment thus seeks to turn a cohesive, effective Nicaraguan resistance into refugee exiles dependent on handouts.

The Hamilton amendment encourages a massive refugee exodus into Honduras and Costa Rica, but only appropriates a measly $14 million to assist the refugees it would create. The Hamilton amendment would be U.S. foreign policy at its worst—here we go again, punishing our friends and rewarding our enemies. Under the Hamilton amendment, our resistance friends are abandoned; and our Honduran and Costa Rican friends get a huge refugee problem; but the Communist Sandinistas get a free helping hand from the American Congress in eliminating their internal democratic opposition.

The Sandinistas have tried on their own to eliminate the Nicaraguan democratic opposition, but the more the Sandinistas engage in internal repression—against the workers, the church, the political opposition—the more the opposition grows. The Sandinistas have failed to bring the opposition to its knees. But, alas, their solution is on the horizon: The American Congress may pass legislation to turn the resistance into refugees in foreign lands, freeing the Sandinistas to consolidate power in Nicaragua, unopposed. The Hamilton amendment should really be called the "Sandinista victory amendment."

The Hamilton amendment does absolutely nothing to encourage the Sandinistas to stop their internal repression, stop their external subversion, and to start to negotiate in good faith. If the U.S. Congress passes a law to encourage the Nicaraguan resistance to quit and flee Nicaragua, the Sandinistas would have no earthly reason to sit down with their neighbors and work out a just peace. If the United States hands the Sandinistas the victory which has eluded them, they certainly aren't likely to hand part of it back voluntarily in negotiations with their neighbors. Adoption of the Hamilton amendment is goodbye for any chance at freedom and democracy in Nicaragua.

So, the Hamilton amendment abandons our friends in the Nicaraguan Democratic Resistance and because it reenacts the Boland amendment which we just defeated it abandons our allies in the region to potential Sandinista aggression, and even abandons American diplomats and citizens to potential Sandinista violence.

The Barnes-Hamilton amendment is historically unsound foreign policy and should be defeated.

□ 1800

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

Mr. FEIGHAN. I thank the gentleman for yielding. Mr. Chairman, I would like to add my strong support for the Hamilton amendment. With passage of the Michel amendment to provide support to the Nicaraguan Contras, we have moved dramatically closer to the inevitability of direct military involvement, and we have taken a giant step away from the overwhelming consensus of the American people that the United States should stop its support of the Contra forces.

Our responsibility is to move our policy away from support for entrenched violence and toward a path of peace and freedom for the people of Nicaragua. Aid to the Contras, a military group committed to the overthrow of the Nicaraguan Government, can be characterized many ways, but it can never be characterized as a move toward peace. The Hamilton amendment has as its primary goal the establishment and support of a policy to bring an end to the violence that plagues Nicaragua and threatens the peace of Nicaragua's neighbors.

We all know that freedom cannot flourish in an environment of violence and strife. The other nations of Central America have told us so, our allies have told us so, and the American people have told us so. What should be the objectives of the United States are clearly stated and supported by the Hamilton amendment: We must promote stability and economic development which are crucial for democracy to succeed; we must prevent the Soviet Union or its allies from destabilizing the region or promoting a military presence that threatens our national security; moreover, we must make an unequivocal commitment to the indigenous peace process emerging under the leadership of the Contadora nations.

By working with the Contadora nations, the United States can play a dramatic and constructive role in the formation of a peace plan for Central America. Although we have given verbal support to that process, our actions have so far belied our words. This amendment puts force behind our resolve by committing the United States to provide funds for the implementation of a Contadora plan.

Mr. Chairman, we have learned recently from White House documents that direct U.S. military intervention in Nicaragua is considered an option "if other policy alternatives fail." But what other policy alternatives has the administration considered or tried? They have rejected out-of-hand each proposal the Contadora group has offered. They have escalated the level of involvement of U.S. advisers and aid committed to the violent overthrow of the Sandinistas. President Reagan has specifically stated that our object is to make the Sandinistas "say Uncle."

I urge my colleagues and the President to consider policy options that include our allies, that include Nicaraguas neighbors, and that include a serious effort at strong, not "strong-arm," diplomacy. We have a chance with this amendment to take a stand for peace in Nicaragua. But this may be our last chance not just to stop what we know is wrong, but actively to promote what is right. Let us help the Nicaraguan people with their struggle for independence, and let us help the Nicaraguan people in their desire for self-determination. The Contadora nations deserve our active support of their effort to do this. We should not fail them.

I urge all my colleagues to take this positive step and support the Hamilton amendment.

Mr. HAMILTON. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. LEHMAN].

Mr. LEHMAN of Florida. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I urge my colleagues to vote for passage of the Hamilton amendment. I hope Members who care about preserving the tradition of humanitarian aid our country has given to people in true need, will cast their vote in favor of the Hamilton amendment. Our humanitarian relief has never before been made directly available by Congress to aid a combat force. To do so is plain and simply nothing other than military aid.

I am very concerned that this distinction between military aid and economic or development aid is eroding. I have always supported humanitarian aid and other nonmilitary assistance administered by the Agency for International Development. Our aid is only as good as the perception it has earned, and I fear that if this so-called humanitarian aid goes forward as it is presented in the Michel amendment, this administration will have done much to harm and to interrupt a long American tradition of humanitarian aid. The American people have been generous in their willingness to aid victims of natural disasters and of war, and we have been careful to aid those who are the victims, not the perpetrators. It would be irresponsible for us to ignore that tradition.

The Hamilton amendment helps to preserve that integrity by authorizing the distribution of this assistance by the Red Cross or the U.N. High Commissioner for Refugees.

We should not be in the business of outright aiding rebel forces attempting to overthrow a sovereign government with whom we have diplomatic relations however strained they may be. Humanitarian aid and combat forces are mutually contradictory. Please vote to pass the Hamilton amendment.

Mr. STUMP. Mr. chairman, I yield 2 minutes to the gentleman from Arizona [Mr. RUDD].

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

Mr. Chairman, I oppose the Hamilton amendment and rise in support of the bipartisan Michel-McDade-McCurdy amendment to provide humanitarian assistance to the freedom fighters in Nicaragua.

We are faced with a critical choice: Will the United States support those struggling for freedom and peace in Nicaragua, or will we abandon our friends and allow a Soviet client state to spread terror and threaten democracy in all of Central America?

Mr. Chairman, the Michel-McDade-McCurdy amendment is a step in the direction of freedom and peace.

Since mid-1984, while we have been debating a mere $14 million in aid to the freedom fighters, the Sandinistas' active-duty force has grown nearly 30 percent. The tank and armored personnel carrier inventory increased to more than 340. By early 1985, the total value of Soviet-bloc deliveries of tanks, helicopters and other war materiel shipped to Nicaragua was approaching $500 million. Their arsenal now includes more than 110 T-55 Soviet-built tanks which can outgun any tank previously seen in Central America. They've received the Soviets' principal attack helicopter, the M1-24/Hind D, which holds the helicopter speed record and can be armed with multiple-barrel machineguns, guided missiles, rocket pods and bombs.

The Sandinistas represent a serious regional threat. A 1983 Gallup International Poll showed that Nicaragua's growing military strength was of deep concern to the people throughout the Central American region. In Honduras, about 80 percent of those responding to the poll saw Nicaragua as the principal cause of instability and as the primary military threat to their country.

Concern and discontent are not only increasing among Nicaragua's neighbors, but among the Nicaraguan people. Today, there are more Contras fighting to restore democratic freedoms than there ever were Sandinistas during the revolution. And the Contras are not simply Somocista national guardsmen who fought the revolution. Less than 2 percent of the total Contra forces ever served in the Nicaraguan National Guard. To the contrary, some 42 percent of regional Contra commanders are ex-Sandinistas discontent with the betrayal of the promises of democracy and freedom for Nicaragua.

The Sandinistas came to power behind the barrel of a gun. They do

not represent a legitimate government. Their objectives are far from the democratic, nonaligned regime with a mixed economy that they promised in 1979. Instead they have moved to ensure complete consolidation of Sandinista control within Nicaragua; political and economic tranformation of the society along Marxist lines with redistribution of income and confiscation of property; the development of closer ties with the Communist bloc; and extensive support for so-called fraternal revolution in neighboring Central American countries.

Approving aid to the Contras is the most important step Congress can take to demonstrate American credibility in Central America and continue the positive momentum toward peace and democracy in the region. Although I believe the Michel amendment attaches far too many strings to the aid, it is the only positive option allowed by the rule.

The Hamilton approach continues the failed dead hand appeasement toward the Sandinistas on the road to disaster for America. It would not even allow our own Government—an administration reelected by historic proportions just 7 months ago—to administer the funds, but would instead funnel the money through the Red Cross or the U.N. High Commissioner on Refugees. Neither agency is an elective body.

Our choice is clear: Support the cause of freedom in Central America by adopting an unamended Michel amendment, or pull the rug out from under our friends and turn our heads to Communist aggression so close to our borders. Let's not give Commandante Ortega another reason to make a victory pilgrimage to Moscow.

I urge adoption of the Michel amendment by defeating the Hamilton amendment.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. BEDELL].

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

Mr. Chairman, for the purposes of clarifying congressional intent and establishing more thorough legislative history, I would like to engage the gentleman from Indiana in a colloquy. Like you, I have questioned the present course of our foreign policies toward Nicaragua and I remain concerned over the possibility of direct U.S. military intervention against Nicaragua. For that reason, I want to be absolutely certain over the exact intent of the gentleman's amendment.

My greatest worry rests in the possibility that this amendment may be interpreted by the President as extending him certain authority he presently does not have with respect to the use, commitment or deployment of U.S. military forces in Central America. Is that your intent, as the author of this language?

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

Mr. BEDELL. I yield to the gentleman from Indiana.

Mr. HAMILTON. I thank the gentleman for yielding.

Mr. Chairman, our intent is certainly not to give the President any such authority, or any authority that he presently does not have.

And further, our intent is certainly not to authorize the use, commitment, or deployment of U.S. military forces in Central America for the purposes of combat. Any such commitment of troops would require appropriate congressional action, consistent with existing law and the Constitution.

Mr. BEDELL. I am specifically concerned over the ramifications of paragraph 2 in that section of the amendment dealing with U.S. policy toward Nicaragua. By stating our commitment to prevent certain actions in Central America, are we not allowing the President to implement or commit us to preventative military actions that would not be subject to congressional authority or approval such as the mining of Nicaraguan ports and harbors?

Mr. HAMILTON. If the gentleman will yield further, may I assure my colleague that this language does not authorize any military incursion, invasion, commitment of troops, the imposition of a naval quarantine or blockade, preemptive air strikes against Nicaragua, or the mining of its ports and harbors. Such actions would have to be taken in accordance with existing law and the Constitution.

Mr. BEDELL. I also retain reservations over the interpretations of paragraph 3 in that same section of the amendment. Does the language in this section in any way imply or in any way intend that the United States could take unilateral military actions against Nicaragua?

Mr. HAMILTON. If the gentleman will yield further, the intent of paragraph 3 is not to authorize any unilateral military action or actions by the United States that have not been approved by Congress, but rather to ensure that the United States would act in conformance with the Charter of the Organization of American States and the Inter-American Treaty of Reciprocal Assistance to protect the security and territorial integrity of any nation that may be attacked by Nicaragua.

Mr. BEDELL. I thank the gentleman, and I certainly strongly support his amendment.

Mr. STUMP. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. SWEENEY].

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

Mr. Chairman, much of the current debate and confusion here in Congress and among the American public clearly rotates around one most basic question, and that is: Who are the Sandinistas and what are their motives?

The Sandinistas have portrayed themselves as romantic revolutionaries seeking a return of political power to the masses. They are joined by many Members of this Congress who seem to believe instinctively in the Sandinistas' empty promises of agrarian reform, redistribution of material wealth and campaigns to eradicate illiteracy.

We have heard those promises before. We have heard them before at a time 30 years ago when Fidel Castro began to consolidate his power in then revolutionary Cuba. Indeed, Mr. Chairman, history does repeat itself, and the echo from the 1950's Cuba should tell us something. It should tell us that Sandinista revolutionaries of today are not too dissimilar to the Cuban revolutionaries of three decades ago, and that the Ortega government of the 1980's is very similar to the Castro government of the 1950's.

The Sandinistas, like Castro, while promising land reform, will give their country state control of land more tightly held and abused than ever before.

The Sandinistas, like Castro, while promising redistribution of material wealth, will give their country the most tyrannical form of central planning of an economy that will be more shattered than ever before.

And the Sandinistas, like Castro, while promising an aggressive campaign against illiteracy, will only give their country the most nauseating and massive form of reeducation and indoctrination to militaristic Marxist values.

There are several elements that have always been central to the establishment of a Soviet client state. In 1955, these element were set forth by Castro in a document entitled "Manifesto No. 1 to the People of Cuba." Most recently, those elements were set forth by the Sandinistas in a similar document entitled "The Historic Program of the FSLN." I wish to include those two documents in the RECORD at this time.

The two documents follow:

MANIFESTO NO. 1 TO THE PEOPLE OF CUBA
(AUGUST 8, 1955)

I live for my fatherland and for its true freedom, although I know that my life may not last long enough to enjoy the fruit of my labors and that this service must be given with the certainty and thought of receiving no reward for it.—José Martí.

My duties to the fatherland and to my convictions stand above all personal concerns; that is why I shall be free or shall

Footnotes at end of article.

perish for the redemption of my people.—Antonio Maceo.

(Manifesto issued on August 8, 1955, from Mexico. "Manifiesto No. I del 26 de Julio al pueblo de Cuba," *Pensamiento Crítico* (Havana), no. 21 (1968), pp. 207-220.)

Under this battle cry, which recalls past national rebellion, the Cuban revolutionary movement is today organized and prepared for its great task of redemption and justice.

By the express agreement of its leaders, I have been entrusted with the drafting of this first manifesto to the country and those which in the future will be published clandestinely.

In carrying out this mission which duty imposes on me, I do not hesitate to assume the responsibility involved in signing these proclamations that will be a constant reminder to the people, an open call for revolution, and a frontal attack against the clique of criminals who trample the honor of the nation and rule its destiny counter to its history and the sovereign will of the people. And although at the present time I am absent from the soil of our nation and therefore outside the jurisdiction of the courts that issue the sentences ordered by the master, I did not hesitate to unmask the executioner when that court was judging me there, or from prison to accuse by name the dictator and his bloodthirsty generals of the Moncada Barracks' crimes in a manifesto dated January 6, 1954, or to reject amnesty with conditions attached, or again, when freed, to show the people evidence of the cruel and inhuman character of the Batista regime. What a cruel and inhuman apparatus Batista's regime has! I do not care what accusations they may make against me in the special courts! Cuba is my fatherland, and I shall never return to it or I shall return with the dignity I have pledged myself to. The bridges have been burned: Either we conquer the fatherland at any price so that we can live with dignity and honor, or we shall remain without one.

The fatherland means something more than oppression, something more than a piece of land without freedom and without life.[1]

It is hardly necessary to justify the use of this means to set forth our ideas. The closing down of the newspaper *La Calle*, whose courageous stand won it the sympathy of the people, increasing its circulation to more than 20,000 copies in only a few weeks, made clear the more or less concealed muzzle which the dictatorship has maintained over the legal press in Cuba for more than three years.

The censorship and the Law on Public Order, by which the regime sought to conceal from the people the barbarous Moncada massacre, are a threat to the mass media. The closing down of the civic-spirited newspaper of Luis Orlando[2] was yet another warning to the press that their opinions cannot exceed certain limits, in reality so as not to threaten those in power. The same warnings were given on other * * * sions with the torture of Mario Kuchilán and Armando * * * the assault on the "University of the Air"[3] and the newspaper * * * the castor oil torture of the CMKC announcers, the attacks on numerous photographers, the sentencing of Luis Conte Agüero and * * * Gutiérrez, the confinement of Pardo Llada, Guido Garciá Inclán, * * * Lesnick, Rivadulla, García Siferdo, and other arbitrary actions * * * make the list of attacks on the free expression of thought since * * * 10 interminable.

The governmental "inquisiton" was especially cruel with * * * this writer. After our article in *Bohemia* answering the * * * provocation of a miserable henchman who went out for blood ended up bleeding, our appearance on any radio or television program was drastically and categorically prohibited.

On two consecutive occasions the Partido del Pueblo Cubans broadcasts were prevented. The broadcasts could continue only on condition that I would not be heard by the people. In an urgent program dated June 13, 1955, the network was informed that proceedings had been initiated to deprive me of this right. This was an unprecedented case: It was not a radio station or a program that censured, but a citizen. That great hustler of governmental * * * Ramón Vasconcelos, who bought a newspaper when he was a * * * under Carlos Prío and who launched the most terrible attacks * * * him when Prío took off with everything, was not closed down * * * he was not even a Batista supporter just prior to March 10, because * * * was trying to obtain a senatorial post through the Ortodoxo Party, has found his own method of concealing the turth.[4]

Every instrument of power was used successfully to impose * * * on me everywhere, which demonstrates to what extent any new * * * protest is doomed today in Cuba because of the shameful coalition oppression, vested interests, and general hypocrisy.

Thus, Santigo Rey, another cynic who was a Prió follower * * * March 10, 1952, a Batista follower until October 10, 1944[5] * * * Machado follower until August 12, 1933,[6] ordered the closing of * * * newspaper *La Calle* the day our article entitled "One Can No Longer Live Here" appeared. We answered one of the stupid accusations of Colonel Carratalá and challenged him to go to the courts and * * * the names of the police chiefs who have gotten rich from the * * * of illegal gambling. We were left without a platform from which to express our views.

The same happened with every public gathering at which it was known we would be present, beginning with the meeting to welcome the political prisoners on the university steps. They went to the extreme of prohibiting the showing of a film of our visit to the National News Agency with Guido Garcia Inclán, for they were irritated by the demonstrations of sympathy expressed by the public. We were left without the right to speak or write or hold public gatherings or to exercise civic rights of any kind—as if we were not Cubans, as if we had no rights in our fatherland, as if we had been born pariahs and slaves in the glorious land of our immortal liberators. Can this be called constitutionality, equality before the law, guarantees for peaceful struggle?[7]

In Cuba one only has the right to write what pleases the six libelous papers the dictatorship maintains with the money stolen from teachers and public employees. In Cuba only the unconditional supporters of the regime or those who play the game of a docile and inoffensive opposition have the right to meet freely. In Cuba only those who get down on their knees have the right to live.

The bad faith of the regime, the mean spirit in which the amnesty the people demanded was granted, has been obvious from the very first moments. Three days after we had been freed the first false accusation of subversive activity was hurled at us, when our families had not even had time to welcome us and express their joy in the naive belief that a different stage of calm and respect for the citizen was beginning, and that their children would not find themselves again involved in the maelstrom of revolutionary struggle, agony, and martyrdom which has already lasted three and a half years. In this struggle the greatest pain is not that of the fighter who struggles resolutely, without worrying about the risk, but that of the mothers who, as Marti said, weep with inconsolable sorrow "out of love and not reason."

We had changed prisons. The spectacle of hunger and injustice was everywhere. And the harsh struggle that idealism required, dignity demanded, and duty ordered, began again, to end only when no oppressors remain in Cuba or when the last revolutionary falls on this sad and martyred land.

Those who doubt the determination with which we shall carry forward our promise, those who believe that we are reduced to impotence because we have no private fortune to put at the disposal of our cause nor millions stolen from the people, should remember the twenty-sixth of July. They should remember that a handful of men who had been ignored, without economic resources of any kind, and without any weapons except their dignity and their ideals, stood up to the second largest military installation in Cuba, and did what others with vast resources have not yet done. They should remember that there is a people with faith in its honored defenders, ready to gather the necessary funds penny by penny so that those who will achieve freedom with honest blood and honest money will not be without weapons again. Finally, let them remember that for each one of the young men who fell at Santiago de Cuba there are thousands more awaiting the signal to go into battle, that the revolutionary reserves of the people now include a hundred thousand idealists. And for each of those writers who preach cowardice, vilification, defeatism, and compromise with the oppressors, advising our people to submit peacefully to the tyranny, renouncing their tradition as a rebellious and honorable, people as if nothing had happened in Cuba on March 10, there are a million voices cursing them.

The voices are those who suffer hunger in the countryside and the cities, the desperate voices of those have no work or hope of finding any, the indignant voices of our workers for whom it was a cursed hour when Batista snatched power, the voices of an entire people trampled on and deceived, who have seen children murdered in the shadows and who are not resigned to living without rights and freedom.

Stubborn fools are those who believe that a revolutionary movement can be measured by the millions available to it and not by the reason, idealism, determination, and honor of its fighters! "What matters," Martí said, "is not the number of weapons in one's hand, but the number of stars on one's forehead!"[8] To those who ask us to abandon the revolutionary struggle and accept the crumbs of legality the regime offers, we answer, Why do you not ask Batista to abandon office first?

He is the only obstacle. It was he who used violence when all legal paths were open. He protects and safeguards the henchmen who murder and kill. He, only he, is the man who has provoked this situation of uncertainty, unrest, and ruin.

Why ask a people to renounce their rights instead of asking a lucky adventurer to abandon a power that does not belong to him? To those who impudently advise participation in partial elections as a national solution, we answer: Who is concerned with those elections? The discontent is found,

not on the part of the politicians who seek posts, but in the people who seek justice. Those who believe that serious political, social, and economic problems can be solved by simply satisfying the appetites of a hundred or so miserable candidates for a few posts as mayors and representatives think very badly of Cuban citizens. What have petty politics given the country in the last 50 years? Speeches, sinecures, congas,[9] lies, compromises, deceit, betrayals, improper enrichment of a clique of rogues, empty talk, corruption, infamy. We do not view politics as the traditional politicians do. We are concerned not with personal benefit but with the benefit of the people whom we serve as missionaries of an ideal of redemption. Glory is worth more than triumph, and "there is only one glory for certain—that of a soul at peace with itself." [10] Those electoral crumbs with which Batista buys his unimportant enemies should not be offered to us. The pride with which we put them aside is worth more than all of the electoral posts put together.

To those who speak of general elections, we ask: Elections with or without Batista? The general elections of November 1 with Batista were the most scandalous and fraudulent in our republican history, a permanent stain on our democratic tradition that set us back to a stage which it seemed we had transcended. What answer have the defenders of an election presided over by Batista? What arguments do they have left after this unprecedented scandal? Did they not employ precisely the same reasons, the same words, the same lies before? Can anyone forget the mobilization of tanks along the highways and the dramatic farewells by Tabernilla [11] at the terminal station, as if the soldiers were leaving for the battlefield? After the November experience, after the March 10 coup within 80 days of elections, for the simple reason that they did not have the slightest chance of winning, can anyone make our skeptical people believe in honest elections with Batista in power? Those who want to create the illusion that the events of 1944 [12] could be repeated deliberately and criminally betray the people. They pretend to make us believe that the circumstances are the same. They forget the signs of the times. They do not distinguish between the present moment in which America has been invaded by reactionary dictatorships and 1944, when the world was shaken by a wave of popular enthusiasm and democratic optimism, a world which with the last shots in Europe conceived hopes for a happier and more humane future for its peoples. Batista then yielded to world public opinion, as the cowardly ruling cliques of Peru, Venezuela, Guatemala, and other countries of the American continent yielded.

Therefore, the only civic solution we would accept, the only honest logical, and just solution, is immediate general elections without Batista. Meanwhile, we shall continue tirelessly our revolutionary line. And we have a question for those who demand general elections as the only solution: What will you do if Batista flately refuses to allow elections? Will you cross your arms and weep like Mary Magdalene for what you lacked the courage to demand with honor? "Rights are taken, not begged; they are seized, not pleaded for." [13] The people await the answer too.

To those who affirm that the 1940 Constitution has been reestablished, we state that they are brazenly lying. A fundamental principle of our constitution categorically prohibits presidential reelection, and Batista reelected himself to that post on November 1. He did not even resign his post: He asked for a leave of absence and left a lackey in the presidential palace. If the Constitution states that anyone who has occupied that post cannot do so again until eight years have gone by, Batista's continuation in the presidency is unconstitutional.

Another precept establishes that sovereignty resides in the people and that from them all powers are derived. If this is true, and the Constitution is in effect, none of those who elected themselves in the unilateral and fraudulent November first elections has the right to occupy the posts he holds. All of them should resign immediately. Sovereignty resides in the people and not in the barracks. Batista is the main enemy of our constitution, which he ignominiously destroyed on March 10. There is no room for both in the same republic.

To those who accuse the Revolution of upsetting the economy of the country, we answer: There is no economy for the rural worker who have no land; there is no economy for the millions of Cubans who are unemployed; there is no economy for the railroad, pork, sugar, hemp, textile, and bus workers and those in the many sectors whose wages Batista has mercilessly reduced. And there will be an economy for them only through a just revolution that will redistribute the land, mobilize the vast resources of the country, and equalize social conditions, putting an end to privilege and exploitation. Is it possible to expect that miracle from the candidates running in the forthcoming partial elections?

Or are they talking perhaps of the economy of the senators who earn 5,000 pesos a month, of the millionaire generals, of the foreign trusts that exploit the public services, of the great landowners, of the tribe of parasites who thrive and get rich at the expense of the state and the people? Then we welcome the Revolution that upsets the economy of a few who so greedily profit from it! After all, man does not live by bread alone.

Another question for those who speak of the economy: Has not Batista jeopardized the credit of the country for 30 years? Has not the public debt increased to more than 800 million pesos? Is there not a deficit of more than 100 million? Are not the monetary reserves of the nation pledged to foreign banks in a desperate search for money? Were not 350 million pesos of the most recent loan wasted on the purchase of jet planes and things of that nature, without plan or program, for no other reason than personal whim? Can one play in this manner with the destiny of a nation? Did anyone authorize him to undertake those insane credit ventures, Did he consult the people in any way, Finally, how many millions have individuals very close to Batista transferred periodically to North American banks? It is for us more than anyone else to be concerned because we and future generations will have to pay the terrible consequences of that corrupt and unchecked policy. The country's economy requires an immediate and radical change of government.

To those who assert that the Revolution brings sorrow to Cuban families, we answer: Sorrow is caused by the hunger decimating families in the Cuban countryside; sorrow is caused by the corrupt politicians who steal hospital funds; sorrow is caused by the henchmen who murdered Rubén Batista, the Santiago couple Oscar Medina Salomón and María Rodríguez, the Camagüey labor leader Mario Aróstegui, the Auténtico leader Mario Fortuny, the revolutionary solider Gonzalo Miranda Oliva, the naval commander Jorge Agostini, and the seventy young prisoners in the Moncada Barracks. This is the blood of students, workers, professionals, honest military men, men and women of all parties and all social classes—honest blood, Cuban blood, the blood of fighters who could not defend themselves at the moment they were sacrificed.

Today more than ever the spokesmen of the dictatorship emphasize public discussion and legal methods as the path their opponents should follow. They did not think that way when on March 10, they perpetrated the most unjustifiable crime conceivable against the nation, and at that time all legal paths were really open for political struggle! Now that they have blocked all paths toward peace, they speak of peace. Now that everything has been arranged through force to suit them, they defend legality. Now after four years of being in power, a power to which they have no right, getting rich and profiting under the eyes of the entire nation, distributing privileges and sinecured among friends, unconditional supporters, and relatives of the whole clique, having constantly used abuse and force to maintain their privileges, now they shout that the only just and decent way of fighting them is through politics. Politics, as conceived by Martí and as we understand it, is the art of keeping the peace and greatness of the country, but not the vile art of creating a fortune at its expense.

"The fatherland is not a tool we can use or discard as we choose nor is the Republic a means of maintaining the lazy and the haughty, well fed and housed, who in the baseness of their egotism believe themselves to be the natural responsibility of the country and the inevitable masters of their inferior people."[14]

Those who chant their devout songs in favor of peace as if there could be peace without freedom, peace without law, peace without justice, have still not found the words to condemn *the one hundred crimes* which have been committed since March 10, nor the daily outrages, the raids on homes in the middle of the night, the arbitrary arrests, the false accusations, the unjust convictions. What have they said about the young man from Guantánamo, a humble employee of the newspaper *La Calle*, who was atrociously tortured and on whose strangled testicles corrosive acid was thrown by his executioners? Nothing! Absolutely nothing!

Beware, Cubans, of those who advise cowardly submission to the tyranny, whatever the source of this advice, because these people are paid a price for their hypocritical sermons by Batista.

The peace Batista wants is the peace Spain wanted. The peace we want is the peace Martí wanted.

To speak of peace under tyranny is to offend the memory of all those who died for the freedom and happiness of Cuba. Then as well there were reformists and autonomists who fought with cowardly fury the honorable attitude of our liberators and accepted as a solution the electoral crumbs offered by the masters of that era.[15]

The streets and the parks of our cities and towns bear the names and proudly display the status of Maceo, Martí, Máximo Gómez, Calixto García, Céspedes, Agramonte, Flor Crombet, Bartolomé Masó, and other illustrious heroes who had the courage to rebel.

The schools teach our glorious history, and October 10 and February 24 are celebrated with devotion.[16] These were not dates of submission or of resigned and cowardly acceptance of the existing despotism, nor were those individuals the ones who extended a begging hand to receive from Spain a post as a deputy to the royal court or in the senate of the colonial master.

All the regime's efforts will be futile. The 26th of July Movement will send its revolutionary message to all corners of Cuba. Tens of thousands of our revolutionary manifestos will circulate clandestinely throughout the country, invading factories, farms, and villages. Men and women who want to aid our cause will reproduce them by hand or machine everywhere, knowing that thereby they are doing their little bit in this heroic struggle of the nation against its oppressors. They will even penetrate the barracks, the warships, the police stations, and the military camps.

We do not fear talking to the military, we have no hatred in our hearts for honest Cubans—the military man who has been vilely used as a tool so that cliques of politicians gain power and wealth, the military man who is forced to constant and cruel guard duty to safeguard the interests of a handful of scoundrels who take no risks; the military man who is forced to die without glory for a regime hated by the people; the military man whom Batista miserably deceives. Batista has not yet found a way of justifying the unlimited enrichment of the high commanders, nor the violations of military seniority in favor of the families and friends of the generals, setting aside merit and ability, nor the presence of gangsters in the government, nor the frequent decreases in wages while every senator whom no one elected and who represents no one collects 5,000 pesos. Batista himself has increased his income to the fabulous sum of 70,000 per month, seventy times what the prime minister of England earns. We defended the military when no one defended them, and fought them when they supported the tyranny, but we shall welcome them with open arms when they join the cause of liberty. We shall tell the military the truth, as one Cuban to another, as one man to another, without fear or flattery, and the hands and the hearts of many honest soldiers will be reached by our revolutionary proclamations. The military must be freed from the tyranny too.

The 26th of July Movement is formed without hatred for anyone. It is not a political party but a revolutionary movement. Its ranks are open to all Cubans who sincerely desire to see political democracy reestablished and social justice introduced in Cuba. Its leadership is collective and secret, formed by new men of strong will who are not accomplices of the past. Its structure is functional. Young and old, men and women, workers and peasants, students and professionals, can join its fighting groups, its youth cadres, its secret workers' cells, its women's organizations, its economic sections, and its undergound distribution apparatus throughout the country, for not all can take up arms. There will never be sufficient weapons to equip each of those who wishes to give his life in the struggle, but each can participate to the extent that he can, contributing money, distributing proclamations, or leaving work in a gesture of solidarity and proletarian support when the revolutionary call to struggle comes. Above all, this must be a revolution of the people, with the blood of the people and the sweat of the people. Its broad and courageous program can be synthesized in the following essential points:

1. Outlawing of the latifundia, distribution of the land among peasant families; permanent and untransferable granting of property to all existing small tenant farmers, sharecroppers, small holders, and farm laborers; state economic and technical aid; reduction of taxes.

2. Reestablishment of all the workers' gains taken away by the dictatorship; the right of the worker to broad participation in the profits of all the large industrial, commercial, and mining enterprises, which should be paid out in addition to salaries or wages at given intervals during the year.

3. Immediate industrialization of the country by means of a vast plan made and promoted by the state, which will have to decisively mobilize all of the human and economic resources of the nation in the supreme effort to free the country from a moral and material prostration in which it finds itself. It is inconceivable that there should be hunger in a country so endowed by nature; every shelf should be stocked with goods and all hands employed productively.

4. Drastic decrease in all rents, effectively benefiting the 2,200,000 persons who are today spending a third of their income on rent; construction by the state of decent housing to shelter the 400,000 families crowded into filthy single rooms, huts, shacks, and tenements; extension of electricity to the 2,800,000 persons in our rural and suburban sectors who have none; initiation of a policy designed to transform each renter into an owner of the apartment in which he lives on the basis of long-term amortization.

5. Nationalization of public services: telephone, electricity, and gas.

6. Construction of ten children's cities to fully shelter and educate 200,000 children of workers and peasants who cannot currently feed and clothe them.

7. Extension of the education, following a previous reform of all teaching methods, to the farthest corner of the country, so that every Cuban will be able to develop his mental and physical aptitudes in a decent living environment.

8. General reform of the tax system and establishment of modern methods for the collection of taxes to avoid tax evasion and mishandling of funds, so that the state can meet its needs and the people will know that what they pay from their income goes back to society to benefit all classes.

9. Reorganization of public administration and establishment of administrative training.

10. Establishment of an inviolable military roster safeguarding the members of the armed forces so that they can be removed from their posts only for good reasons proved in administrative litigation courts. Elimination of the death penalty in the Military Penal Code for crimes committed during peacetime. Rendering of socially beneficial services by the armed services throughout the country, making economic surveys, land surveys and demarcation, and building by their corps of engineers, with special remuneration, hygienic schools and decent housing for peasants, workers, and members of the armed forces themselves who will retain ownership when they retire from service.

11. Generous and decent pay to all public employees: teachers, office workers, and members of the armed forces, retired civilian and military personnel.

12. Establishment of adequate measures in education and legislation to put an end to every vestige of discrimination for reasons of race or sex which regrettably still exists in our social and economic life.

13. Social security and state unemployment compensaton.

14. Reorganization of the judicial branch and abolition of the treasury courts.[17]

15. Confiscation of all the assets of embezzlers acquired under all past governments, without exceptions of any kind, so that the Republic can recover the hundreds of millions which have been taken from it with impunity. These will be invested in the implementation of some of the undertakings described above. Does anyone doubt that they could have been possible if the nation had had honest governments?

These points will be fully explained in a pamphlet that will be distributed throughout the country.

The Cuban Revolution will carry out all of the reforms following the spirit and the letter of our 1940 Constitution, without taking from anyone what is legitimately his and compensating everyone.

On behalf of the 26th of July Revolutionary Movement, Fidel Castro.

FOOTNOTES

[1] The editors have not been able to ascertain the origin of this quote. Eds.

[2] Luis Orlando Rodriguez was the editor of *La Calle*. Eds.

[3] A radio program transmitted from Havana. Eds.

[4] Ramón Vasconcelos was communications minister at the time. Eds.

[5] Date when Ramón Grau San Martín became president of Cuba. Eds.

[6] Date when dictator Gerardo Machado was overthrown. Eds.

[7] In the original the term used is *lucha civica*. Eds.

[8] This is a literal translation of a quotation often used by Castro. It is meant to contrast the physical with the mental or spiritual, emphasizing the importance of the latter. Eds.

[9] Cuban dance. It has the connotation of irresponsibility. Eds.

[10] The editors have not been able to ascertain the origin of the quote. Eds.

[11] General Francisco Tabernilla. Eds.

[12] When Batista allowed free elections and transferred power to the opposition. Eds.

[13] Quote from Antonio Maceo. Eds.

[14] José Martí. Eds.

[15] Refers to the *reformistas* and *autonomistas* of the nineteenth century in Cuba who opposed independence from Spain and favored a compromise with the Spanish authorities. Eds.

[16] On October 10, 1868, the war of independence began in Cuba. After ten years of fighting a truce was signed between the Cubans and the Spaniards, but on February 24, 1895, the war started again. Eds.

[17] The Spanish term used is *tribunales de hacienda*. Eds.

THE NICARAGUA READER: DOCUMENTS OF A REVOLUTION UNDER FIRE

(By Peter Rosset and John Vandermeer)

22. THE HISTORIC PROGRAM OF THE FSLN

By the Sandinista National Liberation Front (FSLN)

The Sandinista National Liberation Front (FSLN) arose out of the Nicaraguan people's need to have a "vanguard organization" capable of taking political power through direct struggle against its enemies and establishing a social system that wipes out the exploitation and poverty that our people have been subjected to in past history.

The FSLN is a politico-military organization, whose strategic objective is to take political power by destroying the military and bureaucratic apparatus of the dictatorship

and to establish a revolutionary government based on the worker-peasant alliance and the convergence of all the patriotic anti-imperialist and anti-oligarchic forces in the country.

The people of Nicaragua suffer under subjugation to a reactionary and fascist clique imposed by Yankee imperialism in 1932, the year Anastasio Somoza Garcia was named commander in chief of the so-called National Guard (GN).

The Somozaist clique has reduced Nicaragua to the status of a neocolony exploited by the Yankee monopolies and the country's oligarchic groups.

The present regime is politically unpopular and juridically illegal. The recognition and aid it gets from the North Americans is irrefutable proof of foreign interference in the affairs of Nicaragua.

The FSLN has seriously and with great responsibility analyzed the national reality and has resolved to confront the dictatorship with arms in hand. We have concluded that the triumph of the Sandinista people's revolution and the overthrow of the regime that is an enemy of the people will take place through the development of a hard-fought and prolonged people's war.

Whatever maneuvers and resources Yankee imperialism deploys, the Somozaist dictatorship is condemned to total failure in the face of the rapid advance and development of the people's forces, headed by the Sandinista National Liberation Front.

Given this historic conjuncture the FSLN has worked out this political program with an eye to strengthening and developing our organization, inspiring and stimulating the people of Nicaragua to march forward with the resolve to fight until the dictatorship is overthrown and to resist the intervention of Yankee imperialism, in order to forge a free, prosperous, and revolutionary homeland.

I. A REVOLUTIONARY GOVERNMENT

The Sandinista people's revolution will establish a revolutionary government that will eliminate the reactionary structure that arose from rigged elections and military coups, and the people's power will create a Nicaragua that is free of exploitation, oppression, backwardness; a free, progressive, and independent country.

The revolutionary government will apply the following measures of a political character:

A. It will endow revolutionary power with a structure that allows the full participation of the entire people, on the national level as well as the local level (departmental, municipal, neighborhood).

B. It will guarantee that all citizens can fully exercise all individual freedom and it will respect human rights.

C. It will guarantee the free exchange of ideas, which above all leads to vigorously broadening the people's rights and national rights.

D. It will guarantee freedom for the worker-union movements to organize in the city and countryside; and freedom to organize peasant, youth, student, women's cultural, sporting, and similar groups.

E. It will guarantee the right of emigrant and exiled Nicaraguans to return to their native soil.

F. It will guarantee the right to asylum for citizens of other countries who are persecuted for participation in the revolutionary struggle.

G. It will severely punish the gangsters who are guilty of persecuting, informing on, abusing, torturing, or murdering revolutionaries and the people.

H. Those individuals who occupy high political posts as a result of rigged elections and military coups will be stripped of their political rights.

The revolutionary government will apply the following measures of an economic character:

A. It will expropriate the landed estates, factories, companies, buildings, means of transportation, and other wealth usurped by the Somoza family and accumulated through the misappropriation and plunder of the nation's wealth.

B. It will expropriate the landed estates, factories, companies, means of transportation, and other wealth usurped by the politicians and military officers, and all other accomplices, who have taken advantage of the present regime's administrative corruption.

C. It will nationalize the wealth of all the foreign companies that exploit the mineral, forest, maritime, and other kinds of resources.

D. It will establish workers' control over the administrative management of the factories and other wealth that are expropriated and nationalized.

E. It will centralize the mass transit service.

F. It will nationalize the banking system, which will be placed at the exclusive service of the country's economic development.

G. It will establish an independent currency.

H. It will refuse to honor the loans imposed on the country by the Yankee monopolies or those of any other power.

I. It will establish commercial relations with all countries, whatever their system, to benefit the country's economic development.

J. It will establish a suitable taxation policy, which will be applied with strict justice.

K. It will prohibit usury. This prohibition will apply to Nicaraguan nationals as well as foreigners.

L. It will protect the small and medium-size owners (producers, merchants) while restricting the excesses that lead to the exploitation of the workers.

M. It will establish state control over foreign trade, with an eye to diversifying it and making it independent.

N. It will rigorously restrict the importation of luxury items.

O. It will plan the national economy, putting an end to the anarchy characteristic of the capitalist system of production. An important part of this planning will focus on the industrialization and electrification of the country.

II. THE AGRARIAN REVOLUTION

The Sandinista people's revolution will work out an agrarian policy that achieves an authentic agrarian reform; a reform that will, in the immediate term, carry out massive distribution of the land, eliminating the land grabs by the large landlords in favor of the workers (small producers) who labor on the land.

A. It will expropriate and eliminate the capitalist and feudal estates.

B. It will turn over the land to the peasants, free of charge, in accordance with the principle that the land should belong to those who work it.

C. It will carry out a development plan for livestock raising aimed at diversifying and increasing the productivity of that sector.

D. It will guarantee the peasants the following rights:

1. Timely and adequate agricultural credit.

2. Marketability (a guaranteed market for their production).

3. Technical assistance.

E. It will protect the patriotic landowners who collaborate with the guerrilla struggle, by paying them for their landholdings that exceed the limit established by the revolutionary government.

F. It will stimulate and encourage the peasants to organize themselves in cooperatives, so they can take their destiny into their own hands and directly participate in the development of the country.

G. It will abolish the debts the peasantry incurred to the landlord and any type of usurer.

H. It will eliminate the forced idleness that exists for most of the year in the countryside, and it will be attentive to creating sources of jobs for the present population.

III. REVOLUTION IN CULTURE AND EDUCATION

The Sandinista people's revolution will establish the bases for the development of the national culture, the people's education, and university reform.

A. It will push forward a massive campaign to immediately wipe out "illiteracy."

B. It will develop the national culture and will root out the neocolonial penetration in our culture.

C. It will rescue the progressive intellectuals, and their works that have arisen throughout our history, from the neglect in which they have been maintained by the anti-people's regimes.

D. It will give attention to the development and progress of education at the various levels (primary, intermediate, technical, university, etc.), and education will be free at all levels and obligatory at some.

E. It will grant scholarships at various levels of education to students who have limited economic resources. The scholarships will include housing, food, clothing, books, and transportation.

F. It will train more and better teachers who have the scientific knowledge that the present era requires, to satisfy the needs of our entire student population.

G. It will nationalize the centers of private education that have been immorally turned into industries by merchants who hypocritically invoke religious principles.

H. It will adapt the teaching programs to the needs of the country; it will apply teaching methods to the scientific and research needs of the country.

I. It will carry out a university reform that will include, among other things, the following measures:

1. It will rescue the university from the domination of the exploiting classes, so it can serve the real creators and shapers of our culture: the people. University instruction must be oriented around man, around the people. The university must stop being a breeding ground for bureaucratic egotists.

2. Eliminate the discrimination in access to university classes suffered by youth from the working class and peasantry.

3. Increase the state budget for the university so there are the economic resources to solve the various problems confronting it.

4. Majority student representation on the boards of departments, keeping in mind that the student body is the main segment of the university population.

5. Eliminate the neo-colonial penetration of the university, especially the penetration by the North American monopolies through the charity donations of the pseudophilanthropic foundations.

6. Promotion of free, experimental, scientific investigation that must contribute to dealing with national and universal questions.

7. Strengthen the unity of the students, faculty, and investigators with the whole people, by perpetuating the selfless example of the students and intellectuals who have offered their lives for the sake of the patriotic ideal.

IV. LABOR LEGISLATION AND SOCIAL SECURITY

The Sandinista people's revolution will eliminate the injustice of the living and working conditions suffered by the working class under the brutal exploitation, and will institute labor legislation and social assistance.

A. It will enact a labor code that will regulate, among other things, the following rights:

1. It will adopt the principle that "those who don't work don't eat," of course making exceptions for those who are unable to participate in the process of production due to age (children, old people), medical condition, or other reasons beyond their control.

2. Strict enforcement of the eight-hour work day.

3. The income of the workers (wages and other benefits) must be sufficient to satisfy their daily needs.

4. Respect for the dignity of the worker, prohibiting and punishing unjust treatment of workers in the course of their labor.

5. Abolition of unjustified firings.

6. Obligation to pay wages in the period required by law.

7. Right of all workers to periodic vacations.

B. It will eliminate the scourge of unemployment.

C. It will extend the scope of the social security system to all the workers and public employees in the country. The scope will include coverage for illness, physical incapacity, and retirement.

D. It will provide free medical assistance to the entire population. It will set up clinics and hospitals throughout the national territory.

E. It will undertake massive campaigns to eradicate endemic illnesses and prevent epidemics.

F. It will carry out urban reform, which will provide each family with adequate shelter. It will put an end to profiteering speculation in urban land (subdivisions, urban construction, rental housing) that exploits the need that working families in the cities have for an adequate roof over their heads in order to live.

G. It will initiate and expand the construction of adequate housing for the peasant population.

H. It will reduce the charges for water, light, sewers, urban beautification; it will apply programs to extend all these services to the entire urban and rural population.

I. It will encourage participation in sports of all types and categories.

J. It will eliminate the humiliation of begging by putting the above mentioned practices into practice.

V. ADMINISTRATIVE HONESTY

The Sandinista people's revolution will root out administrative governmental corruption, and will establish strict administrative honesty.

A. It will abolish the criminal vice industry (prostitution, gambling, drug use, etc., which the privileged sector of the National Guard and the foreign parasites exploit.

B. It will establish strict control over the collection of taxes to prevent government funtionaries from profiting, putting an end to the normal practice of the present regime's official agencies.

C. It will end the arbitrary actions of the members of the GN, who plunder the population through the subterfuge of local taxes.

D. It will put an end to the situation wherein military commanders appropriate the budget that is supposed to go to take care of common prisoners, and it will establish centers designed to rehabilitate these wrongdoers.

E. It will abolish the smuggling that is practiced on a large scale by the gang of politicians, officers, and foreigners who are the regime's accomplices.

F. It will severely punish persons who engage in crimes against administrative honesty (embezzlement, smuggling, trafficking in vices, etc.), using greatest severity when it involves elements active in the revolutionary movement.

VI. REINCORPORATION OF THE ATLANTIC COAST

The Sandinista people's revolution will put into practice a special plan for the Atlantic Coast, which has been abandoned to total neglect, in order to incorporate this area into the nation's life.

A. It will end the unjust exploitation the Atlantic Coast has suffered throughout history by the foreign monopolies, especially Yankee imperialism.

B. It will prepare suitable lands in the zone for the development of agriculture and ranching.

C. It will establish conditions that encourage the development of the fishing and forest industries.

D. It will encourage the flourishing of this region's local cultural values, which flow from the specific aspects of its historic tradition.

E. It will wipe out the odious discrimination to which the indigenous Miskitos, Sumos, Ramas, and Blacks of this region are subjected.

VII. EMANCIPATION OF WOMEN

The Sandinista people's revolution will abolish the odious discrimination that women have been subjected to compared to men; it will establish economic, political, and cultural equality between woman and man.

A. It will pay special attention to the mother and child.

B. It will eliminate prostitution and other social vices, through which the dignity of women will be raised.

C. It will put an end to the system of servitude that women suffer, which is reflected in the tragedy of the abandoned working mother.

D. It will establish for children born out of wedlock the right to equal protection by the revolutionary institutions.

E. It will establish day-care centers for the care and attention of the children of working women.

F. It will establish a two-month maternity leave before and after birth for women who work.

G. It will raise women's political, cultural, and vocational levels through their participation in the revolutionary process.

VIII. RESPECT FOR RELIGIOUS BELIEFS

The Sandinista people's revolution will guarantee the population of believers the freedom to profess any religion.

A. It will respect the right of citizens to profess and practice any religious belief.

B. It will support the work of priests and other religious figures who defend the working people.

IX. INDEPENDENT FOREIGN POLICY

The Sandinista people's revolution will eliminate the foreign policy of submission to Yankee imperialism, and will establish a patriotic foreign policy of absolute national independence and one that is for authentic universal peace.

A. It will put an end to the Yankee interference in the internal problems of Nicaragua and will practice a policy of mutual respect with other countries and fraternal collaboration between peoples.

B. It will expel the Yankee military mission, the so-called Peace Corps (spies in the guise of technicians), and military and similar political elements who constitute a barefaced intervention in the country.

C. It will accept economic and technical aid from any country, but always and only when this does not involve political compromises.

D. Together with other peoples of the world it will promote a campaign in favor of authentic universal peace.

E. It will abrogate all treaties, signed with any foreign power, that damage national sovereignty.

X. CENTRAL AMERICAN PEOPLE'S UNITY

The Sandinista people's revolution is for the true union of the Central American peoples in a single country.

A. It will support authentic unity with the fraternal peoples of Central America. This unity will lead the way to coordinating the efforts to achieve national liberation and establish a new system without imperialist domination or national betrayal.

B. It will eliminate the so-called integration, whose aim is to increase Central America's submission to the North American monopolies and the local reactionary forces.

XI. SOLIDARITY AMONG PEOPLES

The Sandinista people's revolution will put an end to the use of the national territory as a base for Yankee aggression against other fraternal peoples and will put into practice militant solidarity with fraternal peoples fighting for their liberation.

A. It will actively support the struggle of the peoples of Asia, Africa, and Latin America against the new and old colonialism and against the common enemy: Yankee imperialism.

B. It will support the struggle of the Black people and all the people of the United States for an authentic democracy and equal rights.

C. It will support the struggle of all peoples against the establishment of Yankee military bases in foreign countries.

XII. PEOPLE'S PATRIOTIC ARMY

The Sandinista people's revolution will abolish the armed force called the National Guard, which is an enemy of the people, and will create a patriotic, revolutionary, and people's army.

A. It will abolish the National Guard, a force that is an enemy of the people, created by the North American occupation forces in 1927 to pursue, torture, and murder the Sandinista patriots.

B. In the new people's army, professional soldiers who are members of the old army will be able to play a role providing they have observed the following conduct:

1. They have supported the guerrilla struggle.

2. They have not participated in murder, plunder, torture, and persecution of the people and the revolutionary activists.

3. They have rebelled against the despotic and dynastic regime of the Somozas.

C. It will strengthen the new people's army, raising its fighting ability and its tactical and technical level.

D. It will inculcate in the consciousness of the members of the people's army the principle of basing themselves on their own forces in the fulfillment of their duties and the development of all their creative activity.

E. It will deepen the revolutionary ideals of the members of the people's army with an eye toward strengthening their patriotic spirit and their firm conviction to fight until victory is achieved, overcoming obstacles and correcting errors.

F. It will forge a conscious discipline in the ranks of the people's army and will encourage the close ties that must exist between the combatants and the people.

G. It will establish obligatory military service and will arm the students, workers, and farmers, who—organized in people's militias—will defend the rights won against the inevitable attack by the reactionary forces of the country and Yankee imperialism.

XIII. VENERATION OF OUR MARTYRS

The Sandinista people's revolution will maintain eternal gratitude to and veneration of our homelands martyrs and will continue the shining example of heroism and selflessness they have bequeathed to us.

A. It will educate the new generations in eternal gratitude and veneration toward those who have fallen in the struggle to make Nicaragua a free homeland.

B. It will establish a secondary school to educate the children of our people's martyrs.

C. It will inculcate in the entire people the imperishable example of our martyrs, defending the revolutionary ideal: Ever onward to victory!

Mr. SWEENEY. A close reading of these two documents shows them to be essentially identical, almost as if the Sandinista program had been written in part by Castro himself. For example, and I quote only one of several similar passages, the Sandinistas pledged, and I quote:

To allow the full participation of the people in government, while guaranteeing that all citizens can fully exercise their individual freedoms.

Castro, in similar language in his manifesto pledged, and again I quote:

An absolute guarantee of freedom of information of the spoken and written press and of all individual and political rights.

□ 1810

Even the wording is hauntingly similar. And witness Cuba today. What we have is an historical precedent for the establishment of a Soviet client state; and if the historical model continues to follow its pattern, what we will have is not only a consolidation of political power already established by Fidel Castro in Cuba but also a country, Nicaragua, that will menace this hemisphere militarily in a manner already evidenced in Cuba.

We cannot afford the establishment of another Communist dictatorship in this hemisphere, a dictatorship that will ultimately be joined with Cuba in their common pathological hatred for the United States. Nothing would threaten peace more. We have a chance to stop that Communist advance and that Communist aggression, not just here today but in the future, by continuing to support those in Nicaragua who are fighting for freedom.

It is ironic that the Sandinistas, as did the Cubans three decades ago, hold themselves out to be martyrs. It is ironic, in conclusion, because today we have a chance to help the true martyrs in Nicaragua, those people in a country that is so dominated by an emerging communism.

Mr. HAMILTON. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Chairman, first I want to commend and compliment the chairman of the Subcommittee on the Middle East and Europe, the gentleman from Indiana [Mr. HAMILTON], for a very eloquent and profound statement. He outlined a policy today that in my judgment, if followed by the United States, would bring about a reconciliation of the conflict in Nicaragua, not a confrontation as proposed by the Michel amendment.

Mr. Chairman, although the United States has an important role to play in resolving the Central American conflict, it should be the role of participant, not that of sole decisionmaker. On too many occasions in the past, our well-intentioned assistance has produced foreign policy backfires, unanticipated consequences, and serious disasters.

The administration's intentions and actions toward Nicaragua, an independent Third World country, are against the resolutions passed by the U.S. General Assembly which specifically states that:

Every state has an inalienable right to choose its own political, economic, social and cultural systems, without interference in any form by another State, and no state may use or encourage the use of economic, political, or any other type of measures to coerce another state in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind.

We must recognize and respect the sovereignty and aspirations of the Nicaraguan people to practice their rights to self-determination and political independence. Other independent Third World countries are naturally upset and concerned that the behavior of the United States toward Nicaragua could well be repeated toward any other Third World government which the United States does not happen to favor or like.

There is no rationale for the President's decision to impose an economic embargo against Nicaragua. The step was not taken after any economic analysis of what purposes the sanctions would serve. Secretary of State George Shultz stated that the results could be impressive if the restrictions were generalized. But of course there has not been any participation in the boycott by other nations, and the United States stands quite alone in its position. European response has been uniformly negative and the Latin American countries in general view the measure with dislike. What the United States needs to do is use U.S. aid and trade in a way that encourages the nations in the region to work together toward peace and development instead of fighting with each other.

It is true that no American who is concerned about democracy and peace in Central America can be encouraged by the developments that have occured in Nicaragua in the past 2 years. The fact that Mr. Ortega went to Moscow seeking economic aid should not, however, be used as an excuse to put more pressure on Nicaragua. It is already surrounded by political and, doubtless, military pressures. Where else should Mr. Ortega have gone but to probably the only country that will offer the level of economic aid that Nicaragua needs? The key questions here are, Why is the situation deteriorating, and what can be done to improve the situation?

Having already made the Nicaraguan military dependent upon the Soviets by financing a guerrilla war against them, and having already established a continuous military presence in Honduras, the administration's most recent actions have the practical result of making Nicaragua economically dependent on Moscow as well. The radicalization of the Sandinista revolution is due, in part, to the fact that the United States is pushing the Nicaraguans into the arms of the Soviets.

In the past 2 years a rather insidious, self-fulfilling interactive process between both the United States and Nicaragua has been at work. Hard-line, militarisitic approaches by the United States have brought as a defensive reaction hard-line, militaristic responses by the Sandinistas who, by doing so, confirmed the worst fears of the United States that Nicaragua is engaged in a warfare against its neighbors, thus endangering U.S. security with the result that neither Government trusts the other enough to negotiate seriously.

The administration's fear of communism may well be real; but if the United States is truly determined to include Central America in its policy of containment, it has to be done with the ethnical consistency needed to galvanize the peoples of the hemisphere in a common defense effort. I do not see how it could be possible to stand up in the name of democracy and freedom, while establishing alliances with groups who persistently violate human rights.

The administration has discouraged dialog among the various groups in the region. A National Security Council Memorandum leaked to the press in the fall of 1984, expressed relief that the United States had successfully "trumped the Contadora process", implying that the U.S. objective is to try to keep Contadora negotiations off balance.

For the United States, as a nonparticipant, to have rejected the Contadora treaty, as it did in October 1984, is arrogant and wrong. Arrogant because it suggests that we know the security interests of Venezuela, Panama, Colombia, and Mexico better than do the leaders of those nations. Wrong because Contadora represents the means to reach a diplomatic solution, and U.S. policy in Central America should be to encourage a trend away from totalitarian rule and to seek greater cooperation with regional peacemakers.

After 80 years in which the United States has been at the forefront of expanding respect for international law, we are discussing a trip to Moscow and letting embarrassment take precedence over principles. Ortega made a trip to Moscow simply because his country needs economic aid, and this is a fact that has nothing to do with the U.S. Congress. Embarrassment is what we should feel if we have to face again the prospect of a vote that means more war, more suffering, more hardship, and more atrocities for the people in Nicaragua.

Therefore, Mr. Chairman, I support the Hamilton-Barnes amendment, and ask for an "aye" vote.

Mr. STUMP. Mr. Chairman, I yield 1 minute to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Chairman, I wish to share something with the Members.

On my recent trip to Nicaragua, I talked with many people from various walks of life. From the Nicaraguan Government officials, I received the party line. But in talking with other concerned Nicaraguans suffering under the hardship of the Sandinista regime, I got a far different story.

One individual, a Nicaraguan businessman—who wanted the United States to assist the Contras—expressed concern that the U.S. Congress has been blinded by the untruths and distortions of a very sophisticated public relations campaign run from Managua, with assistance from Havana and Moscow.

With sadness and disappointment in his voice, this Nicaraguan businessman told me that Communist projects are: "made in Moscow"; "planned in Havana"; "defended by the U.S. Congress"; and "suffered by the people of Nicaragua."

Today, we have an opportunity to give hope to that concerned Nicaraguan and his fellow countrymen who are suffering under the Sandinistas.

Today, we as a Congress can chart a new course and establish a positive public policy on a bipartisan basis, which will lead to the establishment of democracy in Nicaragua.

Thus, I urge that we vote down this amendment and pass the McCurdy-Michel-McDade amendment unencumbered by other amendments.

Mr. HAMILTON. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. KOSTMAYER].

Mr. KOSTMAYER. Mr. Chairman, the hour is late, and the die is cast. I join with my colleagues in congratulating those on the other side for their victory, for they have won and we apparently have been defeated. But that victory, I think, will shortly turn to ashes in all our mouths. For by rejecting the Boland amendment we have lifted an important legislative and political restraint on the military conduct of this administration in Central America. And by rejecting the Gephardt amendment, we have pulled the plug on the peace process and denied that kind of incentive which could be, I think, so compelling and so appealing to the Nicaraguan Government.

Mr. Chairman, foreign policy is the business often of sending signals, and this House this day has sent a signal to the world and to this administration. We have given this administration a green light in Central America to do virtually anything it wants militarily. And what is it that they want? They have not been equivocal or ambiguous. They have made it precisely clear what they want in Central America.

They want more money for more military assistance. They want to enlarge and expand the force of Contras. They want to overthrow the Nicaraguan Government. They have talked even of the eventual use of American troops. No one can say where this road leads and where this administration is headed.

So what is next? Will the Sandinistas back off as a result of what we have done today? Will they somehow relinquish power? There is not a chance in the world that what we have done today will intimidate the Sandinistas. They are going to dig in even further than they were before, and they will go back to the Cubans and the Soviets to get more assistance than they have ever gotten in the past.

Will the Contras prevail? Is this enough assistance to help the Contras prevail militarily? This is the Contra force which has not been able to hold a single village in Nicaragua. This is a military force which has not seized a single square inch of territory in Nicaragua.

The central test of any policy ought to be whether it works. Is it practical? Is it achieving its objectives? Who here can say that this administration's policy has worked? Where are we today as opposed to where we were 3 years ago?

So what will happen? The military struggle in the next year will widen and deepen. The chance of negotiations will diminish. Both sides will only harden their positions.

The great strength of our country is our moral capacity to lead, to lead by example, not by military force. Those principles are embodied in pragmatic, practical and realistic terms in the Hamilton-Barnes proposal, and unless we redeem ourselves and adopt Hamilton-Barnes, we will be back here a year from now, a year from then, and a year from then, closer not to peace, only closer to war in Central America.

□ 1820

Mr. STUMP. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. MCEWEN].

Mr. MCEWAN. Mr. Chairman, we got it right the first time when we defeated this amendment in April by a vote of 123 to 303. The only thing that has changed since then is that Dear Comandante Ortega has made his ninth pilgrimage to Moscow to celebrate his victories, to pay homage to his sponsors and arrange for more Soviet gifts of bombs and bullets and rockets like these showered upon defenseless Hondurans.

So here we are again. This amendment would make the Congress of the United States the guarantors of the safety of the ruthless Sandinista regime and protect them from their own people. The U.S. Congress would become the enforcer of the Brezhnev doctrine.

The Sandinistas' efforts to establish totalitarian control over Nicaraguan society has generated widespread indigenous opposition and support for the democratic opposition. The Sandinistas have tried to crush that opposition, but thus far have not succeeded.

But some would have us help the Sandinistas by encouraging the democratic resistance to give up their struggle for freedom, to leave Nicaragua.

This amendment says to the hungry, tired freedom fighter:

> Do you want some food, a shirt, a clean bandage for your wound? Good. All you have to do is stop fighting for the homeland that you love, the freedom that you believe in, abandon your country to the PLO, the Bulgarians, the East Germans, the Cubans, the Soviets and the Sandinista Communists.

Well, this is not the bold policy of a free people. This is the Carter-Vance policy of an abandoned administration which lacked the strength or the will to stand by its friends and to support the principles in which it professed to believe.

We say America stands for freedom and justice in Nicaragua, but if we

adopt this amendment it is clear we really do not mean it, and that is wrong. I believe the American people see that as wrong.

The American people still believe that human freedom and democracy are fundamental values which our U.S. foreign policy should and must support. And the only effective way to support freedom or democracy in Nicaragua is to support the resistance, keeping the pressure on the Sandinistas to move Nicaragua away from the Marxist-Leninist totalitarianism and toward democracy.

The Hamilton amendment says again that Americans cannot be trusted to side with democracy if it is under fire.

Vote for the freedom fighters, not for slavery. Vote no on this amendment.

Mr. HAMILTON. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Chairman, I think the biggest problem we have today with regard to Central America and our policy in Central America is trying to define exactly what our policy is in Central America, and today's debate is no different. I think when we wind up today's efforts what we will have determined is that we have adopted an ambivalent amendment that supports an ambivalent policy in a very ambivalent part of the world.

I have listened all day to the debate. Very frankly, it varies a great deal upon the interpretation of the various Members. So I guess to some extent it helps Members in this body be ambivalent about exactly what we did with regards to Central America. Some have said that it represents war. Others say that it represents peace. Some say it represents humanitarian aid. Others say it represents military aid. And it is in line with the ambivalence of the policies of the administration which one day supports the overthrow of the Government, the next day do not support the overthrow of the Government; one day say we can deal with the Sandinistas, the next day say that we cannot deal with them; one day say that we can talk to the Sandinistas, and the next day say that that is impossible.

I think it is reflected in the Michel amendment. The Michel amendment basically tries to provide under the guise of humanitarian aid assistance to rebel forces. What policy does that represent?

If the purpose of this amendment is to in effect overthrow the Sandinista government or to force change within the Sandinista government, it is not going to do it. We all know it is not going to do it. If $70 million to $100 million of direct military aid over the last 4 years has not done that, then surely $27 million of so-called humanitarian aid is not going to result in any difference or any change.

So the amendment does not implement that particular policy.

If the purpose, on the other hand, is to find a negotiated settlement through the Contadora effort, it is not going to do that either. There is no commitment here to work through the Contadora effort; it basically breeds confusion with regard to our allies and to other nations in Latin and Central America.

There has been a great deal of tough talk today on the floor of the House. I think it is time for some straight talk. If in fact our policy is to be one of overthrowing the Government in Nicaragua, then ought we not to be debating direct military aid or direct military involvement rather than humanitarian aid that provides logistical support to these forces? Is not that a more honest way to debate that particular approach?

But if in effect what we seek to do is to pursue a regional peace effort to try to keep out all outside forces with regards to Central America, then the Hamilton amendment is the only honest approach that lays out that kind of policy.

Humanitarian aid here under the Hamilton amendment is legitimate humanitarian aid in that it is provided to all refugees and provided through the Red Cross. It also extends the Boland amendment which makes clear that we will not provide military aid under the guise of humanitarian aid, and it sets out specific policies with regards to diplomatic efforts and our security interests. It is a much more honest approach to what our policy should be in Central America.

Today we make one of the most important foreign policy votes in this session of the Congress. I hope that we can end this day not in fear of what will now happen, but in hope that the path of peace can be found.

Mr. STUMP. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. LAGOMARSINO).

Mr. LAGOMARSINO. Mr. Chairman, a lot has been said here this afternoon about President Jose Napoleon Duarte of El Salvador. Many of us met with him privately. We know how he feels, and what he says privately about the situation in Nicaragua. Here is what he said publicly to his own National Assembly on June 1:

> On repeated occasions we have denounced that Nicaragua is the haven for Salvadoran subversion. Extremist leftist groups are trained there. Logistic aid for the Salvadoran guerrillas is coming from Nicaragua. Nicaragua is the center of the operation where terrorist actions against El Salvador are planned, decided and ordered. Nicaragua is a cancer in Central America.

Also, we have heard a lot about Commandante Ortega's trip to the Soviet Union. There have been many trips to the Soviet Union. Hear what Adriana Guillen, a former Sandinista official, said about the first trip in 1980, May 1980:

> "Moises Hassan, Henry Ruiz and Carlos Coronel traveled to Moscow and signed a treaty between the FSLN and the Russian Communist party. At this time, the Soviets designated a Bulgarian mission as the intermediary between Moscow and Managua. Nevertheless, the FSLN would only obtain assistance under the condition that it would push forward the plans of the Bulgarian team. While this happened, the Russians would give the FSLN 80 percent military help and 20 percent economic help. The Sandinista front committed itself to spreading Soviet influence over the Central American region. Once accomplished, the help from Moscow would be 20 percent military and 80 percent economic.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Chairman, I have watched this debate and watched the vote more in sorrow than in anger.

This is where I came into this body 15 years ago. I feel like I've been watching an old movie, but in reverse. Then we were debating whether to pull out of the Vietnam war. It took 3 more years and thousands of casualties before we came to that decision.

The arguments that were made at that time were: "We can't pull out because we can't let our troops down and we have to show our resolve."

Now, what is going to happen here? We are going to send supplies first to the Contras. Then when they do not succeed, we are going to supply weapons. Then when the Soviets give additional weapons to the Sandinistas, the cry will go up, "We can't permit this to happen. We can't let the Contras down." So eventually you are going to have to send in the Marines.

Let us not kid ourselves. That is the end of the road that the socalled Michel amendment will take us down.

By contrast, the Hamilton amendment states a rational policy, not impossible conditions for the Sandinistas to meet, but reasonable, rational policy and a rational prospect of succeeding through diplomacy, not force.

I would hope, therefore, that my Democratic colleagues would reconsider. Do not let the warhawks start to take over our side of the aisle, at least, as they seem to have taken over on the other side of the aisle.

I hope all my colleagues will think long and hard before they allow themselves to start a process going which may well turn out to be irreversible until after there has been an immense tragedy not only for the people of Nicaragua, but for the American people and their sons.

I yield back the balance of my time.

Mr. STUMP. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey [Mr. COURTER].

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

The House is I think pretty much united on their opinion of the Nicaraguan regime. They do not think very much about it. They all agree that the election process there was unfair. They recognized the fact that there has been suppression of human rights, repression of political parties, the lack of freedom of religion, labor unions, freedom of the press. They recognize that there has been a number of terrorist activities, a military buildup far in excess of what they actually need.

But we are divided on our strategy as to what we do about it. Some hold that we should abandon the freedom fighters, abandon the Contras, and if we do that we will show our good intentions, our willingness to negotiate ourselves, and what would be the best policy. Others argue that the support of the Contras is the only way, the only way to hold the Sandinistas back from even more repressive activities, and it is the only factor that gives them the incentive to negotiate. Which view of these two is correct?

The answer really depends on the nature of the Sandinista regime. Their likelihood of entering talks depends on their view of the world, and their own ideology. Let us look at their ideology.

Within the first year of their revolution, the United States gave them lots of aid, the United States gave them 100,000 tons of wheat, we offered to give them Peace Corps volunteers. Did they say yes to the Peace Corps? They said no, they wanted Cuban teachers. The reason they wanted Cuban teachers was because Cuban teachers teach Communist ideology.

They joined with the Soviet Union in a communique condemning world opinion about the Soviet invasion of Afghanistan. The Sandinista national anthem says, "We shall fight the yankee, the enemy of humanity."

In 1981 Defense Minister Umberto Ortega said "We are guided by the scientific doctrine of revolution, by Marxism-Leninism."

They have increased their defense forces to 50,000 troops.

The story goes on. Daniel Ortega visits Moscow. A Nicaraguan official not long ago visiting the Soviet Union said the U.S.S.R.'s success in building communism will remain an inspiring example for the Nicaraguan people themselves.

The Sandinistas believe they should be taken very seriously. They believe in the doctrine of communism and of Marxism-Leninism. Since they hold these principles very dear, we have to decide what will motivate them.

History shows there is no evidence of a Communist revolution ever being reversed because of the good intentions of democracies or because democracies are willing to abandon those who are fighting for freedom. If the House agrees to vote in favor of Barnes-Hamilton we will agree to help those individuals that are suffering outside of Nicaragua, but not those people that are suffering inside Nicaragua. We will be moving from the policy of containment to the policy of abandonment.

The Barnes-Hamilton approach would have merit if there was a shred of evidence in history or in the Nicaraguan revolution itself that abandoment of freedom fighters would lead to a negotiated transition to democracy. But there is simply no such evidence.

The Sandinistas have rejected calls for an internal dialog when they have come from Members of Congress, when they have come from the Nicaraguan Catholic bishops, when they have come from the freedom fighters themselves. The only way to get them to take the idea very seriously of a negotiated move and transition toward democracy is to show that the friends of freedom inside Nicaragua are backed by friends of freedom outside of Nicaragua.

Please vote no on Barnes-Hamilton.

Mr. HAMILTON. Mr. Chairman, may I inquire of the Chair how much time I have remaining?

The CHAIRMAN. The gentleman from Indiana [Mr. HAMILTON] has 12 minutes remaining, and the gentleman from Arizona [Mr. STUMP] has 35½ minutes remaining.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Chairman, the sober and compelling argument made by the gentleman from Indiana [Mr. HAMILTON] spelled out the case magnificently for adopting a policy which keeps us on the path of negotiation and diplomacy and peace.

To listen to some of the speeches on the other side of the aisle, and some also on the Democratic side, you can almost smell the gunpowder, you can almost sense that they are beginning to pack their uniforms and are ready for combat. I hope that they are in fact thinking of their own participation because the American people certainly will not likely excuse their sons and brothers and fathers being sent off to fight in Central America while Members of this body cheer them on from the safety of this body.

This Nation has had a noble history. Born in revolution, we have played a noble role on the world stage for the most part. Every once in a while, though, we do something which causes us to look back on it, with a sense of embarrassment and sense of shame. It has happened most often when willful leaders misused their power and ignored the best interests of the American people and dragged us into conceived international adventures.

We are on the verge of undertaking such a shameful adventure at this point. And do not tell me about what Ronald Reagan has promised in his most recent letter about how he does not want to get us militarily involved in the overthrow of the Government of Nicaragua. A President who in imposing his embargo against Nicaragua, that states that it presents an unusual and extraordinary threat to the national security of the United States, is capable of dragging us into war as well.

The Hamilton amendment may be our last chance of averting that war.

Mr. STUMP. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio, [Mr. DEWINE].

Mr. DEWINE. Mr. Chairman, I think it might be good at this point in the debate to look at what our goals are, to step back for a moment and analyze it. Is not what we want really very simple? Do we not want the Sandinistas to live up to what they promised their people in their own revolution, and do we not also want them to give up the idea of exporting this revolution?

Our goals are really very simple.

Now the question is how do we achieve these goals. Let us look and examine for a moment the Hamilton amendment and see if that amendment will accomplish our goals.

What in the Hamilton amendment will accomplish these goals? What will put pressure on the Sandinistas?

The sad answer, I am afraid, is that there is nothing in there that will do that. It really is no policy at all.

Where does the "humanitarian aid to the refugees" referred to in the Hamilton amendment actually go? It goes outside of Nicaragua. It goes to those who have already left Nicaragua.

Now, these refugees may need the aid. This proposal may have merit on its own. But it does nothing to achieve the goals that we are debating today.

Another part of the Hamilton amendment provides for an expedited procedure for any requests made by the President after October 1. Again, what does that accomplish? All it says is we are going to debate this later, at a different time.

The Hamilton amendment also puts back in the Boland amendment which this House just voted not to put into this particular bill.

But the main thing it does is to gut the Michel amendment. The Michel amendment presents a viable and legitimate policy, which does put pressure on the Sandinistas.

The conclusion I come to is that the Michel amendment is logical; it is in fact a true policy. It has a reasonable chance of success. The Hamilton amendment, unfortunately, represents no policy at all. It is a conscious deci-

sion to do nothing. The term "benign neglect" comes to mind. I do not know whether it is benign or not, but unfortunately it certainly would be neglect.

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And it would be turning our back on that region of the world and would be basically saying we have no policy at all.

Mr. STUMP. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. BREAUX].

Mr. BREAUX. Mr. Chairman, the world is watching closely the action we take today in this body. The world is watching to see whether the allies and friends of America around the world can count on us for help when they need help. The world is watching and waiting to see whether the United States can be counted on to exercise a practical and realistic foreign and defense policy or whether we will react with nothing more than the empty rhetoric of isolationism. In my opinion the course for us is very clear.

Americans do not want our country perceived as unable or unwilling to protect and defend America's legitimate interests abroad.

It was a Democratic President, Woodrow Wilson, who took courageous steps of sending U.S. forces to fight tyranny and recognized that America cannot be an ostrich with its head in the sand.

It was a Democratic President, Franklin Roosevelt, who broke isolationist sentiment in America to stop fascism when it was close to victory. It was a Democrat President, Harry Truman, who combined U.S. and U.N. forces to fight Communist aggression in Korea and rebuilt war-torn Europe through the Marshall plan, checked Soviet actions in Iran, aided Greece and Turkey under the Truman doctrine, and defeated the Soviet blockade of Berlin and created NATO in 1949.

It was President John Kennedy who blockaded Cuba and indicated his willingness to commit U.S. military power to keep West Berlin free, and yet it was JFK who negotiated the first major arms control agreement. He said in his inaugural address, "We shall pay any price, bear any burden, meet any hardship, support my friend, oppose any foe, to assure the survival of liberty."

That should be the policy of Democrats today; that should be America's policy today.

Mr. Chairman, I urge support for the Michel amendment without any of the amendments weakening it.

Mr. STUMP. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Chairman, let me say to my colleagues that I have copy here, a reprint of what now is a famous or infamous comandante letter which was signed by a number of our colleagues and sent to Comandante Daniel Ortega and some of his friends. From it I would like to quote.

> Dear Comandante. We want to commend you and the members of your government for taking steps to open up the political process in your country. We support your decision to schedule elections this year, to reduce press censorship and to allow a greater freedom of assembly for political parties.

Mr. Chairman, it has been noted that many of my colleagues have rethought their position on aid to the Contras over the past 7 weeks.

Daniel Ortega, the Communist President of Nicaragua, took a trip to Russia—the day after our last vote on Nicaragua—and many of us began to think again.

It was not the trip that caused the thought. It was the fact that that trip resulted in a Soviet commitment of $200 million in military and economic aid to assist in the consolidation of a Communist dictatorship in Nicaragua.

Many began to think again because history so clearly teaches us that the Russians do not give aid for light purpose. The cynical and sinister leaders of the Kremlin know what they are about.

Two hundred million dollars for a tiny country in Central America—for what? Well my friends, let's make it clear, the Soviets reserve aid in such large amounts for only their most important, and loyal, "vassal states" * * * Vietnam, members of the Warsaw pact, and Cuba—and yes, now Nicaragua.

Review with me for a moment some of the history of this debate in the House. In the spring of 1980, the House was deeply divided over the question of whether or not the ruling junta of Nicaragua was moving toward a Marxist dictatorship.

One of our former colleagues, now a member of the other body, rose to inform the House of two new members of the Sandinista junta: Rafael Rivas and Arturo Cruz. In doing so he added: "I am hopeful that recent actions in Nicaragua, with the appointment of these two members are sufficient to give lie to those views that say only the Marxists are in control in Nicaragua, that it is hopeless down there, and that all hope for Democratic institutions is lost."

It is interesting to note that neither one of these great Nicaraguan Democrats is still with the Sandinistas. In fact, Arturo Cruz is now one of the most influential leaders in the Contra movement. It is hard to understand how these men were the saving grace of the Sandinista junta in 1980, but are now bandits seeking to destroy any possibility for democracy in Nicaragua.

Why have so many others who fought side by side with the commendantes to overthrow Samoza—now joined the cause of the Contras?

Why Cruz? Why Pastora? Why Chamorra?

Because the Contras have refused to let the revolution against oppression in Nicaragua that overthrew Samoza die under the hand of Sandinista Communist rule, that's why.

The freedom fighters are not under the illusion that they can gain a military victory. The Contras are attempting to maintain a level of pressure on the Sandinistas, pressure that provides our only hope to help freedom survive. Pressure and time to allow the hope for liberty throughout Central America to grow.

We have only two choices: To commit ourselves to the forces of democracy throughout Central America—or—to turn our backs upon the freedom fighters and thus give our blessing to a Cuba-like Communist state in our hemisphere.

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

Mr. STUMP. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. Mr. Chairman, the Brezhnev doctrine says it all: Once in the Soviet bloc, always in; once a part of the Soviet Marxis-Leninist society, there is no exit, no choice to return to democracy.

If you do not believe that, witness Hungary, Czechoslovakia, Poland, and lately Afghanistan. Once, through hook or crook, using if necessary the facade of Western democratic pluralisms, the Soviet puppet dictatorship is established, the new satellite state is then heavily militarized and then locked firmly into the Soviet system.

As we debate this issue, a debate, by the way, which could not occur in a Communist totalitarian state, Nicaragua slips ever more surely into that permanent grip of the Soviet Communist imperialism just as surely as Daniel Ortega embraces the Russian bear.

In all of world history there never has been such an empire as the Soviet empire, one which must lock its own people in behind Berlin Walls by force of arms whenever any dare to rise, as Solidarity tried, in opposition to the puppet state. And it is because its own people must try to leave that the Soviet empire must bring under its dominion all places to which its own people would flee.

Jean Francois Revel, author of the book "How Democracies Perish" said it precisely when he wrote, "So long as there is a single rock upon which socialism does not thrive, there will be boat people." That is, people fleeing communism trying to find freedom.

The Communist Sandinistas are determined to make of Nicaragua another safe place for the Soviet system,

another place where free people can no longer flee. And unlike the Central and South American dictators who come and who go, the Sandinista dictators mean to lock Nicaragua permanently under the Brezhnev doctrine just like Poland, Hungary, and Czechoslovakia.

Can we refuse to aid those who would, in their own country, resist them?

Our choice today is really a profound one. Someone asked, "Where is Nicaragua?" Well, Nicaragua is right here in our backyard, in the backyard of democracy which ought to be free.

Mr. STUMP. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. ZSCHAU].

Mr. ZSCHAU. Mr. Chairman, on April 24, 1985, I voted for a resolution similar to this amendment offered by my good friend from Indiana, Mr. HAMILTON. Today I will vote against the Hamilton amendment.

In April I said in the well, "The Barnes/Hamilton resolution is not perfect, but I support it because I believe it can provide a basis for a new policy toward Nicaragua which would attract bipartisan support."

It has. Much of the concept of the McDade amendment, which passed today, came from the Barnes/Hamilton resolution. Its support for the Contadora process, resumption of bilateral negotiations between Nicaragua and the United States, and internal dialog within Nicaragua were called for by the Barnes/Hamilton resolution last April. Frequent reports on progress or lack of progress toward peace, including investigation of alleged human rights violations, were suggested by the Barnes/Hamilton resolution and incorporated in the McDade amendment. McDade's incentives for the Sandinistas to be forthcoming, including the suspension of military maneuvers and the trade embargo or some other positive actions by the United States if progress is made in the negotiations, were suggested by the Barnes/Hamilton resolution. Finally, McDade's provision for expedited consideration of appropriate measures if the parties to the conflict are not willing to negotiate seriously was originally proposed by the Barnes/Hamilton resolution last April.

Building on the policy concepts of the Barnes/Hamilton resolution, the McDade amendment did attract bipartisan support and with that broad support it does provide a basis for a sustainable, effective policy toward Nicaragua and Central America. I believe it improves on Barnes/Hamilton resolution by permitting the humanitarian assistance to be provided directly to opposition groups within Nicaragua rather than limiting it to refugees outside the country. Also, it specifically permits information exchange between the United States and the opposition groups that under some interpretations would have been prohibited by the language of the Barnes/Hamilton resolution last April. However, in keeping with at least the spirit of the Barnes/Hamilton resolution, the McDade amendment does not provide assistance to opposition groups for the purpose of supporting combat—the author, Mr. MCDADE, specifically emphasized that on the House floor earlier today—nor may any of the assistance be provided through the CIA or the DOD.

The Barnes/Hamilton resolution played a very important role last April. It got many of us here in the House and in the administration to think about our policy toward Nicaragua in broader terms and to make the emphasis of that policy a negotiated settlement in the region and in Nicaragua rather than a purely military approach.

But today is a new day. Today the Hamilton amendment is no longer needed. It has done its job. Accordingly, it should be discarded. But we in the House should recognize and thank our colleagues Mr. BARNES and Mr. HAMILTON for providing at a critical time the intellectual underpinnings of what promises to be a new and more effective policy toward Nicaragua and Central America.

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Mr. STUMP. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, you know, listening to the debate from the liberal Members on this side of the aisle brings to mind the Republican National Convention, and at that convention, Democrat Jeane Kirkpatrick, the U.N. Ambassador, said that the liberal Democrats continue to blame America first, and that is all I have heard today on this amendment.

"We are responsible for the Cubans being in Nicaragua." Blame America first. "We are responsible for the PLO terrorists being in Nicaragua." Blame America first. We are responsible for the Bulgarian terrorists and all the rest; the Red Brigade from Italy being down there. Blame America first.

I do not think that is going to sell with the American people. It did not in the last election and it is not going to sell today.

Mr. Hamilton indicated that President Duarte of El Salvador said he would accept the Communist Sandinistas on his border if they would stay within their own borders, but I am here to tell you they are not staying within their own borders.

When I was in Chalatenango Province in El Salvador, I saw Communist weapons that did not grow out of the ground; they had to come through either Nicaragua or Cuba, and the ammunition I saw could be traced directly back to the revolution which overthrew Somoza, which came from Argentina and was sold to the Sandinistas in Nicaragua. It was Nicaraguan ammunition; there was no question about it.

Mr. Hamilton said he did not understand what President Reagan's goals were. President Reagan has said time and again that he wants the Sandinistas to live up to the commitments they made to the Organization of American States in 1979. That is, free elections, freedom of the press, freedom of religion; none of which exist today. That is what President Reagan wants, and that is why he is putting pressure on the Communist Sandinista government, and that is why he wants this humanitarian aid for the Contras.

You know, I get the impression that our colleagues on the other side of the aisle feel like we should cower in a corner while the Communists march on around this world, taking country after country.

If we do that, we are going to ultimately lose our freedom as well. We cannot stand back and let the Communists move on and on and on; there has to be a line drawn somewhere; we must support our allies in Central America.

If we do not do that we jeopardize our future as well.

Mr. STUMP. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Chairman, I will insert my prepared remarks at this point, because I see that the distinguished majority leader is on the floor, and I wish to make a personal appeal to him.

Mr. Chairman, I rise on behalf of the Michel-McDade effort and against all of the Neville Chamberlain delaying tactics. I firmly believe that we must do the right, reasonable, and responsible thing here today, and if we do not, we will find our responsibilities incredibly more onerous later on. June 12 will live in infamy if we fail with Michel.

We must provide assistance to the Nicaraguan freedom fighters because it simply is the right thing to do. The men, women, and even children who have taken to arms against the Sandinista regime have not done so because they are in the pay of the United States—if they were they would find us an inconstant employer—but because they are attempting to reclaim a stolen revolution, a purloined promise of freedom, which was taken from them by Danny Ortega and his henchmen. The President likened the freedom fighters to the Founding Fathers, and has been ridiculed for saying so. But for those of you who recall some of the reasoning behind our Declaration of Independence, I point out that the rights of the Americans in 18th

century North America were considered to be rooted in God-given human rights more than in the British Constitution, as wonderful as that institution was and is. When Britain failed to recognize the rights of the North Americans, our forefathers enforced those rights by rising up against injustice and tyranny. Since the false Sandinista regime has betrayed the noble ideals of freedom which they said they wore as a badge of belief and commitment when they took power. Yes, those people who want freedom are entitled to seek it. I commend them because they didn't vote just with their feet and trek north to the United States—many have, but not the brave men, women, and teenagers who joined the Contras—but with their lives in direct struggle against the betrayers of their revolution. They are enforcing their own right to democracy, which right has been denied them by the morally corrupt and avowedly Communist Ortega government. Given our own national, historical commitment to freedom and democracy, this country can do no other in this connection than support the valiant fighters for Nicaraguan freedom.

It is only reasonable for us to take the necessary steps to see to it that freedom's forces in Nicaragua are not left to the poverty of political neglect by freedom's greatest champion—the United States. Not only because it is in our moral interest to stand with democratic forces, but because it is in our national interest. John F. Kennedy, whom every one of us here recognizes as a great champion of freedom, brought this country to the brink of war over the Soviet missiles which were going into Cuba. We have tolerated a Communist government in Cuba, with what I consider a pathetically weak modus vivendi, but we could not tolerate a loaded gun pointed at the heart of this country from 90 miles off shore.

It is reasonable for us to help democracy's champions in Nicaragua because if we don't, we'll have a Communist dictatorship linked directly to Cuba and to Moscow not 90 miles offshore, but on shore. From Nicaragua missiles won't be necessary. Nicaraguan/Cuban/Soviet elements will foment discord and revolution throughout Central America and into Mexico.

Massive waves of frightened Central Americans will head for safety any where they can—most into the United States. And, just as legitimate Korean refugees fled south when Korea was partitioned after the Second World War, and bona fide North Vietnamese refugees headed by boat and foot across the 17th parallel after the 1956 settlements, in both cases only to include Communist agents bent on long range treachery, we will have enemy agents among those who pour across our southern border. Why permit this to happen? Why allow an expansionist, ideologically driven, hostile government to get geared up for its long-term offensive at the expense of the United States and our other neighbors? Why not allow those who want to settle the problem and who have the greatest and most legitimate interest in the problem to settle it?

There are those who might accept that we have a legitimate moral concern in helping the freedom fighters in Nicaragua but fear American involvement. They will remember Vietnam, and will invoke its debilitating and enervating ghost, and turn their backs in resignation as freedom dies in Nicaragua. I say to such fears, you have it backward. If we don't provide a balance to the guns and equipment provided the Government of Nicaragua by the Communist Cubans and Communist Soviets, freedom will die and tryanny will not only win, it will be encouraged in its long-term expansionist goals. If we don't pick up the slack in the rope now, we'll find it around our necks later.

Finally, it is responsible for us to take this action. For the first time since we permitted South Vietnam to fall before a massive North Vietnamese invasion, we are restoring this country's credibility in the eyes of our allies and the noncommitted smaller nations of the world. If we don't take steps to help stabilize Central America under reasonably friendly, democratic governments, we will find ourselves sneered at as unable to manage affairs in our own front yard. We have started to turn back the Soviet expansion of influence by a quick surgical stroke in Grenada. We have heartened our friends and confounded our enemies by that action. We have a chance now in Nicaragua, with no American men involved, to continue the rollback of Soviet/Cuban domination at least in this hemisphere. For us to permit a suspended priest to establish a tin-pot dictatorship on the backs of his people, to consign them to serfdom of a far worse sort than the Americas have ever seen before, because it is a slavery of the mind and of the spirit, is to deny the importance of this issue to hemispheric if not world peace and freedom. Not only is freedom indivisible, world order is also indivisible. We cannot have turmoil and local imperialism on the North American Continent without involving the world, because the Soviets always fish in troubled waters.

I want to note here that while I am determined to press for assistance to Nicaragua's freedom fighters, I also am willing to see those elements talk with the Ortega nomenklatura about a government of reconciliation in Nicaragua, as long as those talks are in full faith and credit. Otherwise, I see no reason why such conversations should occur. In any event, nothing is likely to happen unless the freedom forces in Nicaragua are a force to be reckoned with by the Communists, and this of course depends on their receiving assistance that is sufficient and steady.

Right, reason, and responsibility all call on us to take the steps necessary to bring democracy to Nicaragua through the instrument of the Nicaraguans themselves. I call on my colleagues to act in accordance, and to place this great country on the side of freedom and human rights in Nicaragua.

Mr. Chairman I submit for the historical record an analysis of today's declaration of unity in El Salvador by all the various Nicaraguan freedom fighter groups.

I also wish to submit for the RECORD, again, for purposes of jogging a few memories, the questionable "Dear Comandante Ortega" letter.

DECLARATION OF THE UNITED NICARAGUA OPPOSITION

SUMMARY

Since the Sandinistas rejected the opposition's March 1 call for a dialogue, the opposition has now decided to unify and declare their unalterable decision to continue fighting against the Sandinistas, although they will always give priority to a political solution. Major opposition figures announced at 11:00 EST in San Salvador that they are forming a United Nicaraguan Opposition (UNO). They also announced their negotiating position, including a proposal for an interim government, for elections within a year to establish a democracy and for national reconciliation and reconstruction.

PARTICIPANTS

Mr. Arturo Cruz, Mr. Adolfo Calero, and Mr. Alphonson Robelo represented the CDN (non-military political opposition), the FDN and the ARDE. Several other opposition figures also participated. Pastora, representing the FRS, was invited to attend but declined. MISURA and MISURA/SATA leaders are meeting to select a single spokesman who will represent both groups, and they will probably join the UNO later this week.

NATIONAL RECONCILIATION

Total amnesty and pardon for all political prisoners, strengthening of the judicial process and elimination of special tribunals, elimination of capital punishment, demilitarization of society and redress for arbitrary and unjust acts.

DEMOCRATIC FOUNDATIONS

Establishment of a constitution and rule by law, primacy of civilian authorities, election with participation by all sides, ethnic minority rights and independence of all branches of governments. Interim government in which all sectors of society would participate, which would last not more than a year; as the Contras previously offered, it could be headed by Daniel Ortega, with the manner of participation by other parties a subject of negotiation. National assembly elections within a year. Supervision of both the interim government and the elections by other inter-American entities.

BASIS FOR NATIONAL RECONCILIATION

A new social pact, including the responsibility and participation of all sectors of society. Peasant and worker rights essential to

peace. Centralism abolished, private enterprise operates wherever desirable and possible, and government to be limited to what is absolutely necessary.

SIGNIFICANCE

This marks the first time that the anticommunist resistance in any country of the world has been unified. The decision by Mr. Robelo, the founder and head of ARDE, to join the FDN indicates that he no longer feels the FDN is dominated by former National Guardsmen.

HOUSE OF REPRESENTATIVES,
OFFICE OF THE MAJORITY LEADER,
Washington, DC, March 20, 1984.

Commandante DANIEL ORTEGA,
Coordinator de la Junta de Gobierno, Casa de Gobierno, Managua, Nicaragua.

DEAR COMMANDANTE: We address this letter to you in a spirit of hopefulness and good will.

As Members of the U.S. House of Representatives, we regret the fact that better relations do not exist between the United States and your country. We have been, and remain, opposed to U.S. support for military action directed against the people or government of Nicaragua.

We want to commend you and the members of your government for taking steps to open up the political process in your country. The Nicaraguan people have not had the opportunity to participate in a genuinely free election for over 50 years. We support your decision to schedule elections this year, to reduce press censorship and to allow greater freedom of assembly for political parties. Finally, we recognize that you have taken these steps in the midst of ongoing military hostilities on the borders of Nicaragua.

We write with the hope that the initial steps you have taken will be followed by others designed to guarantee a fully open and democratic electoral process. We note that some who have become exiles from Nicaragua have expressed a willingness to return to participate in the elections. If assurances are provided that their security will be protected, and their political rights recognized. Among these exiles are some who have taken up arms against your government, and who have stated their willingness to lay down these arms to participate in a truly democratic process.

If this were to occur, the prospects for peace and stability throughout Central America would be dramatically enhanced. Those responsibilities for supporting violence against your government, and for obstructing serious negotiations for broad political participation in El Salvador would have far greater difficulty winning support for their policies than they do today.

We believe that you have it in your power to establish an example for Central America that can be of enormous historical importance. For this to occur, you have only to lend real force and meaning to concepts your leadership has already endorsed concerning the rules by which political parties may compete openly and equitably for political power.

A decision on your part to provide these reasonable assurances and conduct truly free and open elections would significantly improve the prospect of better relations between our two countries and significantly strengthen the hands of those in our country who desire better relations based upon true equality, self-determination and mutual good will.

We reaffirm to you our continuing respect and friendship for the Nicaraguan people, and pledge our willingness to discuss these or other matters of concern with you or officials of your government at any time.

Very sincerely yours,
Jim Wright, Michael D. Barnes, Bill Alexander, Matthew F. McHugh, Robert G. Torricelli, Edward P. Boland, Stephen J. Solarz, David R. Obey, Robert Garcia, Lee H. Hamilton.

Mr. Chairman, this century has not any more gifted orators in this House than the distinguished majority leader. He has a golden throat that is augmented by years of scholarship and quite often, he has spoken out as have most of the Members on the other side of the aisle in the name of freedom in many parts of the world. And when Mr. Wright speaks out for freedom, it is a joy to listen.

Why is the southern tip of our own continent, Mr. WRIGHT, not as worthy of freedom as Afghanistan?

This "Dear Commandante" letter of March 20, 1984, I do not hold up in derision; it was a sincere effort, at peace, I guess, as many of us have extended advice to every corner of the globe. The letter was an appeal to people not to betray their best instincts or their revolution. I think, however, you should have exercised a little restraint in your signoff by taking the "very" off the "very sincerely yours," but never mind—let's look at your words in this letter of only 1 year, 2 months, and 23 days ago.

When you wrote that the commandantes took steps "to reduce press censorship," it got thrown in your face within months with now daily press censorship. When the part that Mr. LEWIS read a few minutes ago about "allowing greater freedom for assembly of political parties," just look at that premature compliment.

Most private sector people that I have met with in Nicaragua now live in constant fear that soon every last vestige of freedom will be taken away by an increasingly pervasive police state.

Then, Mr. WRIGHT, "you went on to write that you have taken these steps (the commandantes) in the midst of ongoing military hostilities on the borders of Nicaragua." Unfortunately, there was a hint there that we, U.S. Americans, were the bad guys supporting those military hostilities. Not too kosher, Mr. WRIGHT. They are the bad guys. And the freedom fighters that we helped to launch are not just on the borders.

They make deep forays into the country from both the south and the north. Sometimes into the provinces adjoining Managua. And they do it with the support of the people—the compasinos.

I hope that if you achieve the goal you seek, Mr. WRIGHT, the speakership of this body, the finest legislature of all the Parliaments in the world, and I believe, God willing and your vigorous health sustaining, that you will, that you never have found yourself in the position of our esteemed Speaker of the House a few weeks back, embarrassed by a little dictator in a designer jungle-green leisure suit.

We now find out from our Congressional Research Service that "Dear Commandante Danny Boy" has been to Moscow nine times. In March 1983, Ortega made a double trip, a side trip to India squeezed in between.

When a Member from Massachusetts [Mr. STUDDS] said that the new Prime Minister Rajiv Gandhi, who will be speaking to us tomorrow, also went to Moscow, and so what, he forgets that if it were not for that little British-designed Wakhan Strip in north Afghanistan, India would share a border with the U.S.S.R., and it was Mr. Gandhi's first trip. What is Ortega doing traveling to the Kremlin over and over in spite of your letters and votes of support.

Nine trips is a bit much, gentlemen.

Shuck off your embarassment. Stand tall again. Vote for the freedom fighters and help us form a bipartisan foreign policy as in days of yore. A policy that stands up for liberty and not for the police state of these dictatorial commandantes in Managua. Vote down Hamilton-Barnes and let Michel-McDade win the day.

Mr. STUMP. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DANNEMEYER].

Mr. DANNEMEYER. Mr. Chairman, in 1924, while languishing in Landsberg Prison for participating in some abortive beerhall shenanigans, the future Chancellor of Germany wrote a treatise on how he saw the world. This interpretation of one man's view of a German "manifest destiny" if you will, was not really taken seriously until about a decade later, by which time many of the prophecies and proposals had occurred or were underway.

In the second volume of "Mein Kampf," Adolf Hitler wrote:

> Just as our forefathers did not get the land on which we are living today as a gift from Heaven, but had to conquer it by risking their lives, so no folkish grace but only the might of a triumphant sword will in the future assign us territory, and with it life for our nation.—(P. 949 of the Reynal & Hitchcock edition, 1941.)

There have been more profound statements uttered throughout history. There have been more belligerent and bellicose statements as well. Like much of his writings, speeches, and activities, this excerpt was more likely ridiculed and dismissed as either lunatic ravings or idle dreams. In 1924. By 1937, more attention was being paid but the European democracies were poised to concede and appease rather than take action to ensure against the manifestation of these rantings and dreams. By 1945, the world had

learned a bitter and monumentally tragic lesson.

In 1980, Nicaragua's Interior Minister Tomas Borge boasted to Alberto Suhr, a Nicaraguan imprisoned for his anti-Sandinista sentiments, that there was no stopping the revolution:

> We have Nicaragua, soon we will have El Salvador, Guatemala, Honduras, Costa Rica, and Mexico. One day, tomorrow or five years or fifteen years from now, we're going to take 5 or 10 million Mexicans and they're going to have one thing in mind—cross the border, go into Dallas, go into El Paso, go into Houston, go into New Mexico, go into San Diego—and each one has imbedded in his mind the killing of ten Americans.—(Reported in Washington Times, March 27, 1985.)

How serious a claim is this? Does an Interior Minister speak for the Nicaraguan Government? He probably speaks for the Sandinista regime. Was the statement made in the heated exchange of an argument with a political opponent? Is it an example for use in future grammar books of excessive hyperbole?

I submit that this quote from the Interior Minister Borge is, like Hitler's from 1924, flamboyant rhetoric. That does not mean, however, that we should disregard the portent. Given the right set of circumstances at the right time, virtually anything can happen. In 1939, 80 million Germans set out to realize some of that "manifest destiny" which Hitler alluded to in his earlier writings. Today, in Latin America—from the Panama Canal to the Rio Grande—there are 100 million persons inhabiting a region seething with economic, social, and political unrest, where a volatile situation is just waiting for a fuse to ignite a catastrophe in our own hemisphere.

I implore my colleagues not to simply dismiss the rhetoric of this statement by Minister Borge, not to disregard the potential for violence which can creep slowly northward to our own borders, not to underestimate the fervency and ideological commitment of the Marxist revolutionaries in Nicaragua who, funded and prompted by Moscow and Havana, have in mind the eventual enslavement of all of Central America and the bringing of destruction to our back door. Finally, I urge my colleagues not to forget the lessons of history. We have done so too often already.

Mr. STUMP. Mr. Chairman, I yield one minute to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, there was an interesting point made just a few minutes ago by Mr. DORNAN, and I heard it increasingly on the Democrat side of the aisle. As I think everybody recognizes, there is a debate brewing within the Democrat Party, as to whether the Democract Party has left its constituency behind, and I speak of people like my parents who have been Democrats all of their lives and Mr. WRIGHT, I guess maybe you can say what has happened to that young man, but most people in my family are Democrats, and I can tell you that they are increasingly dissatisfied with the action of the Democrat Party on the issue of foreign policy.

Now, JACK MURTHA and DAN DANIELS, BILL NICHOLS and DAVE MCCURDY and some of those people are saying, "No, we want to pull that constituency back." And maybe it would be silly for a Republican to say this, because we are gaining what you are losing, when you lose those blue-collar, hard-working men and women out there who think that the Democrat Party has become too liberal and has a head-in-the-sand approach to foreign policy.

Now we had 73 Democrats join with us in support of the Michel amendment. We have 250 in the House, and I would like to think we can get a big vote here against Hamilton, in favor of Michel, and let us have a bipartisan foreign policy that brings America together.

□ 1900

Mr. STUMP. Mr. Chairman, I yield 6 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Chairman, the President of the United States, Jimmy Carter, on September 12, 1980, sent a certification to Congress, as required by law, withholding the funds for Nicaragua, the $75 million that we had appropriated, and I had voted for, because the legislation required that they not be involved in terrorism or violence and these conditions could not be met. And the President of the United States, on September 12, 1980, said this, in his certification:

> The Sandinistas have made it clear that they have no intentions of fulfilling any requirements that the Congress of the United States has placed on the $75 million loan. Interior Minister Toman Borge said on September 5, "If they could buy us with $75 million or with $1 billion, we would stop being revolutionaries. We revolutionaries would rather starve if necessary before falling on our knees in the face of Yankee imperialism. Let them refuse once and for all to give us the $75 million. They think we are going to beg. How little do they know the Sandinistas."

Now, that was Jimmy Carter. I wish the lesson that he learned in September 1980 could somehow reach over across the years and permeate the leaders in the majority party.

Now, before we got to this debate, the newspaper quoted Mr. HAMILTON, my dear friend—and how I wish he were on our side—about this whole issue, and he said:

> The question today is whether we want to fund a war in Central America.

Now, we have heard that refrain again and again from many of the speakers from the other party.

I suggest to you the question is not whether we want to fund a war in Central America, but the question was better posed in a full-page ad that appeared in the June 2 New York Times, with the heading, "Democracy is the issue," and in this full page ad, it said:

> There are many issues in the present debate over U.S. policy toward Nicaragua, but the basic issue is this: will we stand beside the Nicaraguan democratic resistance in its struggle against totalitarianism? Or will we declare that this movement is a lost cause, and offer only to help its supporters adjust to lives as victims, refugees and exiles?

Now, that is the issue, ladies and gentlemen. And some of the people who signed this are: Hyman Bookbinder, Washington representative, American Jewish Committee; Zbigniew Brzezinski, former adviser to President Carter and Chairman of the National Security Council; C. Douglas Dillon, former Secretary of the Treasury in the Kennedy administration; William Doherty, Jr., executive director, American Institute for Free Labor Development, AFL-CIO; Frank Drozak, president, Seafarers International Union of North America; Angier Biddle Duke, former Chief of Protocol in the Kennedy administration, former Ambassador to El Salvador and Spain; Orville L. Freeman, former Secretary of Agriculture in the Kennedy and Johnson administrations; Samuel P. Huntington, director, the center for international affairs, Harvard University; John P. Joyce, president, International Union of Bricklayers; Charles Luken, mayor of Cincinnati, a Democrat; Martin Peretz, editor-in-chief of The New Republic; Albert Shanker, president, American Federation of Teachers, AFL-CIO; and on and on and on.

That is the issue. It is not whether we want a war. Nobody wants a war. But we want freedom. The opposition, the Communists pick the level of the conflict. You have to respond at that level or you lose. So stand with Mr. Carter, who knew what he was talking about 5 years ago, in September 1980.

Now, I have read Mr. BARNES in the newspaper refer to the Hamilton-Barnes amendment as the "new Monroe Doctrine." I ransacked my history books, to try to find what the heck the Monroe Doctrine means, because I always understood it was to keep foreign countries out of this hemisphere, whereas this amendment, the approach being used by the gentleman on the left, is to keep them into this hemisphere, exactly the opposite.

This amendment does positive harm. It ought to be called the Refugee Incentive Act of 1985, because it says to the Contras fighting for their own homeland, "Abandon your homeland and we will give you a bowl of rice, we will give you a blanket." It is time somebody asked: Just where do we stand in the ferocious struggle of our

time between the two great alternative faiths, freedom or communism?

I have heard laughter and derision and slander about the Contras, that they are terrorists, they are butchers, they are rapists. You know, it is easy to demonize people that you oppose. We did it in World War II. The Germans were Huns, they were the Boche; the Japanese were Nips. The derogatory names go on and on. If you depersonalize people, then it is easy to attack them, it is easy to deprecate them. But the Contras are growing by 500 every month. There are 15,000 of them. There were only 6,000 in all of Somoza's National Guard. Half of them are in jail. So you are left with 3,000 of the National Guard and 15,000 Contras. You cannot call them all Somocistas. They are not all rapists. They are patriots, risking their lives against the government to fight for freedom.

Now, our charter of freedom, our Declaration of Independence, is worth reviewing a little bit. It says that governments are instituted among men and they derive their just powers from the consent of the governed. And it says when government becomes destructive of the ends of life, liberty, and happiness, they, the people, have a right to alter or abolish them. It goes farther than that. It says they have a duty to throw off such government. That is what the Contras are doing. I say stand with them, not to make refugees out of them as this legislation seeks to do.

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

● Mr. RICHARDSON. Mr Chairman, it is my hope that the Barnes-Hamilton amendment is not repudiated by a strong negative vote. This House passed this provision last April, only to be nullified by a senseless vote after its passage. But today the votes are not there for this amendment. That is obvious.

Barnes-Hamilton stands for negotiations, for the Contadora process, and for demilitarization of the area. Let us not repudiate those noble goals today—I hope that this House does not have a recorded vote on this amendment.

Let us give the Michel amendment a chance, but an overwhelming recorded no vote on the Barnes-Hamilton amendment is the wrong signal to send.

I am among those who are willing to give the Michel approach a chance. Several months from now, however, the Barnes-Hamilton approach might be the best vehicle once again. Therefore, I hope that this body does not wipe out an amendment that today might be defeated not because of its own positive merits but because of a Sandinista leadership that by its recent actions does not appear to believe in peace, negotiations, nonalignment, and democratic pluralism.●

Mr. HAMILTON. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. MOODY].

Mr. MOODY. Mr. Chairman, we are going down a fateful path with the Michel amendment, a path of formal U.S. support to a group dedicated to the overthrow of a legally constituted country in our hemisphere. This obviously leads to eventual military escalation but not successful military escalation, according to General Gorman, unless we eventually send in U.S. troops.

Here is my point: Unless that military approach does succeed, we will have paid for the buildup of a large client group, grown by then to probably 35,000 or 50,000, who will be dependent on us and who will try to leave their country at that point, very much like a similar client group did in Vietnam at the end of that terrible conflict. But Vietnam was very far away. Even so, thousands arrived at our shores. A similarly built-up client group in Nicaragua would disperse throughout the region and arrive at our borders in thousands.

I ask my colleagues to draw back from this fateful Michel approach today which would in effect be the Refugee Creation Act of 1985.

Mr. STUMP. Mr. Chairman, I yield 6 minutes to the gentleman from Louisiana [Mr. ROEMER].

Mr. ROEMER. Mr. Chairman, I thank my colleague and good friend, the gentleman from Arizona [Mr. STUMP] for yielding me the time.

First of all, let me join those who preceded me in the well to thank the gentleman from Indiana [Mr. HAMILTON], the gentleman from Maryland [Mr. BARNES], and others, for the work they have done consistently on behalf of this country in matters of foreign policy, in matters of national security and in matters of great importance to America. I do not believe that their amendment today precludes anything but praise on the part of what they have done in the past. I further agree with Mr. HAMILTON, a Member of Congress, by the way, for whom I have but the highest of regard, when he said, as he began this debate, that we do a service in America by debating the issues of foreign policy. I think the debate today has been a service, and we can thank LEE HAMILTON, in large part, for that.

Obviously, everybody in the chamber knows that I cannot agree with Mr. HAMILTON's approach today. While agreeing with this participation and the need for men like that to be involved today, I think we have an error. Today, if we were to adopt this particular approach, what we would be saying to our allies and our foes in Central America is that "you can count on the United States only for one thing, and that is if you quit your fight, if you stop your effort for freedom; if you become something other than a freedom fighter, then we give you our check, not too much money"—and I do not want to exaggerate it—"but you qualify only if you are a refugee."

Some, making fun of the amendment, call it the Amtrak amendment: get your train, leave Nicaragua, we give you money.

I do not think it is a good idea. Most of all, because it puts no pressure on the Sandinistas.

Now, LEE HAMILTON has said it and said it well when he represents the view that he says that we do not need pressure on the Sandinistas, what we need to do is to encourage negotiation and peace in reaching our goal. I could not agree with him more.

□ 1910

But it is my feeling, and it is the feeling of many in the House, Democrat and Republican, that this sort of humanitarian aid, coupled with some assistance to the Contadora effort does what you want to do better than your amendment will accomplish, because it combines both a carrot and a stick. In these sorts of negotiations, we might need both.

Second point, if I could: It has been said often today by Members with whom I do not agree, that the Contra's as a group are not worthy of our support. That somehow the Contra's have been discredited. We had in town today a gentleman with whom many of you have met and discussed issues in Nicaragua: Eden Pastora. A man who fought with the Sandinistas for liberty in his country; a Contra. But who turned away some years back when he found out that the freedom for which he fought was taken away by those with whom he had done battle.

Mr. Pastora was revolted in the second case by his own allies, the Sandinistas, and now continues to fight for liberty in Nicaragua. He is a Contra, and he made the point today that the Contras are not well named. It is the Sandinistas who ought to be called Contras. It is the Sandinistas who are opposed to liberty and to freedom. It is the Sandinistas who are opposed to peace in their borders. It is the Sandinistas who talk about a revolution without borders or boundaries. It is the Sandinistas who have gone against the citizens of their own country.

The Miskito Indians for example; genocide by any name is still genocide. It is the Sandinistas who have time after time reached out to the enemies of freedom, reached out to the enemies of the United States of America.

It is the Sandinistas who need to be told where we stand.

It is for those reasons and more that I think we ought to vote against the Hamilton amendment. It is for those reasons and more that I think we ought to stand today not for war, but for peace. It is for those reasons and more that I think today we can take a bold step for what I think every Member believes: Peace in the region, but not at the price of liberty. Peace in the region, but not at the price of giving up freedom.

Let me tell you this: It is risky business what we are doing here. It is risky business, giving money to those who fight for freedom in Nicaragua.

It is risky business because we are not sure what will happen, but I submit to you that it would be more risky to do nothing. It would be more risky to do what we did 7 weeks ago: Huff and puff and blow and do nothing.

In the great fight, in the great fight of ideas between liberty and communism, as HENRY HYDE said, "We cannot take a back seat. We have got to help those people who put their lives on the line for freedom."

I think it is clear; I think it is simple. I will close by quoting my favorite politician and the reason I am a Democrat. John Kennedy. He said this when he was inaugurated for President on the 20th day of January 1961:

"To our sister republics south of our border, we offer a special pledge—to convert our good words into good deeds in a new alliance for progress, to assist free men and free governments in casting off the chains of poverty. But this peaceful revolution of hope cannot become the prey of hostile powers * * * Let every other power know that this hemisphere intends to remain the master of its own house."

John Kennedy. Let us stand with him.

Mr. HAMILTON. Mr. Chairman, I yield 1 minute to the gentleman from North Dakota [Mr. DORGAN].

Mr. DORGAN of North Dakota. I thank the gentleman for yielding me this time.

Mr. Chairman, the question here I think is what kind of a threat do the people on that side suggest the Nicaraguans portray for this hemisphere. A lot of us have been to Nicaragua, and I recall going to a cooperative farm and seeing a fellow sit on a post with a gun. I asked him, "What are you doing here?" Well, it was his turn, his turn to sort of watch things. I said, "How many people are in the commune?" Twenty-five men. "How many guns do you have?" Seven.

"Do you have any ammunition; do you get any training?" Every second weekend we get a little training, but we do not shoot much because we do not have much ammunition.

So I asked the Embassy in Managua, "How many troops are in Nicaragua?" Well, about 120,000-man army ready to march and threaten the hemisphere.

The 120,000-man army that our Government says exists in Nicaragua is such an outrageous, gross distortion of the threat, how on earth can you then craft a response? I think the Hamilton amendment is a step toward peace in that region. An appropriate response is what we need.

Someone mentioned John F. Kennedy. John F. Kennedy was responsible for the Alliance for Progress; Food For Peace; the Peace Corps. Dozens of the right kinds of initiatives to extend our influence in the region of the interests of people in this hemisphere and in the interests of our Government as well.

Mr. HAMILTON. Mr. Chairman, may I inquire how much time remains?

The CHAIRMAN. The gentleman from Indiana (Mr. HAMILTON) has 8 minutes remaining and the gentleman from Arizona [Mr. STUMP] has 6½ minutes remaining.

Mr. HAMILTON. Mr. Chairman, I yield 4 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. I thank the gentleman for yielding me this time.

Mr. Chairman, the issue is not whether we like the Sandinistas or whether we like the Contras. The issue is simply what works. I think there are three solid reasons for supporting the Hamilton amendment.

No. 1, nobody can tell what existing administration policy is. You cannot really tell whether its goal is to try to overthrow the Sandinista government or whether its other internal goal in Nicaragua is simply to try to expand opportunities for political pluralism.

Second, we have no clear idea of how this support for the Contras will accomplish either of those internal goals much less try to achieve changes in the international conduct of the Sandinistas. As in the case of Lebanon, the administration's rhetoric is soaring, but its policy is muddled. What is clear is that the policy of the administration is a failed policy. This is not something new we are being asked to try; the Contras have been around for 4 years, and we are worse off now than we were 4 years ago in terms of our ability to control the conduct of the Sandinistas.

The purpose of the Hamilton amendment is very simple: It is an effort to strengthen the chance of the success of American policy by ending our isolation by channeling our efforts through regional processes which will gain us allies rather than shed allies because of their embarrassment over our policy.

Unless we pass the Hamilton amendment, there are no real limits on administration policy. Mr. LUGAR, chairman of the Senate Foreign Relations Committee, was quoted in the newspaper as saying:

> The President's new policy is very ambitious, and to get the job done, a great deal of added activity will be required. It will probably occur.

What is that activity going to be?

Now I know we were told today by one Member on this side of the aisle that the administration has now given assurances that they will not use the CIA Contingency Fund, but I want to tell you a little story.

Back in 1964, Senator Gaylord Nelson from my State was going to offer an amendment to the Gulf of Tonkin Resolution guaranteeing that that resolution could not be used to support the introduction of troops in Vietnam. Senator Bill Fullbright asked Nelson to withdraw that amendment because, he said "I have just received assurances from President Johnson that he will not, under any circumstances, use the resolution that way."

□ 1920

So Senator Nelson said, "Well, who am I to question the veracity of Bill Fulbright, or the President for that matter," so he withdrew the amendment. Six months later Bill Fulbright came to Gaylord Nelson and he said, "Gaylord, when I asked you to withdraw that amendment, that was the worst mistake of my career."

I ask my colleagues, do not make that mistake here this evening! The issue is not whether we like the Contras or the Sandinistas. I happen to like Adolfo Callero. I have a great deal of respect for him. I disassociate myself from some of the remarks made today which were a blanket attack on the Contras. I think we have a lot of very decent people in the Contras. I also think we have a lot of butchers. War or revolution never produces clean, nice, neat categories on either side.

But what I like even more than I like Adolfo Callero is the idea that the United States of America, the greatest country in the world, will remain true to the concepts of international law. I like more than anything else the idea that we would have a policy that does not embarrass our potential allies, rather than isolate us from them. That is what existing administration does. The Hamilton amendment is unmuddled. It is clear, it is right, and I ask my colleagues to support it.

● Mr. WIRTH. Mr. Chairman, 1½ months ago, the House voted down any aid—humanitarian or military—to the Nicaraguan Contras. While I was pleased that no aid whatsoever was approved for the Contras, I was disappointed that we did not use that vote to signal that the United States favors

diplomacy as a solution to the strife in Central America.

The House could have sent that signal by approving the Barnes-Hamilton substitute which would have endorsed the Contradora diplomatic process, and set aside $4 million to assist the implementation of an agreement reached as a result of that process. Barnes-Hamilton would have also provided up to $14 million in relief aid for Nicaraguans who have fled their country and are now located in refugee camps managed by the International Red Cross and the U.N. High Commission for Refugees.

Today, Mr. Chairman, the House has another opportunity to clearly state its support for diplomacy. Representatives BARNES and HAMILTON have offered their amendment once again, albeit with one modification. They have lifted the limit on how much financial assistance the United States can contribute toward the implementation of a Contadora peace agreement. The amendment, as it stands now, would affirm our country's support for a nonmilitary, peaceful resolution of Nicaragua's civil conflict.

Barnes-Hamilton would also alleviate the suffering of the victims of the Contras' war along the Honduran-Nicaraguan border. Reports from respected human rights groups such as Americans Watch have informed the world of the Contras' brutal treatment of Nicaraguan civilians. They have attacked innocent Nicaraguan civilians, destroyed economically vital crops, and ruined the livelihoods of many noncombatants. Many of the victims of this merciless attack have fled deep into Honduras to seek refuge in camps being operated by the United Nations High Commission for Refugees and the International Red Cross. As before, the Barnes-Hamilton proposal would provide these camps with up to $14 million for humanitarian assistance, in the form of food, clothing, and medicine, for Nicaraguan refugees.

Some people have expressed concern about the potential diversion of this aid to the Contras. At the least, it is argued, Contras might infiltrate the camps and take advantage of the American supplies, thereby freeing up resources for the purchase of military equipment and weaponry. I share this concern, and have investigated the monitoring capabilities of UNHCR and the Red Cross, as well as the likelihood of the Contras availing themselves of these camps and their supplies. Logistically, it would be difficult for the Contras to utilize the internationally sponsored relief camps. The camps are located in the Honduran interior, away from the Nicaraguan-Honduran border, where the Contra-Sandinista fighting is centered. From the standpoints of both cost effectiveness and logistics, it would not be worth the Contras' efforts to establish a supply line between the combat zone and the relief camps.

In addition, the camps are run according to the strict codes of the UNHCR and the Red Cross. As a result, any persons entering a relief camp must first lay down their weapons. At present, both organizations have apparently been successful in barring combatants from their camps, in particular because they are located at a distance from the battle front. Nevertheless, it is extremely important that Congress continue to monitor the flow of aid to the Red Cross and UNHCR camps to ensure that it is not diverted to the Contras. Therefore, I am pleased that the Barnes-Hamilton amendment contains language which requires regular, detailed reports on the distribution and use of this humanitarian aid.

Let me make one more point regarding this issue of refugee assistance. The humanitarian aid proposed under the Barnes-Hamilton amendment is food, clothing and medicine. It will be delivered to the refugees in that form, and cannot, in any way, be converted into materials with a military purpose.

Let's compare that type of assistance with the aid that could be supplied under the Michel-McDade-McCurdy amendment: light aircraft, helicopters, radar equipment, trucks, field rations, helmets, boots, and uniforms. Is this truly humanitarian assistance? Supplying the Contras directly with these materials, or even food and clothing, amounts to aid for a rebel military force against a country with whom we have diplomatic relations. It amounts to fuel for a war that is raging across Nicaragua and threatening the stability of Costa Rica and Honduras. It amounts to a repudiation of diplomacy, which this country has yet to seriously advocate with regard to Nicaragua.

The Barnes-Hamilton amendment puts diplomacy in the forefront of our efforts to stem the conflict in Nicaragua. It also helps to meet the legitimate needs of many Nicaraguan refugees who have been uprooted and tormented by Contra incursions into Nicaragua. The Barnes-Hamilton package is a decent and sensible alternative to military force—it provides the means for a peaceful, regionally based settlement of the Nicaraguan conflict. I urge my colleagues to strongly support it, and to vote against the Michel-McDade-McCurdy amendment, which promises nothing more than protracted and violent war in Central America.●

Mr. STUMP. Mr. Chairman, I yield the remaining time to the Republican leader, the gentleman from Illinois, [Mr. MICHEL].

The CHAIRMAN. The gentleman from Illinois [Mr. MICHEL] is recognized for 6½ minutes.

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

Mr. Chairman, I would like to close the debate on this issue on our side by posing several questions to our opposition.

Suppose the votes earlier today had gone the other way? Suppose that our amendment had been soundly defeated, trounced? Suppose the Barnes-Hamilton amendment would prevail?

Do you really believe that the Sandinistas would see that as a sign that they should become less militant? Do you really believe Daniel Ortega will see passage of the Hamilton amendment as a criticism of his mission to Moscow? Do you really believe that the ruling junta in Managua will become more reasonable if they know that the last link had been cut between the Nicaraguan resistance and these great United States? Is there even one historical precedent to suggest Communists become less militant when their opposition disappears and floats away?

The answer is that if our amendment had been defeated today, and if the Hamilton amendment should pass, a scenario will begin that will be as inevitable as it will be tragic. A green curtain of jungle and silence will descend on Nicaragua. The Communists will complete their consolidation of power at their leisure, unhindered.

Inevitably, maybe in 2 years, 3 years, the dynamism that characterizes successful Communist revolutions will exert itself and Communist Nicaragua will attack neighboring states in force, and I ask those on the other side: What will you do then? What will you do 4 years from now when a new President, maybe a Republican, I hope he is or maybe a Democrat, is faced with an impregnable Communist fortress in Nicaragua? Cuba plus Nicaragua, plus whatever.

It could be you know, and then what do you do? Where and when do we finally draw the line on our southern border? When? You ought to think about that. When are we going to come to grips with reality and draw that line?

You tell us we should talk, but Communists never listen to talk unless it is backed up by force or threat of force. They never have and they never will.

And thank God there are brave Nicaraguans who today provide a semblance of force to make the Communists at least listen and pay attention.

You say you are afraid of having American boys dying in Central America. Well, so are we. Some of our opponents today, and it incensed me no end, called us either warmongers or warlike, or some such thing. Those Members who charged us with that do not have a virtue when it comes to hating war. Those of us who have been in the thick of it as combat in-

fantrymen know what war is. It is hell and I would not wish it on any of my boys or anyone else.

When I look back to those days when I was just an infantryman with no influence to bring to bear on public policy, I recall saying to my fellow dog faces at the time. "If we do not stay here for another 25 years and restrain these people from going at it again, we are making a big mistake," and thank heaven we did stay and forged the NATO Alliance in Europe.

Here we are today with a Communist client, Cuba, on our doorsteps, and another in the making in Nicaragua. I cannot understand how we can be so blind as to what the Communist conspiracy is all about and what they are up to south of our border.

Having said that, I guess I have to conclude on a more conciliatory note. I want to say something about this House and this institution.

I want to pay my personal respects to the gentleman from Pennsylvania, JOE MCDADE, the gentleman from Arizona, BOB STUMP, the gentleman from Wyoming, DICK CHENEY, the gentleman from Illinois, HENRY HYDE, the gentleman from Michigan, BILL BROOMFIELD, and the gentleman from Arizona, JOHN MCCAIN, on my side who did so much to help forge what I like to see happen in this House once in a while, a bipartisanship compromise.

Then too on the Democratic side the gentleman from Pennsylvania, JACK MURTHA, the gentleman from Oklahoma, DAVE MCCURDY, the gentleman from Louisiana, BUDDY ROEMER, the gentleman from Virginia, DAN DANIEL, and the gentleman from Florida, DANTE FASCELL, and 46 Democratic Members of the House of Representatives all deserve commendation for all they have done to make this happen.

I remember the first day we opened this session of Congress and it was my privilege to present the Speaker of the House to the House, and I made mention of the fact that there were 70 votes more on the Democrats side than on our side. I did not like that, and I said there are going to be times when we are going to be split right down the middle, and there have indeed been those confrontations in this session, some of them very polarizing. But I also said there are, hopefully, going to be some other times when we are going to criss-cross that line when people believe strongly on your side about an issue who will be joined by those on ours and other times when strongly held feelings on this side will be joined by those on that side.

When there are defections on my side, I can tell you I do not read my people out of the party over here when they defect. I do not like it and I do everything I possibly can to keep them in line but if my arguments are not persuasive enough to get them, I have to be content with those who will go along and be considerate of those who cannot.

I am so grateful for those of you on the Democratic side who saw fit today to join in this effort to make it a truly bipartisan effort.

I see the distinguished majority leader over there. He was out in my district recently at my old alma mater delivering a beautiful commencement address at Bradley University, and the theme of his address, as I recall was "building bridges rather than walls." A masterful job he did that day.

I got to thinking how we can equate what he said that day with what we did today, building the bridges across this center aisle in a true bipartisan effort to get together on what a majority really felt was the right thing for this country.

So I have to doff my hat to the House of Representatives today. Yes, I feel good about it. The gentleman from Massachusetts, EDDIE BOLAND, was very magnanimous when he came over and we chatted about it. This was his day to lose and our day to win. Shucks, I have lost a lot more than I have ever won around here. You know that. But it is the feeling that maybe we have broken the ice a little bit around here in this Congress; that we can work together, because we still have a lot of big problems facing this country, and to go across the aisle and forge a bipartisan effort, as we have done today, I thank you so much.

I hope you will vote down the Barnes-Hamilton amendment on the next vote here. And then let us not forget there is one final vote after that, and that is on final passage. A few weeks ago we went through a rather traumatic thing, and at that time it was Michel I and II as amendments to the base Barnes-Hamilton, and then the whole thing fell asunder after we just went through a traumatizing afternoon.

I hope, tonight, you are going to vote down Barnes-Hamilton, and on final passage vote for the supplemental appropriation bill.

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

Mr. WEAVER. I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of the Hamilton amendment.

The debate seems to be over whether humanitarian aid should be dispensed by one agency or another to those soldiers now attempting to overthrow the Government of Nicaragua. Many members sincerely believe that is the substance of the issue before us.

But I believe the issue is war. A vote for the Michel amendment—whatever the actual words in the amendment—is a vote for war in Nicaragua. A vote for Hamilton—again no matter the actual words—is a vote not to go to war in Nicaragua. This vote is our Gulf of Tonkin Resolution.

If the Michel amendment passes and our Government persists in its policy of interfering in the affairs of Nicaragua by force the events following will be the opposite of what the proponents of our interference say they desire.

Latin America will go Communist. Not because we did nothing, but because we tried to overthrow an existing Latin American government. The people of South America, already disturbed by austerity policies, are pressing their politicians to oppose the gringos—that's us—and the politicians in Latin America most eager to oppose us are the United States hating ones, particularly the Communists. The people of Latin America will become even more determined to hate the United States if we give them that reason by backing the Contras in Nicaragua.

The people of Latin America will also demand of their politicians to repudiate their foreign debt. This will cause our banks to fail, and precipitate a financial crisis in this country. I believe this repudiations of debt will occur regardless of our actions in Nicaragua. But our interference in Nicaragua will provide the excuse to precipitate the crisis.

Mr. HAMILTON. To end debate, Mr. Chairman, I yield 4 minutes to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR of Michigan. Mr. Chairman, let me begin by offering my congratulations to my colleagues on this side of the aisle. They have indeed built a mighty and long bridge, and I extend my heartiest congratulations to the gentleman from Illinois [Mr. MICHEL], to the gentleman from Pennsylvania [Mr. MCDADE], and, on this side of the aisle, to the gentleman from Oklahoma [Mr. MCCURDY]. And to my dear friend, the gentleman from Indiana [Mr. LEE HAMILTON], who presented a very thoughtful and articulate statement, the best statement on Central America I have had the pleasure of hearing in my time in the House, I extend my deep appreciation.

The Hamilton amendment, I think, provides a sharp alternative. It recognizes direct aid for the Contras for what it is. It is logistical aid for an army in the field, and it is not in our proposal. It recognizes the historic importance of the Boland prohibition, and it extends the full prohibition without any weakening.

The Hamilton amendment clearly articulates the objectives of U.S. policy, first, to provide for the security and peace of the region; second, to prevent destabilization by the Soviet Union; and, third, to promote democ-

racy, human rights, and economic development.

But the difference is that it seeks to promote these through diplomatic, rather than military means. The Contadora process that we have discussed so often here today is at a very critical turning point. In the near future, next week, the ministers of these countries will be meeting to draft the remaining treaties and protocols. The peace process needs our support at this critical moment. Yet, the Contadora countries tell us that continued funding for the Contras will be precisely the wrong move, and that it will threaten their efforts and expand the war further.

I think the American people are prepared to stand up for the security of our hemisphere, but we cannot let our ideals, so long symbolized by the Monroe Doctrine, be used as a cloak for gunboat diplomacy.

Since 1900 the United States has unilaterally intervened in the Caribbean 28 times. These military interventions have left a residue of resentment that continues to hamper the effectiveness of the United States in that region.

Such unilateral action is long out of date. Time has given our allies in the region, like Mexico, Venezuela, Colombia, and Panama, new power and, with that power, a renewed pride and a renewed independence.

We must not treat this independence as some kind of an annoyance but as a promising opportunity. We need to welcome our allies as partners in a strong commitment to the security of our hemisphere.

My friend, the gentleman from Louisiana [Mr. ROEMER], quoted his hero, John F. Kennedy, when he said, "This hemisphere is the master of its own house." I would tell my friend, the gentleman from Louisiana, that if John F. Kennedy were here today, he would stand with the gentleman from Indiana [Mr. HAMILTON]. He did not say that the United States is the master of this hemisphere. He said, "This hemisphere is the master of its own house."

The comprehensive alternative presented by the gentleman from Indiana [Mr. HAMILTON], I think, rises to the preeminent task of leadership that we face. It sets forth a policy that is inspired by the principles of our Founding Fathers, but grounded in the hard realities of our time, a policy that can command the support of our own people and the respect of our allies, and, above all else, a policy that binds the nations of this hemisphere to protect the security and the sovereignty of us all.

Mr. Chairman, I urge the Members to vote for the Hamilton amendment.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. BONIOR] has expired.

All time has expired.

The question is on the amendment offered by the gentleman from Indiana [Mr. HAMILTON].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. BONIOR of Michigan. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 174, noes 254, not voting 5, as follows:

[Roll No. 157]

AYES—174

Ackerman
Addabbo
Akaka
Alexander
Anderson
Annunzio
Anthony
Atkins
AuCoin
Barnes
Bates
Bedell
Beilenson
Berman
Boggs
Boland
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brooks
Brown (CA)
Bruce
Bryant
Burton (CA)
Carper
Clay
Coelho
Coleman (TX)
Collins
Conte
Coyne
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart (OH)
Edgar
Edwards (CA)
Evans (IL)
Fazio
Feighan
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Frost
Garcia
Gaydos
Gejdenson
Gephardt
Glickman
Gonzalez
Gordon
Gray (IL)
Gray (PA)
Green
Guarini
Hamilton
Hayes
Hefner
Hertel
Howard
Hoyer
Hughes
Jeffords
Kaptur
Kastenmeier
Kennelly
Kildee
Kleczka
Kostmayer
LaFalce
Lantos
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lowry (WA)
Luken
Lundine
Manton
Markey
Martinez
Matsui
Mavroules
McCloskey
McHugh
Mikulski
Miller (CA)
Mineta
Mitchell
Moakley
Moody
Morrison (CT)
Mrazek
Natcher
Neal
Nowak
Oakar
Oberstar
Obey
Olin
Owens
Panetta
Pease
Penny
Price
Rahall
Rangel
Reid
Richardson
Rodino
Roe
Rose
Rostenkowski
Roybal
Russo
Sabo
Savage
Scheuer
Schneider
Schroeder
Schumer
Seiberling
Sharp
Sikorski
Solarz
Spratt
St Germain
Staggers
Stark
Stokes
Studds
Swift
Synar
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Waxman
Weaver
Weiss
Whitley
Whitten
Williams
Wirth
Wise
Wolpe
Wright
Wyden
Yates
Yatron
Young (MO)

NOES—254

Andrews
Applegate
Archer
Armey
Aspin
Badham
Barnard
Bartlett
Barton
Bateman
Bennett
Bentley
Bereuter
Bevill
Biaggi
Billirakis
Billey
Boehlert
Boner (TN)
Boulter
Breaux
Broomfield
Brown (CO)
Burton (IN)
Bustamante
Byron
Callahan
Campbell
Carney
Carr
Chandler
Chappell
Chappie
Cheney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Combest
Conyers
Cooper
Coughlin
Courter
Craig
Crane
Crockett
Daniel
Dannemeyer
Darden
Daschle
Daub
de la Garza
DeLay
Dellums
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dowdy
Dreier
Duncan
Dyson
Eckert (NY)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Fascell
Fawell
Fiedler
Fields
Fish
Flippo
Florio
Franklin
Frenzel
Fuqua
Gallo
Gekas
Gibbons
Gilman
Gingrich
Goodling
Gradison
Gregg
Grotberg
Gunderson
Hall (OH)
Hall, Ralph
Hammerschmidt
Hansen
Hartnett
Hatcher
Heftel
Hendon
Henry
Hiler
Hillis
Holt
Hopkins
Horton
Hubbard
Huckaby
Hunter
Hutto
Hyde
Ireland
Jacobs
Jenkins
Johnson
Jones (OK)
Jones (TN)
Kanjorski
Kasich
Kemp
Kindness
Kolbe
Kolter
Kramer
Lagomarsino
Latta
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Loeffler
Long
Lott
Lowery (CA)
Lujan
Lungren
Mack
MacKay
Madigan
Marlenee
Martin (IL)
Martin (NY)
Mazzoli
McCain
McCandless
McCollum
McCurdy
McDade
McEwen
McGrath
McKernan
McKinney
McMillan
Meyers
Mica
Michel
Miller (OH)
Miller (WA)
Molinari
Mollohan
Monson
Montgomery
Moore
Moorhead
Morrison (WA)
Murphy
Murtha
Myers
Nelson
Nichols
Nielson
O'Brien
Ortiz
Oxley
Packard
Parris
Pashayan
Pepper
Perkins
Petri
Pickle
Porter
Pursell
Quillen
Ray
Regula
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roemer
Rogers
Roth
Roukema
Rowland (CT)
Rowland (GA)
Rudd
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shelby
Shumway
Shuster
Siljander
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NH)
Smith (NJ)
Smith, Denny
Smith, Robert
Snowe
Snyder
Solomon
Spence
Stallings
Stangeland
Stenholm
Strang
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Vander Jagt
Vucanovich
Walker
Watkins
Weber
Wheat
Whitehurst
Whittaker
Wilson
Wolf
Wortley
Wylie
Young (AK)
Young (FL)
Zschau

NOT VOTING—5

Broyhill
Davis
Hawkins
Jones (NC)
Leath (TX)

□ 1950

Messrs. KOLTER, CONYERS, and CROCKETT changed their votes from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

● Mr. MATSUI. Mr. Chairman, for the second time in less than 2 months the House of Representatives is being called upon to debate the administration's confrontational Central America policy. On April 24 we rejected the administration's $14 million direct assistance request for the Nicaraguan Contras. Now, emboldened by their own

rhetoric, the administration is asking for $27 million in Contra assistance. The underlying facts have not changed in the last 7 weeks. The House should once again reject the administration's Contra assistance request.

Just as they did in April, the administration is saying that the $27 million will go to pay for humanitarian items for the Contras. But the administration's record toward Nicaragua completely and irrefutably belies any peaceful intentions. The policy of mining Nicaragua's harbor and the imposition of an economic trade embargo have been unreasoned and openly confrontational. The administration's rhetoric, in particular calling for the Nicaraguan government to say "uncle," has been bellicose and belligerent. It is no surprise that passage of the administration's humanitarian aid package will repeal the Boland amendment. The Boland amendment directly prohibits U.S. intelligence agencies from supporting, directly or indirectly, military or paramilitary operations in Nicaragua. It is no surprise that the administration humanitarian assistance funds can be used for logistical support and equipment, including aircraft.

If we are going to have influence in this region of the world, we cannot be taking sides in a civil war and we cannot be making open-ended commitments to Contra terrorists.

I believe that the Hamilton amendment is a fair alternative. It demonstrates humanitarian concern for the refugees this conflict has created. Under the Hamilton amendment, humanitarian aid is provided through the International Committee of the Red Cross or the United Nations and not by an agency of the U.S. Government. The aid is made available solely on the basis of human need to noncombatant forces and will not be handed over to the Contra forces.

Without the support of the world community, the American public and the Congress, the administration policy of confrontation amounts to unpopular rhetoric and ineffective intimidation. Only two nations in the world have voiced support for our economic embargo of Nicaragua. Almost three-fourths of the American public oppose sending military aid to the Contras and nearly three-fifths oppose any nonmilitary aid.

I ask my colleagues to join me today by voting against giving credence to the administration's war of words. We must reaffirm our vote of 2 months ago to work within the Contadora process and to address the crisis of poverty and economic hardship in the entire Central America region.●

● Mr. FRENZEL. Mr. Chairman, this vote on Nicaragua may not be the most important, nor the most controversial one of the year, but it has stirred emotions enough to cause demonstrations in congressional district offices across the country, and to fill this Chamber with oratory of more-than-usual enthusiasm.

Nicaragua presents a problem with no easy, cheap, or high-probability solutions. I doubt that many Members feel completely comfortable with any one of the alternatives available to us for vote today. Surely I am not.

In general, I believe that there is little probability that the Contras' efforts will persuade the Sandinista government to embrace the policies we are urging it to adopt. If there is any thing we have learned lately, it ought to be that nobody wins wars with a handful of troops, and a few million dollars. Parenthetically, I might add that opponents of and to the Contras seek to support insurgents in Colombia at the bargain basement rate of $5 million.

On the other hand, I believe the Sandinista government is one which is obviously Communist, and is just as obviously, up to no good in Central America. It has pretty well terrorized its neighbors, and has been credited by El Salvadoran revolutionaries with providing both resources and direction to their disruptive actions.

The recent visit by the Nicaraguan leader, Commandante Ortega, just after the House rejected aid to the Contras, to Moscow, and various other East bloc capitals, is convincing evidence of the source from which the Sandinistas aid, comfort and direction come. Havana is no longer doing a solo in its attempt to foment discord in Latin America. Managua may be a junior partner, but it is a partner nonetheless.

The committee's suggestion to send money to the Red Cross seems to me to offer little help. The majority's amendment to do nothing is worse. I consider the President's policy as represented by the Michel-McDade-McCurdy amendment as treading water, or a transition policy, but at least it recognizes that there is a problem in Central America, and that a big part of that problem is the Sandinista government in Nicaragua. Further, it recognizes our interest in liberty, human rights and pluralism.

It is also my opinion that it is reasonable to exchange intelligence information with Contra personnel. For that reason, I will vote against the Boland amendment.

Our policy with respect to El Salvador, so controversial only a year or so ago, now creates very little excitement. This House gambled on President Duarte and freedom. The gamble is not won yet, but the relative lack of argument over El Salvador policy and funding is testimony to its success.

Nicaragua is not a close parallel, but at least it has geographical proximity. I believe that the Michel-McDade-McCurdy amendment deserves to prevail because it signals that we have not given up. There is little in the amendment that is threatening. In fact, it is an invitation to the Sandinistas to live up to some of their own promises. It is the only alternative available today which does not signal to the Sandinistas that we don't care if they bully their neighbors, and suppress and harass their own people.

We have few problems as vexing as Central American policy. I see our choice today not between solving, or not solving, the Nicaraguan problem. Rather it is between acknowledging, or not acknowledging the problem. We probably haven't found the right policy yet, but we ought not to give up.●

● Mr. SYNAR. Mr. Chairman, I traveled to Nicaragua in February to see for myself what conditions are like under the Sandinistas. I was in the marketplace in Managua and noticed two young girls, both about 16 years old. I ask them what their goals were in life, and they both said they wanted to come to America.

That short conversation convinced me that after 5 years of indoctrination under a state-controlled education system, the Sandinistas have not won the minds of the Nicaraguan people. The young people in Nicaragua still do not believe the state-issued propaganda about the Yankee Imperialists to the north.

U.S. policy in Nicaragua is now at a crossroads. We can continue our decades-old policy of armed intervention in Nicaragua, or we can channel our efforts toward a diplomatic solution. I believe the latter approach is the best way to win the allegiance of the Nicaraguan people.

History tells us where our current policy is leading. The Reagan administration has increased U.S. pressure on the Sandinistas over the last 4 years by arming the Contras, and, most recently, by instituting a trade embargo. The result has been increased internal oppression by the Sandinistas, not less. This is the central myth of our current policy: That military aid increases our leverage against the Sandinistas and will force them to opt for a more democratic society. This has not happened after $100 million in covert aid, and it probably would not happen after $29 million in humanitarian aid.

The Barnes-Hamilton amendment again offers the most comprehensive statement of what U.S. policy should be toward Nicaragua. The amendment emphasizes a regional settlement founded on the efforts of the Contadora nations—Colombia, Venezuela, Mexico, and Panama. These countries have drafted several treaties aimed at ending the hostilities in the region, but the Reagan administration has blocked most of their efforts. The

United States has refused to pursue diplomacy before armed conflict, and that represents the primary failure of our current policy.

The amendment also includes several other objectives: Preventing the Soviet Union or its allies from destabilizing the region or deploying a military capability that threatens U.S. security; promoting stability and economic development; promoting human rights and democratic processes; and maintaining peaceful relations with Nicaragua as long as Nicaragua is at peace with its neighbors.

None of these objectives can be met as long as our policy is based solely on funneling money to a band of rebels led by ex-Samocistas, the national guardsmen under former-dictator Somoza. Lest we have any doubt this is the case, we should consider Edgar Chamorro's description of the FDN—the primary Contra organization. Chamorro is a former member of the National Directorate of the FDN, and says:

> The FDN is in the hands of the ex-National Guard who control the Contra army, stifle internal dissent, and intimate or murder those who dare to oppose them. This is not a democratic opposition.

The Michel amendment does not make U.S. aid conditional on the FDN ridding itself of its antidemocratic leadership and it does not condition aid on the Contras' willingness to accept a cease-fire and negotiations. In reality, it is aid with no strings attached, and is certain to lead to an escalation in combat and further bloodshed.

In closing, I want to emphasize that while I oppose direct aid to the Contras at this time, my position is open to change. I will not allow Nicaragua to become a Soviet satellite.

In addition, there are several steps the Contras could take which would cause me to reevaluate my position: First, rid themselves of ties to former national guardsmen; second, offer to accept a cease-fire and negotiations with the Sandinistas; and third, accept the civilian leadership of moderate democratic leaders. These steps would ensure the legitimacy of the Contra force as a means for true democratic change in Nicaragua.●

● Mr. MINETA. Mr. Chairman, I wish to note for the record that I will reluctantly be voting no on the question of final passage of the supplemental appropriations bill.

I will be casting my no vote solely because of the inclusion within this bill of the aid of the Nicaraguan Contras. I have steadfastly opposed our secret war in Nicaragua for several years, and must continue to oppose that misguided and dangerous effort.

There are many parts of this supplemental that I strongly support. I will continue to support those other aspects, and look forward to working with my colleagues to advance the many other issues and programs supported by this legislation.

Thank you very much.●

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. MOAKLEY] having assumed the chair, Mr. BROWN of California, 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. 2577) making supplemental appropriations for the fiscal year ending September 30, 1985, and for other purposes, pursuant to House Resolution 186, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT OFFERED BY MR. WALKER

Mr. WALKER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. WALKER. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. WALKER moves to recommit the bill, H.R. 2577, to the Committee on Appropriations.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. DANNEMEYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 271, nays 156, answered "present" 1, not voting 5, as follows:

[Roll No. 158]

YEAS—271

Ackerman
Addabbo
Akaka
Anderson
Andrews
Annunzio
Armey
Aspin
Barnes
Bartlett
Bateman
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Biliraki
Bliley
Boehlert
Boggs
Boner (TN)
Bonker
Borski
Boucher
Boulter
Breaux
Brooks
Broomfield
Bruce
Bryant
Burton (CA)
Burton (IN)
Bustamante
Byron
Callahan
Campbell
Carney
Carr
Chandler
Chappell
Cheney
Clinger
Cobey
Coble
Coleman (MO)
Coleman (TX)
Combest
Conte
Coughlin
Courter
Coyne
Daschle
Daub
de la Garza
DeLay
Derrick
DeWine
Dickinson
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dornan (CA)
Dowdy
Downey
Duncan
Durbin
Dwyer
Dyson
Eckart (OH)
Eckert (NY)
Edgar
Edwards (OK)
Emerson
English
Erdreich
Evans (IL)
Fascell
Fawell
Fiedler
Fish
Flippo
Florio
Foglietta
Fowler
Franklin
Frenzel
Frost
Fuqua
Gallo
Gaydos
Gekas
Gephardt
Gibbons
Gilman
Gingrich
Glickman
Gordon
Gradison
Gray (IL)
Gray (PA)
Green
Grotberg
Gunderson
Hall, Ralph
Hamilton
Hammerschmidt
Hatcher
Hefner
Heftel
Hendon
Hillis
Holt
Horton
Howard
Hoyer
Huckaby
Hunter
Hutto
Hyde
Ireland
Johnson
Jones (TN)
Kanjorski
Kasich
Kemp
Kennelly
Kindness
Kolbe
Kolter
Kramer
Lantos
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lipinski
Livingston
Lloyd
Loeffler
Lott
Lowery (CA)
Lujan
Lundine
Madigan
Manton
Marlenee
Martin (NY)
Mazzoli
McCain
McCandless
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McKernan
McKinney
McMillan
Meyers
Mica
Michel
Mikulski
Miller (OH)
Miller (WA)
Molinari
Mollohan
Montgomery
Moore
Morrison (WA)
Mrazek
Murtha
Myers
Natcher
Nelson
Nowak
O'Brien
Ortiz
Parris
Pashayan
Pepper
Perkins
Pickle
Price
Pursell
Quillen
Rangel
Regula
Reid
Richardson
Rinaldo
Robinson
Roe
Roemer
Rogers
Rose
Rostenkowski
Roukema
Rowland (CT)
Rowland (GA)
Rudd
Saxton
Schaefer
Scheuer
Schuette
Schulze
Schumer
Sharp
Shaw
Shelby
Sikorski
Siljander
Sisisky
Skeen
Skelton
Slaughter
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Snowe
Solarz
Spratt
Staggers
Stangeland
Stenholm
Strang
Stratton
Stump
Sundquist
Sweeney
Swift
Swindall
Synar
Tallon
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Torricelli
Traxler
Udall
Vander Jagt
Visclosky
Volkmer
Vucanovich
Watkins
Waxman
Weber
Weiss
Wheat
Whitehurst
Whitley
Whitten
Wilson
Wise
Wolf
Wolpe
Wortley
Wright
Wyden
Yates
Yatron
Young (AK)
Young (FL)
Young (MO)

NAYS—156

Alexander
Anthony
Applegate
Archer
Atkins
AuCoin
Badham
Barnard
Barton
Bates
Bedell
Beilenson
Boland
Bonior (MI)
Bosco
Boxer
Brown (CA)
Brown (CO)
Carper
Chappie
Clay
Coats
Coelho
Collins

Conyers	Kildee	Porter
Cooper	Kleczka	Rahall
Craig	Kostmayer	Ray
Crane	LaFalce	Ridge
Crockett	Lagomarsino	Ritter
Daniel	Latta	Roberts
Dannemeyer	Leach (IA)	Rodino
Darden	Lehman (CA)	Roth
Dellums	Leland	Roybal
Dorgan (ND)	Lightfoot	Russo
Dreier	Lowry (WA)	Sabo
Dymally	Luken	Savage
Early	Lungren	Schneider
Edwards (CA)	Mack	Schroeder
Evans (IA)	MacKay	Seiberling
Fazio	Markey	Sensenbrenner
Feighan	Martin (IL)	Shumway
Fields	Martinez	Shuster
Foley	Matsui	Slattery
Ford (MI)	Mavroules	Smith (NH)
Ford (TN)	McCloskey	Smith, Denny
Frank	Miller (CA)	Smith, Robert
Garcia	Mineta	Snyder
Gejdenson	Mitchell	Solomon
Gonzalez	Moakley	Spence
Goodling	Monson	St Germain
Gregg	Moody	Stallings
Guarini	Moorhead	Stark
Hall (OH)	Morrison (CT)	Stokes
Hansen	Murphy	Studds
Hartnett	Neal	Tauke
Hayes	Nichols	Torres
Henry	Nielson	Towns
Hertel	Oakar	Traficant
Hiler	Oberstar	Valentine
Hopkins	Obey	Vento
Hubbard	Olin	Walgren
Hughes	Owens	Walker
Jacobs	Oxley	Weaver
Jeffords	Packard	Whittaker
Jenkins	Panetta	Williams
Jones (OK)	Pease	Wirth
Kaptur	Penny	Wylie
Kastenmeier	Petri	Zschau

ANSWERED "PRESENT"—1

Long

NOT VOTING—5

Broyhill	Hawkins	Leath (TX)
Davis	Jones (NC)	

□ 2010

Messrs. McCLOSKEY, RAHALL and STOKES changed their votes from "yea" to "nay."

Mr. SPRATT changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2600

Mr. HARTNETT. Mr. Speaker, I ask unanious consent to have my name removed as a cosponsor of H.R. 2600.

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

There was no objection.

REPORT ON RESOLUTION OF INQUIRY CONCERNING TERRORIST BOMBINGS IN BEIRUT, LEBANON

Mr. HAMILTON, from the Permanent Select Committee on Intelligence, submitted a privileged report (Rept. No. 99-171) on the resolution (H. Res. 171) requesting the President to provide certain information to the House of Representatives concerning covert training of counterterrorist units to act against anti-American terrorists in Lebanon or other parts of the Middle East, which was referred to the House Calendar and ordered to be printed.

ANNE FRANK DAY

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 142) to designate June 12, 1985, as "Anne Frank Day", and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but simply would like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation, I yield to the gentleman from Michigan [Mr. LEVIN], the sponsor of the bill.

Mr. LEVIN of Michigan. Mr. Speaker, I am proud, along with Mr. HORTON, Mr. DASCHLE, and over 200 other Members of the House to be sponsoring this resolution.

On this very day, exhibits, exhibits are opening in Amsterdam, in Berlin and in New York commemorating Anne Frank, and I hope we pass this expeditiously.

I would like to express my appreciation to Mr. GARCIA for his cooperative efforts to make sure that this item of real significance was considered on this appropriate day.

Mr. HANSEN. Mr. Speaker, under my reservation of objection, I yield to the gentleman from New York [Mr. GILMAN].

□ 2020

Mr. GILMAN. I thank the gentleman for yielding. Mr. Speaker, I am pleased to rise in support of Senate Joint Resolution 142, designating June 12, 1985, as Anne Frank Day. I would like to take this opportunity to thank the gentleman from Michigan [Mr. LEVIN] for introducing the companion bill in the House, House Joint Resolution 293, and for leading this successful effort to recognize Anne Frank and the invaluable contribution "The Diary of Anne Frank" has made to our understanding of the horrors of the Holocaust.

Were she alive today, Anne Frank would have celebrated her 56th birthday. On Anne's 13th birthday, her father, Otto Frank, made a gift to her of a book in which to keep a diary. In this book Anne chronicled the Nazi occupation of Holland and her family's subsequent flight to a hidden annex behind Otto Frank's former business. The Frank family, later joined by four others, lived in this annex for 25 long months until their discovery by the German police in 1944. Mrs. Frank died at Auschwitz and Anne and her sister were sent from Auschwitz to Bergen-Belsen where they both died of typhus in March 1945. When Otto Frank returned to Amsterdam after his liberation from Auschwitz he shared Anne's diary with the world.

Individuals of all religious and ethnic persuasions have been moved and edified by Anne Frank's writings. She saw the world with a young woman's heart and in setting down those observations has given the world one of the most complete records of the Nazi persecutions. Today an exhibit entitled "Anne Frank in the World 1929-1945" will simultaneously open in Frankfurt, Amsterdam, and New York City. The exhibit, organized in the United States by the American Friends of the Anne Frank Center and hosted in New York by the American Forum on Religion and Politics, is designed to preserve the memory and message of Anne Frank. Accordingly I urge my colleagues to adopt this most worthy resolution and to take a moment during your busy day to reflect on Anne Frank and the enormous contribution she made to our ongoing fight for human rights for all.

Mr. DORNAN of California. Mr. Speaker, will the gentleman yield?

Mr. HANSEN. I yield to the gentleman from California.

Mr. DORNAN of California. I just want to commend the gentleman for bringing before the House Senate Joint Resolution 142.

My administrative assistant was going to come home via Amsterdam from the Geneva talks last week, and I suggested to Mr. Brian Bennett that "If you only see one thing in Amsterdam see the home where the Franks were hidden out for years during World War II. He took my advice. He told me just the other day that when he stood in the Frank hideaway he began to involuntarily choke up and his eyes filled with tears because of the tremendous sense of both sorrow and joy in that room made hallowed by senseless death. Brian saw Anne's little collection of pictures that are preserved on the wall of that tiny corner that was her final space of freedom. I told Brian to look in the replica of her diary for those words where she ended one day's thoughts, toward the end of her young life, with

After everything is considered, I still think people are pretty nice.

Anne Frank is just a towering figure in world history, and I think this resolution is fitting indeed. She is as much a citizen of the free world as any freedom-loving American. I am proud to be a cosponsor of this resolution.

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 142

Joint Resolution To designate June 12, 1985, as "Anne Frank Day".

Whereas Anne Frank was a young girl who died in the Bergen-Belsen Nazi concentration camp;

Whereas Anne Frank kept a diary, discovered after her death, that told the story of the concealment of her family from the Nazis;

Whereas June 12, 1985, is the anniversary of the birth of Anne Frank;

Whereas June 12, 1985, also is the occasion of an international opening of the exhibition, entitled "Anne Frank in the World 1929-1945", in Frankfurt in the Federal Republic of Germany, in Amsterdam in the Netherlands, and in New York City in the United States;

Whereas the Anne Frank exhibit was organized by the American Friends of the Anne Frank Center, a nonsectarian organization committed to preserving the memory of Anne Frank;

Whereas the American Friends of the Anne Frank Center has selected the American Forum on Religion and Politics to host the opening of the Anne Frank exhibit in New York;

Whereas the American Forum on Religion and Politics, a group composed of business, political, and professional leaders and religious leaders from many faiths, is committed to preserving the separation of church and State and to advancing social change by encouraging dialogue; and

Whereas it is appropriate for the people of the Nation to reflect on the message of Anne Frank that in the face of evil it is possible to retain a belief in humanity: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That June 12, 1985, is designated as "Anne Frank Day" and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on Senate Joint Resolution 142.

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

There was no objection.

GENERAL LEAVE

Mr. McCAIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include therein extraneous material on the subject of the special order today by the gentleman from California, Mr. DANNEMEYER.

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

There was no objection.

A FARMER WRITES THE PRESIDENT

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

Mr. DASCHLE. Mr. Speaker, if the newspapers had reported last night that 55,000 farmers were forced off their lands, it would be front-page news. That is not going to happen, and yet reports are that 55,000 farmers over the course of 1 year will lose their farms.

Alden Flakoll is a farmer in South Dakota who thus far has avoided becoming one of those statistics. Recently he wrote a letter to the President. He writes:

As a student of history, I never thought I would see the day again when we would have to re-live the 1920s because I thought we were intelligent enough to manage our own destiny. I know and I feel this is true. If we do not correct the farm situation out here very soon, we will see one of the worst depressions this world has ever experienced. Much worse than the '30's ever were.

Alden Flakoll and his neighbors do not want our sympathy. They want our understanding. They do not want artificial subsidies. They just want a genuine price.

Mr. Speaker, I include the entire letter from Mr. Flakoll to the President, from the Aberdeen American News of March 26, 1985, as follows:

[From the Aberdeen American News, Mar. 26, 1985]

A FARMER WRITES THE PRESIDENT ABOUT THE SITUATION

(The following is a letter sent to President Reagan by Alden J. Flakoll, Forbes, N.D., who farms in McPherson County.)

I am a 1969 Outstanding Young Farmer from the state of South Dakota as were my friends John Block and Associate Secretary of the ASCS Milton Hertz, in their respective states. Although I do not fall into the category that Mr. Stockman has put most of our farmers, as I have not purchased any land since 1970, yet I have subsidized the Amerian consumer and the World Market to almost $1 million and I'll tell you why.

We have a trillion-dollar investment in agriculture. The total of all other industries in this country as of two years ago was only 90 percent of that. That particular year we had $10 billion of off-farm income, $5 billion of government subsidies, and about $5 billion net return from the market place. That is less than five tenths of one percent return, the best we have ever had in agriculture is $36 billion and that included off-farm income. The national debt that same year of $1 trillion earned $98 billion and if we had put that money in the Money Market it would have brought about $160 billion or $170 billion.

We also are receiving only 20 percent of the gross national product and yet we have over half the investment in business in this country. There are 2.4 million farmers, and if they each receive $20,000 as a salary, that would be over $48 billion without any other investment.

We have heard about the subsidy the farmer receives but never about the subsidies the farmer gives the American consumer and the World Market. It would have to run into the neighborhood of at least $150 billion a year. Yet our total gross sales from all kinds of agriculture commodities this past year has only amounted to $144 billion. That is less than 15 percent return on gross sales instead of net.

As a student of history, I never thought I would see the day again when we would have to re-live the 1920s because I thought we were intelligent enough to manage our own destiny. I know and I feel this is true. If we do not correct the farm situation out here very soon, we will see one of the worst depressions this world has ever experienced. Much worse than the '30s ever were.

Let me say that I grew up and lived most of my life believing in the Free Marketing system. In the '60s I voted down the mandatory wheat referendum because I didn't like its restrictions. However, today I would never do it again because we need to control our production and get a cost of production for what we produce.

Although I believe in the law of supply and demand, there is no such thing as a free-marketing system. The livestock industry is a good example of that in the past 10 years. It has generally been in the red and does not meet the cost of production. We are up against nations who subsidize their exports and restrict our imports. We are also up against a strong dollar brought about by huge deficits which the government has brought on us. We have lost many of our world markets because former presidents have put on restrictions or embargoes.

Lower prices do not restrict production. We only have to produce more to keep up with our expenses because most of us are limited in what we can produce. If someone goes out of business, another farmer comes along and picks it up and the production remains the same. Farmers aren't asking for a handout, they are asking for a fair shake.

What is the solution to the problem? A fair place in the market place, in comparison to the cost of the production for the products we raise, "not a government handout," controlled by a management board that restricts production to the domestic market and the world needs, but no politician has had guts enough to do this.

The previous dairy program, in my opinion, is one of the best programs ever written if it would have had a control of production.

With the new program that you have initiated, my neighbors have only increased their numbers of cows so they can keep up with their expenses because the price of milk is actually lower than it was before, so in the long run it creates a larger glut on the market than there was before.

The second problem becomes financial. First of all we need a fast program that far exceeds what you have proposed to get us out in the field and take care of this year's expenses. Your interest "buy down" doesn't work. There are many people who the present system will not handle.

Second, we need a restructuring of the debt that will allow us, after we receive a decent price to pay off our debts or else the government can write-off another $200 billion plus, because the land will probably not bring 10 cents on a dollar if this thing busts.

We spend hundreds of billions of dollars in national defense, but our national defense depends just as much on how many farmers we have out here as how many missiles we have. As you said in your speech, "You haven't seen anything yet" and this is true. If we are allowed to move forward with the rest of the economy in this nation it will be the most glorious it has ever been because of the trickling-down effect. But, if we are going to continue on with the free market route, and the past 20 years of uncontrolled production, we will have one of the worst depressions the world has ever seen. The choice is yours, Mr. President, you can make it or break it.

IS AMERICA BECOMING A COLONY OF JAPAN?

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

Mrs. BENTLEY. Mr. Speaker, yesterday, the news headlined a new, all time balance of trade deficit with Japan—$3 billion for the month of May, much of it reported to be because of car imports.

Lee Iacocca, chairman of the board of the Chrysler Corp., in a speech to the graduating class at MIT, on June 3, 1985, Mr. Iacocca said, ". . . our three largest exports to Japan are corn, soybeans, and coal. Japan's largest exports to us are cars, trucks and video recorders. Raw materials and foodstuffs traded for manufactured goods—does the pattern sound a little familiar? It's the classic definition of a colony. That's what deindustrialization and weak-kneed trade policies are doing to America. They're making us a colony again.

"We were a colony once before, but we got so mad, we threw the tea into the harbor."

Mr. Iacocca is not the first to be voicing these sentiments. As manufacturing plant after manufacturing plant closes down, we move almost irrevocably toward being primarily an exporter of agricultural products. Can that narrow an economic base long sustain the standard of living we enjoy? Can that narrow a base sustain a defense any greater than plowshares?

Mr. Speaker, I submit the entire text of Mr. Iacocca's speech for inclusion in the RECORD, as follows:

PREPARED REMARKS BY L. A. IACOCCA, CHAIRMAN OF THE BOARD, CHRYSLER CORPORATION, AT MASSACHUSETTS INSTITUTE OF TECHNOLOGY, CAMBRIDGE, MA, JUNE 3, 1985

Thank you, Dr. Saxon.

President Gray, members of the MIT Corp., members of the faculty, distinguished guests, parents, and members of the Class of 1985. Thank you for asking me to share this special day with all of you.

And it is a special day. It's a day for all of you graduates to thank your teachers for their hard work, and your parents for all their sacrifices. And by the way, don't forget to pat yourselves on the back, too. You deserve to. My hat is off to every one of you.

I asked one of your alumni at Chrysler to tell me a little bit about MIT students. He said they're all brilliant, but they're too intense and they're too competitive. He said the only thing they can't seem to learn is how to relax. Well, let me tell you, relax today. It's your day. Enjoy it.

Relax, but don't go to sleep, because tomorrow the real final exams start. They'll go on for the rest of your lives. I'm going to try to give you a little peek at the test, but I won't be able to help you with the answers. They'll have to come from you.

But in case you want to take a nap for the next 20 minutes or so, I'll give you the ending to this speech right now. I'm going to tell you to go out and change the world.

That's my duty, right? That's what every commencement speaker says.

And every graduating class sits there (hoping he'll be brief, so they can go uncork the champagne) musing to themselves—"if the world had to be changed, Why in the hell didn't he do it?"

Well, my generation tried. Pretty hard, at times. And with some success, I might add.

I sat in your place in those happy days at the end of World War II (that was the good war, you know, the one in all those old Ronald Reagan movies). Our future couldn't have been brighter then. America was flush with victory. We were king of the hill, the undisputed leaders of the whole world. (Russia soon got some funny ideas about that, however.)

Believe it or not, back in those innocent days, a lot of people really thought we had a chance to build a perfect world. (I wasn't too sure, but I kept my mouth shut because I didn't want to spoil it for the rest of them.)

Well, a few things went wrong. There were a couple more wars, there were eight recessions, there was Watergate, and a dozen other man-made disasters along the way.

But in spite of all that, we did manage to wipe out a few diseases. We put a man on the moon. We produced more tecnological change than all of those who came before us, and I mean combined. And we made America, I think, a little more just, a littlemore fair, and maybe a little bit more humane.

All in all, we really haven't done a bad job.

And if you believe everything you read in the papers, the country must be in terrific shape. The stock market just went over 1300. Companies are spending billions of dollars just buying each other up. And the public is on a buying binge, too. They're buying lots of expensive cars and houses. Things are so good, even Chrysler made $2.4 billion last year, and we were broke 5 years ago.

And, you, how about you? Well, you've got the world by the tail. You're all going to make a bundle of money next year. Some of you will be yuppies sooner than you think. We call anybody a "yuppie" who's around 40 and makes 40 grand a year. Hell, we're hiring some 20-year olds at almost $40,000 ($33,000 to start for engineers, to be exact. I guess you'd call them "baby yuppies" or "guppies" or yuppies 20 years ahead of their time).

To be honest with you, we're handing you more than anybody has ever passed on to their kids. Generations ahead of you were lucky if they inherited a little shack on the back forty. You're getting a big, beautiful mansion on a hill. That's what we're leaving you.

Now, before you get all choked up with gratitude, I should tell you one more thing. We haven't paid for all this yet. We're leaving you the mansion, alright, but it's got a little mortage on it.

About $1.7 trillion, in fact, going to $2 trillion in just a couple years. That's the public debt we're going to hand this class.

And if you don't like the deal—if you don't want the mansion—I'm sorry, because it's yours, along with the note.

You can't give it back, but you can get mad about it. In fact I hope you do. I'm mad, too. I think the mortgage you're picking up is a national scandal. Right now, we're paying $150 billion a year in interest alone on our national debt, and adding almost $200 billion a year on the principal.

For a long time we fought a battle with inflation in this country. We beat it, but we paid a heavy price. We paid a price in unemployment, in high interest rates and in bigger federal deficits. And we weakened many of our basic industries, especially housing and autos, along the way.

Now, inflation is bad enough. It's an economic evil. Let's hope it stays in its own hole. But at least inflation is a penalty we pay now. It takes money out of your pockets every day. It's sort of a "pay-as-you-go" penalty.

But these huge deficits are a penalty that we keep deferring. We're going to leave them for you. It's not "pay-as-you-go" anymore, it's more like "pass the plastic." It's a credit card approach—and it's your credit card we're using.

What makes this debt so insidious is that so much of it is invisible. I often say that the government ought to be forced to follow the truth in lending law. Every year at tax time it should have to send out a statement to you, just like the bank does. And that statement would tell every American family where it stands.

This year, for the average family, it would go something like this:

"Dear Mr. and Mrs. Taxpayer:

"This year your family's share of the national debt stands at $27,950.

"In the past 12 months, your share has increased by $3,980.

"Your share of the interest bill this year is $2,127.

"Have a nice day."

Now maybe you noticed that one line is missing from that statement—the one that says "please remit." We aren't remitting. We aren't paying our own way.

But there are no free lunches in this life. That bill has to be paid someday, and I guess you get the honor. (Unless, by the way, you want to float it long enough to give to your kids, but I sure hope you don't.)

I understand you have something here at MIT called "hacking." Well, somebody is "pulling a hack" on your future. Piling up debt to create the illusion of prosperity is a cruel hoax. And the joke, my young friends, is on you.

Now, let me ask you. How am I doing so far, is everybody mad yet?

Well, if you're not, let me go one step further.

Let me tell you about our second national scandal—one that will put another dark cloud over your futures. I'm talking about a trade deficit that's going right off the charts.

Our trade deficit in goods last year was $123 billion. In 1980, just 48 months ago, we had a $40 billion surplus. So we had a negative swing of $163 billion in less than 4 years. And we're on a toboggan ride, right now. We will probably go $150 billion in the hole this year alone.

These two scandals are related, by the way. The trade imbalance is a bastard child of those huge deficits that raise interest rates and throw the dollar out of whack. The high dollar makes American goods cost more, and gives foreign products a big leg-up. American companies (I'm part of one), can work night and day to get more productive. Three years ago we built 10 cars per employee at Chrysler, per year. Now we build 20 cars per employee per year. But the currency problem just throws all that effort right out the window.

That's one side of the problem. Our own fiscal irresponsibility creates that high dollar, and we can't blame anybody else for it. We have to fix that ourselves.

But there's another side of the problem. Even when we are competitive, we're facing a crazy festival of trade barriers all over the place that keeps our products out of other countries.

Consider Japan. Last year, the Japanese sold us $37 billion worth of products more than we sold them. That's a $37 billion deficit with just one country in 1 year! If you disregard oil imports, 62 perent of our total trade deficit worldwide comes from trade with Japan alone.

Now, the high dollar accounts for a lot of that. But so does the fact that Japan protects its home markets. It does so rather openly, and without much apology. Japan is a free and sovereign nation, and it has a right to act in its own self-interest.

But guess what? So do we! We've got a right to go to the Japanese, as close friends and trading partners, and say, "Look, we've got a $37 billion problem here. We can't handle that. It has to come down. If, for internal political reasons, you can't buy American rice or oranges, even though they're much cheaper than you own, that's okay with us. But then you'll have to cut back on some of the traffic coming the other way across the Pacific." You see, that imbalance isn't just an American problem. It's Japan's problem, too. It's a mutual problem because if it isn't solved soon, your Congress will be forced to take drastic action.

The Senate has already fired a shot across their bow by voting 92-0 to retaliate because of Japan's closed markets. (Now that's pretty significant when you consider the Congress can't even get a unanious vote to go home for Christmas!) So we'll probably see a lot of finger pointing for awhile and that could hurt everybody. Now, adults just shouldn't act like that.

We should sit down and reason this out. No threats. No talk of trade war. Just an absolutely firm understanding that America has something to protect, too. And that we intend to protect it. We intend to protect our ability to compete!

But we aren't doing that. Last March, we took all import restrictions off Japanese cars. We said to them, "Look how generous we are. Now what are you going to do for us?"

And the Japanese said, "Thank you very much. We're going to send 24 percent more cars in this year than we did last year."

We got nothing in return. We got some promises, but we get a list of promises every year.

Our guys who go over and negotiate are supposed to bring home the bacon for America once and awhile.

Now, I don't blame the Japanese for a minute. They are very good businessmen. They are managing their trade according to the unwritten rules used by almost every other country in the world. And those rules are simple: Devise trade policies that help your own companies compete!

We, on the other hand, are worshipping at the altar of "free trade." We're blindly wedded to a set of lofty principles that everybody else in the world ignores. We've got this silly notion that it's a mortal sin to play by the rules everybody else is using. We're the ones who are out of step today, not the Japanese. They're in step with the rest of the world. We're not. I always say we're like those few crazy hockey players who still refuse to wear helmets. And we're getting our brains beat out.

Now don't get me wrong. I believe in free trade. Who doesn't? I think it's a beautiful ideal—it's right up there with goodness and mercy and charity toward all. But it's not one of the Ten Commandments. It's not the way the world works, and we aren't going to change that all by ourselves.

Maybe someday we'll achieve that ideal, I really hope so. But I'm not willing to risk your futures waiting for that blessed occasion.

You see, one impact of these twin scandals may be the "De-industrialization of America." In fact, the process is well under way. Go to Pittsburgh, or to Akron, or Detroit—you'll see it all around you. American heavy industy—old "smokestack America" is slowly dying. Many of the companies that helped build the industrial middle class—the backbone of the country in this century—are boarded up. Why? They can't compete anymore.

They can't compete because our currency and trade policies have tilted the international playing field against them, and they're getting short of breath from running uphill.

Maybe they could use a breather. We got one at Chrysler 6 years ago with the Federal loan guarantees, and it saved us. I've suggested some kind of industrial policy to help other companies in trouble, but the purists say it would wreck free enterpise forever.

I don't know why. Chrysler is a bastion of free enterprise today. We're making lots and lots of money. We're paying lots of taxes. (A quarter billion dollars in 90 days—that's not bad for guys that were broke.) Six hundred thousand people have jobs who would have been on the street. The Government never put up a cent, and actually made $350 million on the deal to boot . . . pure profit!

The Chrysler Loan Guarantee Board wasn't a welfare office—it was a profit center. (They don't have any idea what that means down in Washington, by the way.)

Let me be blunt: Until we fix the currency problem and write a trade policy and an industrial policy for America to compete, it's going to make less and less sense for companies to build plants and put people to work in America.

Our trade deficit has already cost us three million jobs, and more are going overseas every day. The economics when you think of it are pretty simple: You build it in yen and you sell it in dollars. You don't need a degree from MIT to figure that out. (Hell, they probably understand that even over at Harvard!)

Well, maybe some of you feel that we should de-industrialize America—get rid of all those dirty smokestacks and put everybody to work in service industries, or maybe even better—high tech.

I have to admit that the weather's nicer in Silicon Valley than it is in Detroit. But let me tell you, if America gives up its industrial base, there's no future here for high tech, either. Because we smokestack guys are the best customers for all the wizardry that comes from Silicon Valley, or from up here on Route 128. We put high tech to work!

We put high tech to work in our plants. We've got robots and laser cameras all over the joint now. We've got some of the world's finest cad-cam facilities. Of course, we put it to work every day in our cars, too. Our new Laser and Daytona sports cars have seven microprocessors or mini-computers in each car.

And unless you put it to work, unless you use it to compete, high tech is really just a toy. How much do you think a bag of silicon chips would bring you in a super market?

Your future depends on an America that can hook and jab in the international marketplace. Never forget that. And right now we're falling behind—and fast. Right now, America is getting whipped.

Right now our three largest exports to Japan are corn, soybeans and coal. Japan's largest exports to us are cars, trucks and video recorders. Raw materials and foodstuffs traded for manufactured goods—does that pattern sound a little familiar? It's the classic definition of a colony. That's what de-industrialization and weak-kneed trade policies are doing to America. They're making us a colony again.

We were a colony once before, but we got so mad, we threw the tea into the harbor. Not very far from where I'm standing, by the way!

Well, here we are—becoming a colony again.

And I mean that. And I hope that really makes you mad.

So, get mad. Don't burn the place down, or start dumping things into the river here, but get mad.

Get mad because some people are saying the you're going to be the first generation of Americans who'll have to settle for less than their parents had. I hope to God you aren't listening to them. I hope you don't believe that. Because it doesn't have to be true.

It doesn't have to be true because, even though we've taken our eye off the ball, this is still America. And your birthright as Americans is to change things. In America, when people get mad enough, they can change anything.

Righteous anger—intelligently directed—has made this the greatest democracy in the world.

I hope every cancer researcher in the country goes to work every morning mad. And every engineer, and economist, and teacher, and Congressman. Satisfied people change nothing. Only angry people change things.

I got mad 6 years ago, really mad, when the Wall Street Journal said a little prayer over Chrysler in one of their editorials, and told us in big bold type "die with dignity." A lot of people at Chrysler got mad as hell at that kind of advice. They got so mad they scratched, and they clawed, and they survived.

So you get mad, too.

Get mad at the people in Washington who are burying you under a dungheap of public debt. Tell them, "no more."

Get mad at the free-lunchers of this world, and tell them, "No more, it's time for sacrifice!"

Get mad at the ideologues who want to make you martyrs to some 18th century trade principles—who want you to live in a colony. Tell them, "No more. We want to compete."

Get mad at anybody who tells you that you have to settle for less. Tell them, "Get the hell out of my way."

You owe that to yourselves. Your education is as good as anybody can get, anywhere, remember that. You're smart enough to compete with anybody in the world. And you deserve the chance to be the best.

You owe it to yourselves, and to those who follow you, too.

You're not getting a perfect world, but I hope you all appreciate what has been given you. I hope you feel a deep appreciation for what other people have done so that you could be here today. But I also hope you understand how you pay that debt.

It doesn't get paid to me, or my generation—or to your teachers, or even to your parents.

There's a scene in the movie "Guess Who's Coming to Dinner." A father is angry at his son. He says: "I carried that mailbag for 40 years so you could go to college and to medical school. You owe me for that."

And the son says: "I owe you nothing. If you carried that mailbag a million miles, you did what you were supposed to do. You owed me everything you could ever do for me—just as I will owe my kids."

The son wasn't ungrateful. He loved and respected his father. But he also understood how civilization is supposed to work. One generation making things a little better for the next. Fathers and mothers sacrificing everything for their kids. That's how we got where we are today. That's the way civilization is supposed to work.

Now my generation is leaving you with too much debt, and we're a little blind to some of the new economic realities in the world. We're leaving you with a lot of problems to solve. But that's the way civilization works, too.

Every generation inherits the unfulfilled dreams of the one that came before it. And every generation inherits its own set of challenges. We were naive 40 years ago thinking we had a shot at making a perfect world. But in many ways, we've made it a lot better for you. (And by the way, we aren't through yet.)

You, more than most, have been given the tools to met your own set of challenges. A degree from MIT just about guarantees you at least a shot at molding the future. It's a prestigious ticket, and it puts you right up in the front of the pack.

But let me tell you, it may also be a burden to you. People are going to expect more of you. They're expecting you to be leaders, and to be winners.

Your MIT degree puts you in the pole position, as they say. And the green flag is about to go up.

So now, let's see if you're mad enough to make this imperfect world just a little better for your kids.

Let's see what you're made of.

Class of 1985—Start your engines!

FEDERAL BILLBOARD LAW

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

Mr. SHAW. Mr. Speaker, I would like to share with my colleagues an article which appears in the June 1985 issue of readers digest, which concisely summarizes the travesty which has been reeked along our Nation's highways as a result of Federal billboard laws.

The article, entitled "The Great Billboard Double-Cross," aptly points out how the Highway Beautification Act of 1965, which was enacted to visually improve the scenic beauty along our Nation's highways by controlling the erection of billboards, has created a visual blight that is worse than ever.

The act, originally enacted to preserve scenic beauty, has in fact promoted billboard proliferation and protectionism.

In addition, the act has condoned and practically encouraged the destruction of vegetation and trees planted to enhance the beauty along our interstates and main thoroughfares.

Billboards outlawed under the act are still standing; legally recognized methods of removing them are prohibited; and trees, planted in the public right of way for scenic beauty are being cut down and destroyed to make these billboards visible.

Mr. Speaker, I would urge the Members to read this article and to join with me and my colleagues who are now working to correct the Highway Beautification Act so that it once again serves its original purpose—to protect and enhance the scenic beauty along America's highways.

[From Readers Digest, June 1985]

THE GREAT BILLBOARD DOUBLE-CROSS

THE HIGHWAY BEAUTIFICATION ACT WAS SUPPOSED TO ERADICATE OUR COUNTRYSIDE'S MOST PERSISTENT PARASITE. WHY, THEN, IS THE UNSIGHTLY BLIGHT WORSE THAN EVER? ASK CONGRESS—AND THE POWERFUL BILLBOARD LOBBY

(By James Nathan Miller)

There are still long stretches of road in America from which you can see the amber waves of grain we sing about—and off in the distance white steeples, red silos and dark green forests, the unspoiled landscape of America the Beautiful. But in recent years these stretches have been shrinking much faster than most people realize, as tens of thousands of new billboards have visually assaulted our most scenic roadways.

Ironically, the invasion of the big signs has been facilitated by the very law that was supposed to get rid of billboard blight—the Highway Beautification Act of 1965. In fact, the blight has been spreading so fast under this act that the law's original supporters have now begun lobbying to get its major provisions repealed. They are saying that the law was a double-cross from the beginning, a triumph of the billboard lobby and its Congressional supporters to promote the building of *more* signs.

The conflict goes back to the 1920s and '30s when billboard companies fought to persuade the courts that communities had no right to control them as esthetic nuisances. The companies argued that this violated the constitutional right of property owners to earn money by renting their roadside land for the billboards. But the courts threw the argument out via the "parasite principle"—i.e., billboards don't derive their value from the private land they stand *on*, but from the public roads they stand *next to*. An industry that exploits windfall values the public inadvertently creates is in effect a public parasite, and the community has the right to regulate it.

So the billboard companies adopted a new tactic. Since they couldn't escape regulation, they tried to make it too expensive for towns and states to afford. Their argument was that communities forcing the tearing down of signs must compensate their owners for the lost income from advertisers. (In small communities, this could run into the hundreds of thousands of dollars; in big ones, the tens of millions.) But the courts said there was a method of compensation that would be much easier on the public; amortization. Just give sign owners a grace period, allowing them to leave their signs up for, say six years. That way they would recoup their investment from rentals, not from taxpayers.

That was the legal situation in the mid 1950s, when Congress began debating what the federal government could do to regulate billboards on the burgeoning federal highway system. A national law would cover 300,000 miles of federally financed roads—the 40,000-mile Interstate system and the 260,000 miles of primary (mostly "U.S." numbered) roads. Under the parasite principle, Congress could order removal of every sign on these heavily traveled arteries and, using the amortization technique, get rid of them in a few years, at no cost to the taxpayers.

Everybody expected the big sign companies to stage a knock-down fight against any kind of regulation. But, to the astonishment of all, the industry pledged to support regulation. Said its Washington lobby, the Outdoor Advertising Association of America, Inc. (OAAA), "Billboards have no place in the scenic areas of our highways."

The bill's sponsors couldn't have been more pleased, since scenic stretches were the only places where they wanted outright bans; in industrial and commercial areas all they wanted was modest reductions in the size and number of signs. "I am glad to hear," said Oregon's Sen. Maurine Neuberger, "that after years of opposing control of billboards they have finally and reluctantly been dragged in."

But she had heard wrong. When the law was passed, the billboard-control people found they'd been had. While the OAAA's lobbyists had been publicly vowing support of regulation, in private they had been persuading Congress to write a law that threw out 50 years of billboard control decisions by the courts.

According to the law's fine print, amortization was henceforth forbidden. All signs removed had to be paid for by taxpayers. What if a town decided to use amortization to enforce a ban on its own streets? As long as the signs are located within 660 feet of an Interstate or primary highway, it's forbidden to do this.

In the 20 years since the law's passage, federal taxpayers have paid the industry an average of $10 million a year for sign control, $200 million in all. But Congress has grown tired of paying the money, and last year spent only $2 million. Since estimates of the value of signs that legally must still

be removed range up to a couple of billion dollars, at that rate it would take 1000 years to finish the job.

But that was just the beginning of the double-cross.

Shortly after the Beautification Act was passed, drives on the Interstates began seeing signs like the one below popping up all over the country. They're called monopoles, and they're a direct product of the law's most profitable individual double-cross. One of the startling discoveries the law's sponsors made in examining its small print was that it didn't call for any reductions in the size or height of billboards; instead, it merely instructed federal-highway officials to sit down with their state counterparts and work out limits that would leave them roughly the same as before—300 square feet in size, and a maximum of 30 feet high.

Later, when the specific dimensions were announced, they produced additional shocks. First, it turned out that they had been developed not by the states but by the OAAA; second, they were as follows: size—1200 square feet; height—no limit.

The monster billboards made possible by these amended size limits have created a whole new signbuilding industry. In 1966 billboard sales were $150 million. In 1983 they passed the $1-billion mark.

What makes the new dimensions revolutionary is the signs' ability to command enormous stretches of road. Since the monopole's height is limited only by the laws of physics (the tallest is 15 stories), it can peer down from over the highest tree line, its message legible a half-mile away. And because the pole occupies only a few square feet of ground, it is profitable even in high-rent urban areas. One such monster, rising ten stories above a shopping center, can stare down on a whole neighborhood.

But the very success of the new design is beginning to cause second thoughts about it in the industry. It's been going up so fast in so many places that it's created a public backlash that's been largely responsible for the present resurgence of the whole billboard controversy.

Observe this McDonald's sign (opposite page) and the little shed next to it, both sitting in a lovely rural area of South Carolina. Like most of America's landscape, this particular piece of scenery out in the country has no zoning classification at all; it's unzoned agricultural land. But now, because of the shed, the land comes under a strange new zoning classification. Under the Beautification Act, the purported business function of the shed (labeled "McDonald's District Office and Warehouse Facility") makes this a "commercial property," which in turn designates the road next to it, for 600 feet on either side, "Unzoned commercial." As such, it is eligible for three billboards.

According to a study this year by Congress's General Accounting Office, 4712 unzoned-commercial/industrial signs were erected in fiscal 1983; that's twice as many billboards as the government paid to get rid of the same year. Another report by the Department of Transportation (DOT) says that many of these "commercial properties" are shams. The report is illustrated with photographs of the phonies: a deserted shed—its door overgrown with weeds—labeled "Mike's Welding Shop," a private home billed as "Carter's Drafting Service," a solitary, old gas pump masquerading as a filling station next to a billboard set in the middle of a field. And so forth.

The picture on the next page shows a clump of trees that have just been knocked down to give drivers an unspoiled view of the billboard behind them. When the Interstates were built, the Federal Highway Administration (FHWA) wouldn't let billboard companies cut down trees that grow up in front of their signs. Then the Beautification Act exacerbated sign owners' problems by providing for the planting of hundreds of thousands of roadside trees.

In 1977, however, the industry solved the problem: it persuaded the FHWA to legalize tree-cutting by billboard owners on the federal right-of-way by reclassifying the process as "vegetation control." State-highway authorities now issue thousands of vegetation control permits to sign companies annually. Many of the trees they cut were planted under the federal landscaping program.

How serious is the tree-cutting problem? Last year, a DOT study made a spot-check of one state, Florida. It found that in 1983 and the first half of 1984, the state had allowed sign companies to conduct 1118 tree destroying operations on the public right-of-way, 906 of them to clear billboards that had been outlawed by the act but still hadn't come down.

Those, then, are the obvious double-crosses. But for every one the public can see from the highway, there's another rip-off behind the scenes:

When a state gets federal sign-removal money, the FHWA requires it to select the signs from lists *volunteered by the billboard companies.* And the companies simply volunteer their money-losing or lowest-profit signs. Says Charles F. Floyd, a leading authority on billboard law, "The FHWA has been paying the industry an average of $1750 per billboard to prune out the signs it wants to get rid of anyway. For instance, when a stretch of U.S. 17 in Georgia was bypassed by a new highway, most of its old signs were removed with federal beautification funds."

In fiscal 1983 the government paid for the removal of 2235 old billboards—while the industry added about 18,000 new ones. Most of the removed signs were small ones, on low-traffic roads. The new ones were bigger, taller and located on heavily traveled stretches.

Since 1982 the Administration has requested no new funds for sign removal. This means that when its present $11-million surplus runs out, the removal program will end. One FHWA document concedes that large companies are already erecting signs in known illegal locations, believing the beauty program to be dead.

Now the good news. The picture below shows a couple of small signs pointing to Sugarbush, Vermont's huge complex of hotels, condominiums and ski trails. These small signs at its access road, plus a few dozen six-by-six inch plaques it can post at state run sign plazas, are the only outdoor advertisements the resort is permitted in Vermont.

In 1968, when Vermont woke up to what the Beautification Act was doing to its roads, it was the first state to rebel. It threw out billboards altogether, even in commercial and industrial areas. To replace them, it has so far allowed 1,400 of these little markers to go up.

The OAAA says Vermont's law is unfair to the country's tourist industry. But Vermont's three major trade associations—the Vermont Ski Areas Association, the Hospitality and Travel Association and the Chamber of Commerce—strongly back the ban. Says Chandler Weller, publicity director of Sugarbush, "I suppose if we were allowed to put up billboards we'd steal some customers from other ski resorts. But then they'd put up their signs and we'd all be worse off, since we'd lose the people who come to Vermont because they like seeing scenery instead of billboards." (In Maine, which passed a law similar to Vermont's in 1977, the tourist industry's reaction has been the same.)

On the national level, in 1981 a group of citizens established the Coalition for Scenic Beauty, the first national organization ever devoted solely to getting reform of the Beautification Act. By last year they had enough support to finance a Washington office, and now they're going to work on Congress.

A long, tough fight awaits them. The OAAA is widely known for the influence it exerts both on key Congressional committee members (it was the second-largest payer of speech fees to Senators in 1983) and on the bureaucrats at the FHWA. The Coalition's first job will be to get Congress to hold hearings on the subject, and investigate how to rewrite the law to bring back amortization and get rid of tree-cutting, "volunteer" lists, unzoned zoning and monopolies.

But passing a good law will have little effect if officials who administer it favor the industry. Congress should look into the lobby and its influence—put officials of both the FHWA and the OAAA under oath and find out what's been going on behind the scenes.

Fortunately, the Senate committee that oversees the Beautification Act—Environment and Public Works—is now chaired by Sen. Robert Stafford (R.Vt.), who has fought the OAAA harder than any other member of Congress. Any investigation he might conduct would be thorough and hard-hitting.

If you want to join the movement to protect America's scenic beauty, write you Representative and Senators (with a copy to Stafford) asking for committee hearings on the Beautification Act. To find out what you can do, nationally or in your own community, write to Coalition for Scenic Beauty, 1511 K St., N.W. Washington, D.C. 20005. The billboard industry is powerful but, like all parasites, it is vulnerable.

□ 1040

FAMILY PLANNING FRENZY

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

Mr. KOSTMAYER. Mr. Speaker, I quote:

> Most Senators and Representatives understand that United States aid for foreign population planning is actually one of the best ways of reducing traditional reliance on an abortion.

That is the obvious and compelling logic, Mr. Speaker, of a Washington Post editorial this morning. But that logic is lost on those Members who will, during consideration of the foreign aid bill, attempt to end our country's 20-year bipartisan support for a voluntary family planning in the developing world. Using two entirely unrelated matters, abortion and a population program in China, as a smoke-

screen, those Members supporting reductions in family planning will, as the Post says, only increase the number of abortions.

U.S. law prohibits foreign aid dollars from being used as part of the Chinese population program directly or indirectly. Restrictions on funding for abortions with foreign aid dollars have been in effect now for 11 years. But that is not enough. Now some seek even to end voluntary family planning in the Third World. Pro-life and pro-choice Members have reason to resist these irresponsible efforts.

Mr. Speaker, the Post editorial follows:

[From the Washington Post, June 12, 1985]

FAMILY PLANNING FRENZY

Anyone truly concerned about reducing infant mortality and other suffering in the developing world knows how important a contribution voluntary family planning programs can make to that effort. Unfortunately, under cover of protesting reported instances of infanticide and coerced abortion in China, opponents of family planning programs have been promoting vaquely worded amendments that would effectively block U.S. support for this essential humanitarian aid.

Concerned legislators in both Houses—led most actively by Sen. Nancy Kassebaum and Rep. Olympia Snowe—know that the amendments being pushed by Sen. Jesse Helms, Reps. Jack Kemp and Chris Smith are neither necessary nor suitable for preventing U.S. aid from flowing to any such coercive programs. Both Sen. Kassebaum and Rep. Snowe are sponsors of amendments that would block any U.S. money from flowing either directly or through other agencies to Chinese population programs. Sen. Daniel Inouye is offering proposals that would deal still more directly with any abuses in China.

But foes of family planning will not settle for these strong but straightforward measures. Sen. Helms has already succeeded in adding language to the Senate foreign aid reauthorization bill that would cut off all U.S. support for the U.N. population programs, despite the fact that the administration has twice reaffirmed that no U.N. money is used for any abortion-related activities. Rep. Chris Smith will attempt to add even more damaging amendments to the House reauthorization measure.

Rep. Kemp has added seemingly innocuous language to a House supplemental appropriations bills that, according to his stated interpretation of its meaning, would also cut off the U.N. programs that are the main or only source of population aid for many of the poorest countries. Still another Helms ploy, unsuccessful thus far, defines abortion—not just coerced abortion but any legal abortion as practiced in this country, Europe or anywhere else—as a human rights violation that the president could combat with the full force of his constitutional powers.

Most senators and representatives understand that U.S. aid for foreign population planning is actually one of the best ways of reducing traditional reliance on abortion and infanticide. But, through a combination of inattention—and fear of being branded as baby-killers by the religious right—many have looked the other way while Sen. Helms and his allies have tacked on their destructive amendments. These legislators may find this behavior convenient, but their consciences should remind them that is also cowardly and cruel.

KOREAN WAR VETERANS ACT OF 1985

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

Mr. PARRIS. Mr. Speaker, on May 22, I introduced H.R. 2588, the Korean War Veterans Memorial Act of 1985. The response to this legislation has been incredible. Already, 47 of my colleagues have signed on as cosponsors of this important bill, and the number is growing fast with every passing day. In addition, on May 26, Senator BILL ARMSTRONG introduced the Senate companion measure for my bill.

Not only has the response on the Hill been strong and positive, I am receiving many letters from across the Nation each day in support of this concept. I have heard from scores of people, some veterans and some not. These letters came from States such as California, Illinois, New York, Connecticut, Nebraska, Maryland, Texas, Massachusetts, Georgia, Rhode Island, Louisiana, Indiana, Minnesota, the District of Columbia, and many more.

There is one letter in particular, Mr. Speaker, that really hits home on this issue. It is from Peter Platamone of Redondo Beach, CA, and I would like to share part of it with you:

We were part of that silent generation sandwiched between the "Big One" (WW II) and the Vietnam conflict. Nonetheless, we served, most of us with distinction and with honor, to return to this country once more, silently and without fanfare, to pick up the threads of our collective lives.

It has been almost 33 years since I returned home from Korea . . . I finally realized something has been left unfinished. Your bill, I am certain, will correct that inequity, and 54,246 Americans will receive the honor they should have received 30 years ago.

In addition, Mr. Speaker, the response from various veterans' groups has been one of unqualified support as is demonstrated in a letter which I recently received from the national commander-in-chief of the Veterans of Foreign Wars.

Mr. Speaker, I include Mr. Billy Ray Cameron's letter, as well as an editorial which appeared in the May 27 edition of the Washington Post, in the RECORD at this point.

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
Washington, DC, May 30, 1985.

Hon. STANFORD E. PARRIS,
U.S. House of Representatives, Washington, DC.

DEAR MR. PARRIS: On behalf of the more than two million men and women of the Veterans of Foreign Wars of the United States, many of whom are Korean veterans, permit me to thank you for having introduced H.R. 2588 to authorize the erection of a memorial on federal land in the District of Columbia or its environs to honor members of the Armed Forces of the United States who served in the Korean war.

Inasmuch as your bill fulfills our current resolution, No. 308, entitled "A National Korean War Memorial," a copy of which is enclosed, rest assured you have the full support of the VFW in this matter.

We will be following the progress of your legislation closely and have asked to testify when hearings are held by the Committee on House Administration chaired by the Honorable Frank Annunzio.

With best wishes and kind regards, I am
Sincerely,

BILLY RAY CAMERON,
National Commander-in-Chief.

[Resolution No. 308]

A NATIONAL KOREAN WAR MEMORIAL

Whereas, 5.7 million American citizens served in the Armed Forces of the United States during the Korean War, 54,236 gave their lives, 103,248 were wounded, and 5,178 were captured or were missing in action; and

Whereas, the creation of a National Memorial to recognize the valor of those persons will assure that their dedication and sacrifice will be honored; and

Whereas, the members of the Veterans of Foreign Wars of the United States want the brave deeds of those men and women recognized; and

Whereas, the members of the Veterans of Foreign Wars of the United States desire to pay special tribute to those men and women who gave so much to their country during the Korean War; and

Whereas, the members of the Veterans of Foreign Wars of the United States wish to express their desire by the establishment of a lasting memorial to those whose courage and sacrifice should be remembered; now, therefore

Be it resolved, by the 85th National Convention of the Veterans of Foreign Wars of the United States, that we support House Joint Resolution No. 236 and Senate Joint Resolution No. 97 which "Authorizes the erection of a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of members of the Armed Forces of the United States and the Allied Forces who served in the Korean War;" the passage of which would result in the construction of a National Korean War Memorial.

[Adopted by the 85th National Convention of the Veterans of Foreign Wars of the United States held in Chicago, Illinois, August 17-24, 1984.]

[From the Washington Post, May 27, 1985]

SPEAKING OF MEMORIALS . . .

Today is the formal day for observances, but because of a coincidence of anniversaries, great numbers of Americans have been remembering their war dead for longer than just this holiday in 1985. They focused on World War II, which ended 40 years ago and then on the Vietnam war, which ended 10 years ago. But as writer Bill Gilbert noted in a "Close to Home" column on these pages eight days ago, there is "America's forgotten war"—in Korea, where more than 50,000 Americans were killed. These victims deserve our attention, Mr. Gilbert wrote, as well as a memorial in this capital city. What better time to begin that effort than today?

Reader response to Mr. Gilbert's article was strong and unanimously enthusiastic. And in Congress, Rep. Stan Parris of Virgin-

ia and Sen. William L. Armstrong of Colorado introduced bills authorizing a memorial here to the 5.7 million men and women who served in the Armed Forces during the Korean War. These bills provide that site selection, design and construction of the memorial be subject to approval of the National Capital Planning Commission. The memorial would be constructed on federal land in the District or nearby.

Though the Parris-Armstrong proposals call for financing through funds appropriated by Congress, some groups—including the American Legion—have expressed a preference for raising the money from private donations. The cost, according to one estimate by an official of the American Battle Monuments Commission, would be around $2.5 million. Why not a compromise—a matching arrangement?

Whatever—but get this project going now. As Mr. Parris said in the House, "It is incredible to note that there is not yet a memorial in the nation's capital to the veterans of the Korean War—the only group of war veterans not to be so honored. . . . This brave group of Americans has been leapfrogged by time, and it is up to those of us serving in Congress to rectify the situation."

It is up to other people, too, whose friends and relatives served their country in times of war wherever it was fought. When it comes to service, courage, injury and death of these individuals, there should be no "ranking" of wars by "importance." And though it is not pleasant to contemplate the tragedies associated with any of these wars or the events that led to them, it would be far worse were this country ever to forget. That is what the Vietnam memorial has succeeded in pointing up in emotional ways, and it is why the observance of this day—somber and encompassing all wars—should endure.

HIGH COURT'S "MOMENT OF SILENCE" RULING WAS PURE ABSURDITY

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

Mr. BARTON of Texas. Mr. Speaker, last week the U.S. Supreme Court struck down the Alabama statute that allowed for a moment of silent meditation or prayer in the public school system.

The noted national columnist, James Kilpatrick, had an article in Tuesday's Dallas Times Herald entitled, "The High Court's 'moment of silence' ruling was pure absurdity"; that addresses the prayer issue. I agree with Mr. Kilpatrick's article.

I would like to quote from that article in part, and will submit the entire article for inclusion in the RECORD. This is the Alabama statute that was struck down:

At the commencement of the first class of each day in all grades and all public schools, the teacher in charge of the room in which such class is held may announce that a period of silence not to exceed one minute in duration shall be observed for meditation or voluntary prayer that during any such period no other activity shall be engaged in.

Let me emphasize that the teacher may announce that meditation or voluntary prayer may be engaged in.

Mr. Speaker, we need a constitutional amendment to allow for voluntary prayer in the public schools. Congressman KINDNESS has such an amendment, House Joint Resolution 279. Over 50 Congressmen in this session who sponsored the amendment in the last session have not sponsored it in this session.

Mr. Speaker, I urge Members to cosponsor House Joint Resolution 279. We want our children, our current schoolchildren, such as my son Bradley and daughter Alison, and future schoolchildren, such as my new niece, Jessica Page Barton, born yesterday in Huntsville, TX, to be allowed to voluntarily pray in the schools if they so desire.

HIGH COURT'S "MOMENT OF SILENCE" RULING WAS PURE ABSURDITY

The U.S. Supreme Court does not often deliver itself of wholly ridiculous opinions, but in the matter of Alabama's "moment of silence" law the court last week lapsed into pure absurdity.

Consider the Constitution: It says that Congress (and by judicial extension, the states) shall make no law respecting "an establishment of religion or prohibiting the free exercise thereof."

Now consider the Alabama statute: "At the commencement of the first class of each day in all grades and all public schools, the teacher in charge of the room in which such class is held *may* announce that a period of silence not to exceed one minute in duration shall be observed for *meditation* or *voluntary* prayer and during any such period no other activity shall be engaged in."

Now listen to this windy passage from Justice John Paul Stevens' opinion: "As Justice Jackson eloquently stated in *Board of Education* v. *Barnette*, 'If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by world or act their faith therein.' The State of Alabama, no less than the Congress of the United States, must respect that basic truth."

Aargh! The question from Justice Jackson is a beautiful quotation, but what on earth does it have to do with the case at hand? The Alabama statute places no mandatory burden on the teacher. The teacher "may announce" a moment of silence. During the moment of silence, pupils may engage in "meditation," which could be meditation on the morning's test in algebra; as an alternative they may engage in "voluntary prayer," which can be a prayer to pass the quiz.

It is ludicrous to suppose that the Alabama teacher is thus prescribing what shall be orthodox in religion. No child is being forced to confess his faith by word or act. It is inconceivable that five ordinarily rational and intelligent men—Justices Stevens, Powell, Brennan, Marshall and Blackmun—could see in Alabama's neutral and harmless statute a potential "establishment of religion." How loony can we get?

Mind you, this case is light-years removed from the Engel case of 1962 and the Schempp case of 1963. In Engel, pupils in New York public schools were required to join in reciting a prayer that had been composed by the state regents. In Schempp, Pennsylvania law required a joint reciting of the Lord's Prayer and daily reading from the Bible. The high court quite properly held both statutes unconstitutional. In those cases the supposed wall of separation between church and state had been fatally breached.

In last week's decision, the majority condemned the Alabama statute because of the two words "or prayer." This unspeakable folly on the legislature's part amounted to an endorsement of religion as "a favored practice." But, pray tell, where does it appear that "prayer" is favored over "meditation"? The statute is neutral. It is in the disjunctive.

In practical application, the majority's opinion will have no effect whatever, either in Alabama or in 24 other states with statutes that provide either for a daily moment of "meditation or prayer" or for "meditation" alone. Children will do as they please; they will think whatever childish thoughts may pass through childish minds. But if they invoke divine guidance, let them pray for the high court. It needs all the help it can get.

RITUAL IN MANAGUA

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

Mr. LAGOMARSINO. Mr. Speaker, I wish to call to the attention of my colleagues a commentary appearing in the June 10 edition of the Washington Times, entitled "Ritual in Managua." It is written by Georgie Anne Geyer, a nationally syndicated columnist and authority on Latin America.

Ms. Geyer describes the narrow focus of visitors to Nicaragua, who seem to arrive with preconceived notions about what the situation is in that country and ignore the evidence presented by local church leaders about the repressiveness of the Sandinista regime. As she writes, "they do not seem to care what happens to the Nicaraguan people or whether the regime is oppressive, or whether it is a strategic threat to anyone. They are focused only on themselves."

RITUAL IN MANAGUA

(By Georgie Anne Geyer)

MANAGUA, NICARAGUA.—Every Thursday morning at 7 a.m., from 30 to 50 "concerned" Americans living here picket the American Embassy. Before the oppressive heat of the day sets in, they march in a circle in front of the main gate, passionately protesting American policy here.

Ed Griffin Nolan of Witnesses for Peace—one of the groups in this Committee of U.S. Citizens Living in Nicaragua—explains to me the intent of the groups and individuals. "We're basically involved here in speaking to the conscience of the United States," he was saying. "We try not to get involved in the internal Nicaraguan issues."

Inside the American Embassy later that day, an embassy officer cracks, "There would be no economy here at all without the American journalists and the Witnesses for Peace."

Sandinista Nicaragua is filled with American "visitors" these days. They are sponsored by their own churches, or their visits are paid for by the government. They are earnest and solemn, and they are suspicious of everyone who does not feel exactly as they do.

The Internacionalistas—the international brigade-types from all over the world who jam the Intercontinental Hotel—barely speak to one another or to anyone else. These "Sandalistas," as they are sometimes jocularly called because of their sandals and long stringy hair, are filled with distrust of anything American.

The Nicaraguan government says that 50,000 Americans alone have come through in the last year. The American Embassy places the number at lower levels, although it admits it does not and can not really know. The one thing certain is that American protesters are fervently opposed to every bit of American policy against the Marxist Sandinistas.

When you really study the visits of the Americans here, you find some curious things. The liberal congressmen (maybe up to 60 in all) who have come down meet privately with Sandinista leaders, such as President Daniel Ortega, and will not allow embassy officers to sit in on the meetings. Many of them give direct and pointed "advice" to the Sandinistas, advice on how to defeat or wait out President Reagan's policies. (One more curiosity here is that Cuban President Fidel Castro consistently has been advising the Sandinistas not to confront the United States, whereas American congressemen often advise them to do the opposite.)

The American church people, many of them extremely well-meaning but embarrassed by (and thus controlled by) past American invasions of Nicaragua, pay little attention to the policies of the churches inside Nicaragua or to their suffering under the Sandinistas. Congressional leader is a case in point: he admits that he gets his information on Nicaragua from the Maryknoll order, an order that has swung to the far left, while the entire Catholic hierarchy inside Nicaragua and elsewhere in Central America puts up an impassioned and difficult fight against the Marxist groups.

Father Roberto Amilcar Torruella, director of communications for the archbishopric of El Salvador, told me: "Until the visit this winter of Catholic leaders from Washington, the North American church had not made any direct contacts with us, hierarchy to hierarchy. . . . They had the wrong ideas about us. They saw guerrillas as Robin Hoods and angels. Now, the panorama is changing. But these were errors that caused us a great deal of damage."

There is evidence that when the Roman Catholic high-level group that went to Central America this winter finally makes its report in June, it will come out with a much more critical view of the Sandinistas, even going so far as to call them increasingly "totalitarian."

At the struggling independent newspaper, La Prensa—while struggling with censorship and every kind of oppression—the staff has to set aside a couple of hours every day to deal with the intense visiting "gringos."

"Every day Intourism (the government tourist agency) calls," Horacio Ruiz, a top journalist at the newspaper, told me. "They will say, 'There is a group of American tourists. Can you receive them?' Sometimes we see the same persons five times. Of the groups of 20, two or three will be aggressive. They will say: 'Is it true you are with the CIA? Why don't you condemn the Reagan policy? Why are you a counterrevolutionary?' The rest are disoriented."

Do the Americans in general serve the purpose of the Sandinistas against their own government? Are they a real power in the propaganda struggle that constitutes a crucial part of the policy battle between Managua and Washington?

These Americans certainly have every right to be there. But one has to say honestly that they are often used. For instance, at La Prensa, most of the groups tape the editors' and reporters' remarks. One day, editor Jaime Chamorro openly remarked that the paper had received $6,000 from the American Democracy Foundation.

This innocent admission of a perfectly appropriate gift was then translated by the Sandinista Press Association to read that La Prensa had received the money from the CIA, an accusation that could, of course, close the paper down.

There is little question that the visits have an effect on American policy. It was the visits here of many of the congressmen that led to the turndown of the contra aid package. One has to wonder if—had they learned anything at all about the regime on their trip—they would then have been so surprised when President Ortega immediately went to Moscow.

Perhaps the key to the problem lies in the fact that even the church people with the best of intentions focus only on the American conscience. They do not seem to care what happens to the Nicaraguan people or whether the regime is oppressive, or whether it is a strategic threat to anyone. They are focused only on themselves.

That seems to me to be rather too easy a way out for anyone, but particularly for Christians.

CONGRESS SHOULD REJECT RECOMMENDATION TO IMPOSE USER FEE ON FARM CREDIT

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

Mr. THOMAS of Georgia. Mr. Speaker, I rise today to voice my deep concern about a current budget issue which is of critical importance to U.S. agriculture. Included both in the administration's proposed fiscal year 1986 budget and in the budget resolution adopted in the other body is a recommendation to impose a user fee on the farm credit system and other so-called government sponsored agencies or enterprises, such as the Federal Home Loan Mortgage Corporation [Freddie Mac], the Federal National Mortgage Association [Fannie Mae], the Federal Home Loan Bank Board, and the Student Loan Marketing Association [Sallie Mae]. By contrast, I was quite pleased by the recent action of my House colleagues in approving a separate budget resolution without provision for any such user fees.

According to proponents, the stated purpose of the fee is "* * * to reimburse the Government for the privileges these enterprises enjoy as a result of their relationship with the Government." But in the context of borrower owned farm credit institutions, how anyone could seek to justify this as a simple user fee is beyond me.

First, the Federal Government does not pay one dime of the farm credit system's cost of operation. All of the expenses of the farm credit system, including the cost of its regulation through the Farm Credit Administration, are paid from the income of system institutions. These costs are not included in the Federal budget, nor do they impact upon the budget in any way.

Second, if this user fee proposal is implemented, U.S. farmers will pay the fee. The farm credit system is cooperatively organized, and as a cooperative, it would be forced to pass on the cost imposed by a user fee to its borrower members, that is, American farmers and ranchers. Given the extreme financial stress already being felt by American producers today, additional costs will only make the current economic situation even more intolerable.

And third, imposing a user fee for agency status is inconsistent with the mandate of Congress. Congress has mandated the farm credit system to provide sound, adequate, and constructive credit to American farmers and ranchers at the lowest reasonable rate. To impose a user fee for agency status is, in effect, to penalize the system and its borrowers for using the means authorized by Congress to fulfill a congressional mandate.

What this fee really amounts to is a penalty tax on farmers. It's a penalty tax on farmers because in return for paying the fee, the more than 1 million farmers and their agricultural cooperatives, who rely on the cooperative farm credit system for funds get nothing but a higher interest bill. And this from an administration that continues to claim it does not support a tax hike. Frankly, the timing of this proposal, when agriculture is already suffering through its worst depression in 50 years, is nothing short of incredible.

Farm credit institutions—which include Federal land banks, production credit associations and banks for cooperatives—are currently the single largest provider of credit to U.S. agriculture. How, specifically, would they be affected by the President's proposal on the farm credit system? At the outset there would be a user fee of five basic points—0.05 percent—imposed in fiscal year 1986; of that is, commencing October 1, 1985. It would be levied annually against the system's outstanding balance of debt issued after September 30, 1985. The fee would then rise to 8.3 basis points in fiscal year 1987. OMB estimates the cost of the fee to the system's borrowers

would be $9 million in fiscal year 1986, $30 million in fiscal year 1987, and $40 million in fiscal year 1988. Clearly, these are minimal amounts when one considers the enormous size of the Federal deficit, but it would be a grave mistake to view the user fee initiative as nothing more than a modest revenue measure while overlooking the Trojan horse that it is.

User fee may be the proposal, but maintaining agency status for the cooperative farm credit system is the underlying issue. You will recall the user fee proposals first surfaced in the last year or so as part of the Presidential Grace Commission report, as it has come to be known. During the past year the recommendations of this group have been widely publicized. The Grace Commission shares the belief with OMB that agency status provides sponsored enterprises with an unfair advantage in the marketplace. At they see it, charging an escalating fee for its use is an effective way of terminating agency status. In that sense the user fee is only a means toward an end—aimed at forcing the system to accept privatization and to accept higher interest rates for farmers.

I ask that you keep in mind two important facts. First, agriculture has not participated in the recovery enjoyed by other sectors of the economy—because it starts out from a much weakened condition. It cannot absorb new shocks right now. Second, it is obvious that OMB's ultimate objective here continues to be to force farm credit's withdrawal from the agency market. The officials at OMB make no bones about it. They will look you straight in the eye and tell you they're not interested in revenue, they're interested in driving farm credit out of the agency market. That was their objective 3 years ago, when they first proposed doing away with the system's agency status—and clearly that remains OMB's objective today. Congress would have no part of it then and we should have no part of it today. So the real question is whether we can afford to let them get their foot in the door through this device of a user fee.

Regardless of what the Office of Management and Budget might tell you, the farm credit system continues to need agency status. Congress established the farm credit system as specialized lending institutions operating under narrow restrictions regarding who they may finance and in which financial activities they may engage. Unlike its competitors in the commercial banking industry, system institutions cannot raise funds by taking deposits, nor can they engage in a wide variety of other financial activities. I should not have to remind anyone who has been reading the newspapers over the last several months just how unique are the risks associated with financing agriculture these days. That is certainly true of farm credit institutions, with 100 percent of their loan assets in agriculture. As agriculture goes, so goes farm credit.

Mr. Speaker, I would especially urge those who are conferees on the budget resolution, as they deliberate over the next several weeks, to reject the notion of imposing any user fee on farm credit. As I indicated before, the Senate budget resolution assumed savings derived from the imposition of a user fee even though they took a more modest approach than that recommended by the President. The revenues to be gained are very small, but the issue and the slippery slope it starts us down are formidable indeed. Agriculture has enough problems without this added burden.

Absolutely the last thing hard-pressed farmers—and their farm credit lenders—need right now is a further kick in the pants in the form of a user fee on system borrowings. I am confident the vast majority of my colleagues will agree with me.

□ 2030

GREAT LAKES MANAGEMENT AND RESEARCH ACT OF 1985

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

Mr. ECKART of Ohio. Mr. Speaker, I doubt that there are many of us who forget the days not too long ago of the stories of the dying of Lake Erie. Times when the Cuyahoga River in Cleveland caught fire. When dead fish littered the shores and when oil slicks covered many streams that fed into the Great Lakes. These tales and others spawned a unique period of cooperation between the United States and Canada in an effort to clean up the water and rejuvenate the lakes and their wildlife.

Many of the causes of the pollutions of the 1960's items such as lead, mercury, and phosphates, have been significantly curtailed, and in fact, phosphate, was the primary source of pollution has been cut by 80 percent. But the problems in fact are by no means over.

As we began cleaning up the lakes of the pollutants of the 1960's, we discovered that the pollutants of the 1970's and the 1980's were rearing their ugly head. Equally damaging elements have been found in our lakes; namely, toxic substances originating from chemical wastes, contaminated ground water, airborne pollution, and the runoffs from our neighborhoods and the spillof of our superfund sites.

Today, I am introducing legislation that would direct the Environmental Protection Agency and the National Oceanic and Atmospheric Administration to combine their efforts to eliminate the problems of toxics in the Great Lakes. This legislation, the Great Lakes Management and Research Act of 1985, coordinates for the first time the activities of 16 separate Federal agencies to oversee the Great Lakes, and mandates the Federal Government to begin a concentrated program designed to eliminate toxics from the lakes and the steams and rivers which feed them.

This issue is not parochial to the Great Lakes. It has a far greater reach of international and national dimensions. These lakes provide 95 percent of the Nation's fresh water and 20 percent of the world's fresh water. It is the major topic of cooperation between the United States and Canada, having signed first in 1972, the Joint Water Quality Agreement with that nation.

These lakes above all constitute our Nation's fourth seacoast, providing commercial, recreational services, including shipping, industry, boating, and fishing.

This bill, which is introduced with the assistance of colleagues from Michigan, New York, and Wisconsin, addresses the very specific criticisms that GAO leveled against a decentralized and uncoordinated program in the Great Lakes. This bill raises no new money, but uses the existing $12 million appropriated in this fiscal year to reorganize the implementation of existing research programs. It sets a lead agency, the Great Lakes National Program Office, to direct these efforts.

This bill raises our awareness of the rapidly increasing levels of toxic pollutants which threaten our Great Lakes. The Chesapeake Bay recently has been privileged enough to receive coordinated attention of Federal agencies, and we hope to appreciate the benefits from that soon. The Great Lakes should receive equally important treatment.

It is imperative that the Great Lakes be restored to what they are: An important economic and environmental asset. We cannot allow the water to return to their status of pre-1960: Coordination and consolidation; good government; good environment; good economics for a region that has been badly hit by the current economic policies that affect our Nation.

EXPLANATION OF VOTE CAST IN FAVOR OF H.R. 2577

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

Mr. WEISS. Mr. Speaker, I take this occasion to explain the vote which I cast in favor of the supplemental appropriations bill, H.R. 2577, which was

just adopted by the House of Representatives.

I have, during the course of the debate, spoken on a number of occasions in opposition to the Michel amendment providing for aid to the Contras and in support of the Boland amendment, the Gephardt amendment and the Hamilton amendment.

Given those statements and the votes which I cast on four occasions in the course of today's debate, an explanation is quite likely superfluous. It may be helpful, however, to state explicitly what my vote on final passage signifies and what it does not signify.

Like a continuing resolution of appropriations, a supplemental appropriations bill always presents Members of this body with a complicated decision as to whether one should vote for passage expressing approval of the items that one supports in such a supplemental appropriations, or whether one should vote against the supplemental appropriation to demonstrate disapproval of a specific item.

I chose to vote for this supplemental appropriation because having repeatedly expressed my opposition to the $27 million in aid for the Contras, I felt it was appropriate to indicate my support of the many other items funded by the bill. In total the bill appropriated the amount of $13,491 million. Among other items, it included $3.5 billion to the Social Security Trust Fund; $2 billion in aid to Israel and Egypt; $720 million in guaranteed student loans; $319 million for food stamps; $237 million for international financial institutions; $219 million for veterans' benefits; $169 million in payment to the Postal Service Fund; $79 million for the family social service; $287 million for the student financial assistance program called Pell grants; and a large number of other items.

I wanted to indicate by my vote that I supported all of those items. At the same time, it should be noted that on a bill as complex as this supplemental there can be, strictly speaking, no fair characterization of a vote either way as being right or wrong. I think that people who read this RECORD or who have followed this debate may find it instructive that, for example, on the Republican side a great many of the most conservative Members who supported the Michel amendment for aid to the Contras ultimately ended up voting against the supplemental appropriations bill on final passage because of their opposition to some of the very items which I just read out.

By the same token, there were Members on both sides of the aisle who voted against the supplemental appropriations bill because of the inclusion of aid the the Contras even though they supported the specific items which I detailed. It would have been possible to avoid all confusion by not including the aid to the Contras in this bill. Indeed I voted against the rule to demonstrate my objection to the coupling.

My vote, of course, in no way signifies that I approve of the funding for the Contras. It in no way alters the position that I took in the course of debate. I continue to oppose vehemently any aid to the Contras.

□ 2040

THE STATE DEPARTMENT BUREAUCRACY UNDERMINES PRESIDENT REAGAN'S POLICIES

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

Mr. GINGRICH. Mr. Speaker, we, this afternoon, witnessed a considerable victory for the forces fighting for freedom and fighting against communism in Central America. The votes this afternoon were a decisive change in the House's attitude and the House's willingness to support freedom fighters from just a few short weeks ago when, in fact, those efforts were defeated.

It is, first of all, a tribute to the tremendous effort of Congressmen MICHEL, LOTT, MCDADE, CHENEY and others, including a number of Democrats who worked very, very vigorously in a bipartisan effort to make sure that it was possible to pass aid which both helped the freedom fighters and put increased pressure on the Communists in Nicaragua. It is also, I think, a sign that the decision a number of weeks ago to defeat the Barnes-Hamilton approach, to defeat the effort which would have provided only humanitarian aid through the Red Cross, to make the House come back and vote again, to give the House a month to look further at the nature of the Communist regime of Nicaragua, that that decision was the right decision; that in fact a policy of hanging tough, of not accepting an inadequate compromise, of not rushing to conference, was the correct policy.

It is true that Ortega, the dictator of Nicaragua, helped a great deal by announcing a day after the House defeated aid to the freedom fighters that he was going to Moscow to visit the Soviet Union, to meet with the head of the Communist empire. It is true that Ortega's sudden visit shocked a number of Members who earlier had been trying to give the Communist government of Nicaragua the benefit of the doubt. It is a little unusual that Ortega, who had visited Moscow six times before this particular visit, seemed not to have been noticed by a lot of Members on his previous six visits. But the peculiar arrogance of deciding to go to Moscow, and announcing it the day after the American House had voted not to help the freedom fighters, seemed to increase the understanding that Nicaragua really is now a Communist dictatorship allied with the Soviet Union and Castro in Cuba, and really is against the United States.

The other change which I think in the last month has helped a great deal is the issue of language. The President's use of clear language in explaining what is happening in Central America was a major step in the right direction. The President began to say over and over again, "We are dealing with a Communist government in Nicaragua. We are dealing with a Communist ally of the Soviet Union. It is communism which is threatening the United States," and as that message began to sink in, I think the country began to rally.

The President stated his message most clearly in remarks in Miami, FL, on May 27, and I want to quote from the President's speech. He was speaking for a Member of the other body, and he said:

> In Central America today, our ideals are being put to the test. The freedom of our friends and neighbors to the South is at stake, as is the security of the United States. I am happy to say that we are here for one official who does not have to wait until Daniel Ortega went to Moscow yet again before she realized that he is a Communist.

The President went on to say:

> Many of those opposing our efforts have steadfastly refused to acknowledge that the rulers of the regime in Managua are, by their own admission, hard-core Communists and consider themselves part of the international Communist movement. Many of our own elected officials act as if they do not believe the Sandinista regime is playing a significant role in the Communist insurgency in El Salvador. Incidentally, I think some of our people get confused. They are not that familiar with Central America, when we talk "Sandinista government" and "Contras" or "the freedom fighters."
>
> I am going to quit using both terms and start calling them what they are. It is the freedom fighters against the Communists.

The President went on to say, and I quote:

> Now this role that they are playing in the insurgency in El Salvador, this despite the fact that top defectors from the El Salvadoran guerrillas have been telling us they received guidance, training, guns, and vast amounts of arms and ammunition from their Communist friends in Nicaragua. Nicaragua today equals aggression pure and simple.
>
> For the sake of peace in Central America, for the security of our own country, we cannot permit these Communists to succeed. Closing our eyes and making a wish, which seems to be about the only course of action our opponents will support, will not make this threat go away. We need to assist those governments targeted by the Communists and it is imperative that we support those brave individuals who are putting

their lives on the line to bring democracy to Nicaragua.

The freedom fighters are a shield for Nicaragua's democratic neighbors, preventing the Communist regime from focusing its full strength on subversion and aggression. The freedom fighters are the best hope for democracy in that troubled country. Those who would have us abandon them and the people of Nicaragua are cutting off our chances to avoid a major crisis in Central America.

The President went on to say, and I quote:

Lincoln's words ring as true today as they did over a hundred years ago. "Our defense," he said, "is in the preservation of the spirit which prized liberty as the heritage of all men in all lands everywhere. Destroy this spirit and you have planted the seeds of despotism at your own doors."

President Reagan went on to say:

Let us recognize the truth that Fidel Castro is behind much of the trouble in Central America. His consuming hatred of America and his ideological commitment to Communist tyranny has impoverished his country and oppressed its people.

Now, on that one page, President Reagan used the word "Communist" 10 times. He outlined clearly that it is a Communist government in Nicaragua, a Communist movement in El Salvador, they are allied with the Communists in Cuba, because the President understands, as a man who communicates clearly and brilliantly with the American people, that saying it simply, saying it clearly, saying it repetitively is the way you get the message home; that in fact if they are Communists, and I think we can prove they are, you ought to call the Communists. If, in fact, they are a threat to America, you ought to remind people why they are a threat, and if that threat is in alliance with the Soviet Union and Cuba, then you ought to communicate that.

Yet yesterday, sadly, the White House sent a letter to Congressman MICHEL and Congressman MCCURDY which is confusing and represents backsliding on the part of the President's staff. Whether the letter was drafted at the National Security Council or drafted at the State Department, it is hard to know, but it is obvious whoever drafted it was not in Miami, FL, with President Reagan and did not read President Reagan's speech. Here in this letter from the President to these Congressmen, we have the same old murky, confused language. Remember, the President said on May 27th:

Incidentally, I think some of our people get confused. They are not that familiar with Central America when we talk "Sandinista government" and "Contras" or "The freedom fighters." I am going to quit using both terms and start calling them what they are. It is the freedom fighters against the Communists.

That line, by the way, "the freedom fighters against the Communists," I believe, was in every major newspaper in the United States on the following day as a quote from the President of the United States. Now, what does the President's staff do? They go back and start talking about, and I quote, "the Sandinista government," "the Sandinistas in Nicaragua," "the Sandinistas," and again, "the Sandinistas," quote again, "the Sandinistas." In a three-page letter, they managed to talk about the Sandinistas five times, never used the word "Communist," and to carry it a stage further, they managed to describe the guerrillas in El Salvador, never used the word "Communist." They then talk about the guerrillas "mentors in Managua, Havana, and Moscow," without describing either Managua, Havana, or Moscow as Communist capital cities. They talk about the nature of the Nicaraguan Government without ever describing the Nicaraguan Government. They talk about Cuba and the Soviet Union without describing either country as a Communist country.

This letter is a remarkable example of precisely the boring, dull, confusing, scholastic, bureaucratic, uncommunicative style which guarantees that no average American, no average reporter, no average politician, will understand the issue. It is impossible to read carefully this three-page letter and have any notion of the situation in Central America described so eloquently by the President on May 27.

It seems to me first of all that the question here is whose words matter. When I complained to one White House staff person about this letter, which I regard as a remarkable example of boring and uninformative material, precisely the kind that most confuses the American people, I was told, "Well, the President probably had not read it carefully."

□ 2050

Now, let me suggest with all due respect that no American citizen seriously believes that the President of the United States has as his job sitting and editing his staff's writing. If his staff cannot draft a three-page letter that he can sign, then he needs new staff. The fact is that it is the staff's job to listen to the President's speeches, not the President's job to edit the staff's letters.

Now, what did the President say in his speeches? He gave just about as clear a directive as he could. He said, "I am going to quit using both terms and start calling them what they are. It's the freedom fighters against the Communists."

Now, I am not here this evening talking about a three-page letter because in and of itself it is a major incident or because in and of itself it is a major problem. After all, with that letter, with all the effort of the last month, a great victory was won for the freedom fighters and a great defeat was suffered by the Communists in the vote on the House floor today. That is not my purpose at all.

But I do think that this is a useful opportunity tonight, in addition to celebrating a momentary victory for the forces of freedom, for the President and his staff to recognize that they have a serious problem in the underlying bureaucratic structure of the State Department and of the Foreign Service, that the fact is that the very psychological and cultural and political attitudes which led to the rise of "ostriches" in the House of Representatives leads to the rise of "ostriches in Foreign Service and the State Department, that the fact is that many Foreign Service members come out of the intellectual elite and the academic elite who are committed to avoiding the use of that horrible word, "Communist," and that there are many members of the Foreign Service who would regard it as dull and populist and clearly distasteful to focus on the fact that Fidel Castro is a Communist, that Cuba is Communist, that Nicaragua is Communist, that Ortega is a Communist or even, for that matter, that the Soviet Union is Communist.

The President and his immediate staff must recognize that their vision of reality is not shared by very large portions of the bureaucracy which serves them. While the American people may have in 49 States cast a majority of their votes for Ronald Reagan, it is highly unlikely that Ronald Reagan's viewpoint—as he put it, calling people "freedom fighters" against the Communists—would be shared by a significant number of the Foreign Service. Quite the opposite, they would regard the term, "freedom fighters," as propaganda, and they would regard the term, "Communist," as unfortunate and designed to arouse the right-wing attitudes of the American people.

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

Mr. GINGRICH. I am glad to yield to my friend, the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding, because I think he is making a very crucial point, and that is that the American people really are not going to focus on a lot of the terminology that is used throughout the Government debate and throughout the bureaucracy in Washington, but that they understand who it is that are our adversaries in the world and they want us to be strong against our adversaries and they want us to stand with our friends.

Now, if you can confuse the issue to the point that the American people are not quite certain who our adversaries are and who our friends are in a conflict, you have won a large portion of the debate, and unless you clearly

delineate those two things, then it becomes much harder to sell the argument.

In fact, one of our colleagues was mentioning today hearing a radio report that structured the vote that we were about to take in the House today as "the United States funding the rebels against the Nicaraguan Government." Well, a lot of the American people would be very confused as to why we would be on the side of rebels fighting the Government of Nicaragua unless you also define that the Government of Nicaragua is a Communist government that is seeking to subvert its neighbors.

I think the gentleman is making a very important point, that at the very least the White House ought to be a part of the process of educating the American people on just why it is that we are doing what we are doing in Central America relative to the Sandinista Communists, because that does clearly change the perception of the American people as to whether what we are doing is right or wrong.

Mr. GINGRICH. Mr. Speaker, I want to say that the core problem here goes a stage deeper than just language, and that the point is, as George Orwell once said, "If you cannot write something, you probably cannot think it." So the problem of the Foreign Service is an underlying cultural and value system and mind-set which then reflects itself in the language.

I might say to the gentleman from Pennsylvania that I was just noticing that on the first page alone there are two places, one in the opening paragraph and one in the second, where the letter emphasizes our commitment to peace, that we want a "peaceful resolution." When you go into the second page, once again we come back to the notion that we want a "peaceful resolution."

Now, the problem with that is this: I happen to favor peace, and I think that peace is a desirable goal, but I think it is the second most important goal in Central America. The State Department, I think, fundamentally, at a core level in its value, does not understand this and, therefore, cannot educate the country, because we had some friends here, some decent, honorable people, who happen largely to be Democrats, with one or two Republicans, who collectively would say, "Look, if you want peace in Central America, if peace is your most important goal, cut off aid to the freedom fighters, they will become refugees, the war will be over, and peace will exist almost immediately."

Those friends are exactly right. If the most important value for America is peace at any cost, we can get peace tomorrow morning. All we have to do is surrender the freedom fighters, cooperate with Honduras, El Salvador, and Costa Rica in turning them over to the Communists to go to prison camps, and we will have peace in Nicaragua.

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

Mr. GINGRICH. I am glad to yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I understand what the gentleman is saying, although I must admit that I am somewhat confused about our experience in Vietnam because many of the same people who holler, "Peace, peace, peace" in Central America also talked about peace in Southeast Asia.

The fact is that the end of the American involvement and the end of the American financing in Southeast Asia did not produce peace but further war; it was simply that we were not involved in it. It may have been peace from the standpoint of American involvement. We no longer had troops committed. But for the people of Cambodia it was not peace, for the people of Laos it was not peace, and on the borders of Thailand there is not peace today.

Mr. GINGRICH. Mr. Speaker, we may say, I might say to the gentleman from Pennsylvania, for the "ostriches" that as long as the only violence is being committed by the left, that is not war; if the Russians are killing Afghans, that is not war; if the Communist Pathet Lao and the Communist Khmer Rouge are killing decent citizens in Cambodia, that is not war; if the North Vietnamese are locking up South Vietnamese in concentration camps, that is not war; and if the Nicaraguan Communists are killing freedom fighters, that is not war. War only occurs when the profreedom, pro-American Western forces engage in "vicious efforts" to resist the Communists.

So it is very possible on the left to be in favor of peace. In fact, the Russian word for "peace," which is "mir,"—m-i-r—does not mean what we mean by "peace." It means the absence of any alternative. So from the Soviet standpoint you can only achieve what the Soviet word for "peace" means when there is a police state over the entire planet.

So when Gorbachev says, "I am for peace," he is. That means total Soviet control of the world. That is the technical translation of the word, "mir." It means the absence of a competitive force, not what we would think of as the absence of violence.

Now, in that setting, if I might in just 1 second describe the core problem, let me say that I think this is a very illustrative letter. I would hope that the President would personally take a little time and read this letter and ask himself, if he had been campaigning in 1980 and Jimmy Carter had sent this letter over here, what kind of a speech would he have given, intellectually taking apart this letter, because this letter illustrates precisely the peace at any cost, negotiate away the differences, and somehow we can coexist with the Communists mindset which is at the core of the Foreign Service and, therefore, at the core of the State Department and which severely cripples this administration's efforts to explain what is really at stake in Central America.

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

Mr. GINGRICH. I am glad to yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding.

I think the gentleman makes a valid point with regard to the letter, and I guess what I am disturbed about is the fact that the letter came at almost precisely the same time the administration was announcing its decision with regard to SALT II, which goes right down the precise same road.

□ 2100

When I campaigned with President Reagan around the country in 1980, I remember the speeches that he made and that we made along with him about the SALT II Treaty being fatally flawed. And despite the fact that it is fatally flawed, we now have the administration signing on board to that fatally flawed agreement despite the fact that their own factsheet on their positions details comprehensively all of the things that the Soviets have done to violate that treaty. We know that the treaty violations go back several years. So it seems to me that the same State Department mentality has crept into the administration's policy as it relates to that particular issue.

I think that there are some valid reasons for the President having made the choices that he did that relate to our national defense.

On the other hand, the signal that you have sent to the Soviet Union with the decision that was made says to them the violations are secondary in our consideration and our reaction to those violations will be that we will begin the dismantling of a part of our defensive arsenal. That, in light of what the gentleman is telling us, is not exactly the signal that Ronald Reagan on the campaign trail in 1980 would have accepted from candidate Carter.

I thank the gentleman for yielding.

Mr. GINGRICH. I think it is fair to say that our current position seems to be, cheat on us and we will show you; we will dismantle more of our defenses.

Let me though, because I think we are going here to the core of the advice being given to the President and the core of why it has been so hard to explain to the American people what is going on, make two points here.

51-059 O-86-39 (Pt. 11)

First of all, when the President's letter says, and I quote, "We do not seek the military overthrow of the Sandinista government," my question back to the President would be, fine, what if in fact the Communists rather than the Sandinista government, what if the Communist government, as he has been describing it, says:

We don't care what you do with the economic embargo. We are willing to follow the lesson of Fidel Castro and a Communist Cuba. We will simply tighten the screws on our own people. They will live a little bit worse. We will oppresss a few more people. If things get bad, we will import more Cubans and more Soviets, plus some Bulgarians and some Vietnamese and East Germans and we will crush the rebellion.

What then is this State Department solution going to be?

I mean the absence of Coca-Cola has not blocked—and I say this as an Emory graduate who represents the city in which Coca-Cola is headquartered. The absence of Coca-Cola, as grievous as it may have been, has not blocked Cuban Communists from staying in power for 25 years.

Let me carry it a step further and just say that the core problem illustrated by this letter and the core problem in the State Department analysis of reality is best exemplified by a quote from Tomas Borge, the head of the secret police, who said, and I quote, this is on September 5, 1980: "If they could buy us with $75 million or with $1 billion, we would stop being revolutionaries. We revolutionaries would rather starve if necessary before falling on our knees in the face of Yankee imperialism. Let them refuse once and for all the $75 million. They think we are going to beg. How little do they know the Sandinistas," broadcast over Managua radio on September 6, 1980.

Now, Borge, who is a hardened confirmed Communist trained in Cuba, who is a friend of Qadhafi and goes to Libya regularly to meet with terrorists, who is the head of the secret police, is sending a message to the American State Department, a message which it did not learn in Vietnam, has not learned from Cuba, and obviously based on this letter has not learned today about Nicaragua.

I would be glad to yield to the gentleman from Florida.

Mr. MACK. I thank the gentleman for yielding. I just wanted to ask a question.

I came in after the gentleman had gotten started and referred to a letter. Is that a letter from the President or a letter from the State Department?

Mr. GINGRICH. It is a letter technically from the President of the United States to Congressman MICHEL and Congressman MCCURDY. It is my guess based on the text, speaking as a historian backwards, that it is a letter which would have had to have been drafted at some point by somebody who was trained by the Foreign Service and either is serving in the State Department or is on loan to the National Security Council.

Mr. MACK. I thank the gentleman.

Mr. GINGRICH. If I can carry it a step further, I want to make the point that if the goal of the Reagan administration as this letter implies is to cooperate with a Sandinista government and define peace, they can get peace in the morning. The Secretary of State can fly into Managua, sell out all the freedom fighters and by evening we will have peace, and it will be a graveyard. It will be the peace of the cemetery.

If on the other hand, as I have always believed about Ronald Reagan, the greatest value Ronald Reagan believes in is this strange thing called freedom, human liberty, the capacity—and he quoted Abraham Lincoln. This is Reagan now quoting Lincoln. Lincoln said, "Our defense is in the preservation of the spirit which prizes liberty as the heritage of all men."

Now if in fact Reagan is the President who favors liberty first, peace second, then this letter is nonsense.

If on the other hand he is a President who favors peace first, and by the way, if liberty gets killed in the process, what the heck, then this letter is a very accurate reflection of that policy; but I think the problem goes deeper. I think what you have in the State Department is the same generation who became ostriches in the U.S. Congress, their cousins became State Department officers. The same people whose lesson of Vietnam was, "You can't defeat communism, so appease it. You can't really stop Communists, so find a way to buy them off. You can't really confront communism, so give in."

Those folks are now fairly high in the Foreign Service and are sincere, decent and honorable men, who honestly believe America is best served by feeding the crocodiles, as Winston Churchill said of appeasement.

Mr. DORNAN of California. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I am glad to yield to the gentleman from California.

Mr. DORNAN of California. I appreciate the gentleman yielding, because I took exception to this letter in the well yesterday when it first came into my possession. I felt a little bit lonely doing that for a very few minutes, because shortly thereafter the gentleman approached me and said, "I'm glad you brought up this letter with its inconsistencies. I feel the same way."

Now, having been out on the campaign trail for the President in 1980 in over 13 States, crossing paths many times with my distinguished friend from Pennsylvania [Mr. WALKER], I had a chance to observe Ronald Reagan at his very best, speaking out for freedom.

I maintain, I say to the gentleman from Georgia [Mr. GINGRICH], that President Reagan would never be able to read that speech off a teleprompter in the flesh. He certainly would never sign off on it if he read it before it was put on a teleprompter. He would never be able to utter the words in this letter to the gentleman from Oklahoma [Mr. MCCURDY] with conviction and he would blue-pencil it, as he does many of his speeches when he transposes them into his own words and thoughts.

He had been traveling around the country—I was a little bit late to the gentleman's special order, perhaps he has already said this—campaigning for Republican Senators just in the last few days, saying that henceforth he would use the word Communist, not Sandinista; that he had decided that he would call them precisely what they are, the comandantes in Managua.

Suddenly, here comes this important letter on the eve of today's wonderful debate and all of a sudden he falls back to the use of the word Sandinista and not once in this three-page letter do we see the word Communist, and then we see the sentence that I called attention to in the 1-minute speech yesterday. By the way, it will appear in the Extensions of Remarks tonight again. I called attention to this line where only applying pressure, and I unfortunately flashed on the agony of the late sixties when President Johnson applied a little bombing here, applied a little bombing there, start the bombing, start the bombing, put in some more troops, put in another division here, another battalion there, send some more Vietnamese boys over here to aircraft mechanics' school, send them back into combat, back and forth; pressure, pressure, pressure; always unevenly applied for one purpose, to bring Communists to the negotiating table, which they have every intention to use particularly cleverly in 4-year presidential cycles to deceive us, lie to us, and secure by invasion in the end after we had pulled out and established a decent interval their Communist conquest of the first three unfortunate countries of Southeast Asia.

Now, I know this is not Ronald Reagan. This is not vintage Reagan. It is not last year's Reagan on the campaign. It is not the President Reagan of today when he meets with our leadership or wavering Democrats down there in the Oval Office or in the Cabinet room.

This letter, I maintain, was totally written by people at the U.S. State Department, that it was shoved past him on the busiest desk in the free world and he signed off on it to get the vote today, to get some aid down there to what he calls freedom fighters, men

and women who are dying on the North American continent for the liberty of all of us.

I think some of our colleagues on the other side of the aisle were coming very close to a proper criticism when they say that we are giving them mixed signals about applying a little pressure here, a little pressure there.

What we want is freedom and free elections in Managua. We want that jewel of a nation in all of Latin America, Costa Rica, not to have its young soldiers, its young policemen, they have no soldiers, killed in firefights which they have not had since the late 1940's.

I appreciate the gentleman calling to the attention of this House some of the peculiarities of this letter and I want anybody, any FSO or any Deputy Secretary or anybody at the State Department to convince me that their school of accommodation has convinced Ronald Reagan that we merely are looking for a little pressure down there and not a total victory or freedom, which frankly means Ortega, Arce, Borge, Lopez, the whole nine gang on a boat for Cuba, because unless they are killed by a freedom fighter somewhere in that country they will have to leave and repair their cause in some other Communist capital where hopefully they will die in exile.

□ 2110

They are never going to submit themselves to a free election process, and Ortega told it very clearly to Mr. ROBINSON of this body and Mr. LAFALCE and some others when they said "Will you stop exporting revolution?"

I had been misinformed that he said no to them. LAFALCE said it was even worse, he did not even give them the courtesy of an answer. He just stared at them in total silence and would say nothing, and later he said, "We won our revolution here, we are not going to jeopardize it."

Translation: Elections jeopardize Communist regimes.

And having just returned from Ethiopia where a gang of, a handful of men, not more than 3 or 4 dozen thugs control a country; it suddenly struck me, and I am going to put it in the form of an axiom that will stay with me the rest of my life, that when thugs take over a government and they have no intention of holding an election or of giving up their raw, naked power, all they have to do to get respectability in the left-wing corners of the world, and even in some corners of this Chamber is to suddenly declare that they are Marxists. Then suddenly they are plugged into worldwide networks that never require elections, where they have respectability, a pretty good arms supply coming from the Kremlin through various capitals, and when they travel around the world they get received even by Western leaders as the duly appointed, sometimes they slip and say "elected" as they have their phony Communist one-party elections, elected government of a country. Thugs are thugs, and when they do not even know anything about Marxism, as in the case of Mr. Mengistu Haile Marian, by declaring themselves Marxist they get this phony respectability, and that is what Ortega wants, is a respectability born in a phony claim that somehow or other he will have elections, yes, if there is only one party running, as Mr. Gorbachev will subject himself always to that type of phony election.

Mr. GINGRICH. Let me, if I may, say that the very distinguished gentleman from California is, of course, a man who has a long acquaintance with President Reagan, and who also is a true expert on foreign policy.

Let me first of all ask the gentleman to make sure that he checks the spelling of the variety of names he is using, because as a former history teacher I want anyone who reads the CONGRESSIONAL RECORD to learn the correct names.

But I want to pick up on a point you just made, because I think it is fascinating. It fits something. I had a German diplomat once tell me, who had served in a Marxist Communist country, he said it was amazing to him that 200 or 300 people using a Leninist centralized party dictatorship, and using secret police, can run a country of several million. And the point you are making in part as it relates to Mengistu and to some of the thugs that take power is if all you do is seize power at the point of a gun and drive around in a Mercedes, you are then seen as a corrupted dictator. But, on the other hand, if you seize power at the point of a gun and you drive around in a Mercedes and you carry a Marxist book, then you are an enlightened ruler who is desperately trying to improve the lot of your people. But in fact you have not changed at all, you have just gotten a little better at PR.

Mr. DORNAN of California. It is ever so slightly more complicated than that, and I will use Addis Abbaba and Ethiopia as an example, not a former colonial power, no cop-out there, one of the oldest nations in the world, and a charter member of the United Nations back in 1945. Here is what they do there: Yes, they ride around in the Mercedes, and I saw those, by the way, and they carry the little book, and they put up a flag and they put the hammer and the sickle in the corner of the national flag. But there is one other thing. You have to get some signmakers, and they have to put up a big, gigantic billboard with a picture of Marx, Engels, and Lenin, and on the other side of the main square where they have their rallies, and in Addis Abbaba in Ethiopia you put up a big picture of Mengistu raising the clenched fist in the Communist sign of brotherhood, and those signs suffice and then you have a few slogans around, and they are in English, by the way, which is interesting since they have their own native language here, but they know that this is the way to reach most of the people, not in Italian. But the British were the ones that came as the liberating forces. They have it throughout and they put the billboards and use words such as "Congress," the "Congress of the Brotherhood for Peace and Humanity" against the capitalist world, and if you are using some language like that, with the big signs, and you put up the flag with the hammer and sickle in the corner of it, then that is it, the thugs reign forever.

Mr. GINGRICH. Let me add that the other big advantages of becoming Communist dictators instead of just dictators is when you become a Communist dictator you get the loans of the Cuban, Bulgarian, East German, Soviet and Vietnamese security.

Mr. DORNAN of California. And a couple of PLO.

Mr. GINGRICH. And a couple of Palestine Liberation Organization terrorists. But the important part is if you are a dictator, your secret police get trained by the best secret police in the world, and you may then, if you are a fortunate dictator, be loaned 50 or 100 of the East German security policemen, or a couple of hundred Cuban security policemen, so if you know any of your local friends who are deciding that they want to become the dictator, then you can rely on your Communist brother from some foreign country to shoot them. And this is really a problem because in terms of Western analysis of U.N. votes and Western analysis of how do we negotiate with the dictatorship, once you understand that the local dictator's primary way of staying in power is keeping the Soviet control, who run the East German and Cuban police happy, you begin to understand how that dictator will vote in the United Nations, because if he were to suddenly break with the Soviets his replacement dictator the following week—and if anyone doubts that, look at Afghanistan—his replacement dictator, because he will be killed by East Germans or Cubans, or if necessary, as in the case of Afghanistan, the Soviets will come in occasionally and do it themselves, they then will make sure that the new guy understands who is going to be really in charge when it matters.

Now let me suggest, if we can go back to the so-called Reagan letter, to the two Congressmen, that the central problem illustrated by the language of the letter is the State Department Foreign Service version of reality. And

as the gentleman was saying about Reagan campaigning across the country, I had to look back again at the May 27 speech in Florida where the President said, "Republicans know it is strength, not weakness, that will ensure the peace. We are fully aware of the threat communism poses to human freedom."

Let me suggest respectfully to the President that very few people in the State Department intellectually share his world view, that very few people in the State Department would really say yes, as he put it, strength, not weakness, will ensure the pace. And very few people in the State Department are fully aware of the threat communism poses to human freedom.

The President went on to suggest, "The opposition often acts like a weaker America is a safer America," a view he obviously disagrees with.

Let me suggest respectfully to the President that there are many in the State Department who behave functionally as though America's weakness is irrelevant in deterring the Soviets, or the Cubans, or other Communists. And let me suggest to the President that while the Founding Fathers were brilliant in giving us the process of free elections to take care of this House and the other body and the Presidency, that in the 100 years since the original Civil Service Act, we have invented no mechanism for reforming the great bureaucracies, that the bureaucracy of the State Department has an intellectual tradition which goes back to George Kennan, a man whose commitment to appeasement can best be remembered in his memoirs of 1938 in which, as an attache in Czechoslovakia he recorded how lucky it was for the Czechs that the Germans took over without bloodshed, how fortunate it was for the Czechs that while they would live in slavery, at least their young men would not die in a war. And it is only when you understand George Kennan's deep commitment as a young man, as a young diplomat in Czechoslovakia, applauding Munich, regarding Munich as a positive action by Chamberlain, regarding appeasement as a positive step that you can appreciate that there is a long and deep tradition in the American State Department, and in the Foreign Service that believes any negotiated peace is preferable to conflict.

Now it is peculiar to be standing here in the House of Representatives Chamber with George Washington's portrait on the one hand and the Marquis de Lafayette's on the other, a Frenchman who would, by the way, have been ridiculed by many of the ostriches in this House as a foreigner who went off to fight in a distant land, presumably because he was under-employed in France. Clearly Lafayette is proof that anybody would show up in America and fight for freedom. And, in fact, if you would take statements from today's debate and read them with Lafayette in mind, you would wonder what the reaction of the American ostriches would have been to freedom fighters like Von Steuben and Lafayette, who came to America to fight for freedom.

Washington, of course, believed in freedom rather than peace to such a degree that he fought a war which clearly could have been compromised at any time by accepting the British Government. For 8 long years Washington stayed in the field of the Continental Army when he could have given in at any time.

Had Washington read this letter he might have decided that bilateral negotiations made sense and, after all, the British would not have confiscated Mt. Vernon. They would have negotiated an agreement where he could have remained a good colonial, and they would have allowed him to pay his back taxes and also remain free.

Mr. DORNAN of California. If I can just add a little bit of pressure here, let me add the pressure that a little pressure at Saratoga, a little pressure here, and finally a little pressure at Youngstown, just to get to negotiate and see if Lord North finally would not listen to reason, and we would be good colonies here again.

□ 2120

Mr. GINGRICH. You see, the problem my distinguished friend from California [Mr. DORNAN] does not recognize is that you, sir, are a rightwing barbarian. You actually value freedom enough you would fight for it; you actually think the freedom of Nicaraguans relates to you; you actually think there are lessons to be learned in Vietnam. You would never be allowed to serve in the foreign service because you clearly do not understand the primary goal of America, which is a negotiated armistice at almost any cost. In that sense, let me suggest to the President that if he will go back and reread his speech of May 27 and he will read the letter sent to Congressman MICHEL and Congressman McCURDY and ask himself a second level question: If his foreign service staffers could write a letter that is this fundamentally misleading in terms of his values, his analysis, his words, what does that tell him about the underlying policy mechanism? If they cannot bring themselves to use the word "Communist" maybe they do not believe Mr. Borge. If they cannot believe, themselves, to describe clearly what is going on in Central America, maybe that explains why the Contadora process has not been working, maybe that explains why the bilateral negotiations were a disaster; maybe it becomes to be clear why the State Department and the National Security Council are having such a difficult time walking through this.

Finally, the President might then say to himself: What kind of personnel are we getting around here? Why is it that over the last several years there has been a systematic effort to eliminate people who supported Ronald Reagan for President in every foreign policy position in both the State Department and the National Security Council and the tendency to replace them with Foreign Service officers? What does it mean if the Reagan world view, which is based, as he said in Florida, on strength, on a fear of communism and a willingness to be committed to preserve freedom, to help friends of freedom across the planet; what if that world view is being replaced by the George Kennan appeasement-feed-crocodile world point of view? What if each successive Foreign Service officer appointment is not an increase in technical competence but an increase in the tendency to appease? Because, and let me suggest finally to the President, the most frustrating thing as a supporter of his here in the House: There is an enormous body of ostriches in the U.S. House of Representatives, people who bury their heads in the sand and hide from communism at almost any cost. There are a considerable number of bureaucrats downtown who see as their major job the feeding and care of ostriches. Anytime somebody suggests why don't we stand up and fight, and I suggest again look back 4 weeks ago, there were people in the State Department 4 weeks ago who were upset because we defeated a clearly phony bill on Central America. There were people that night who called Republican leaders in this body and said, "Why didn't you pass anything? Please why don't you pass something?" They were shocked at the idea of confrontation because the same psychology which makes it hard for them to confront the Soviet Union, which makes it hard for them to confront Cuba, which makes it hard for them to confront communism in Nicaragua, that same psychology makes it hard for them to confront ostriches in the U.S. House. So rather than confront the ostriches they want to basically nurture them and care for them, and they were shocked at the idea that if we would work for a month we could pass a dramatically better bill.

I yield to the gentleman.

Mr. WALKER. I thank the gentleman for yielding.

What gets disturbing is that they actually from time to time ally themselves with ostriches knowingly. The gentleman will remember a matter of a couple of weeks ago, the gentleman from Michigan [Mr. BROOMFIELD] brought an amendment to the floor which suggested that the Soviet Union

ought to apologize to this country for the shooting of Major Nicholson in East Germany. And if they did not, that the action of the United States ought to be to throw the Soviet Ambassador out of this country. Now that is not an unprecedented action. There are many nations around the world, for matters far less than the shooting of an unarmed soldier, have thrown the Soviet Ambassador out of their country. So it is not an unprecedented action in any way. That particular amendment by Mr. BROOMFIELD passed overwhelmingly in this body. However, there are approximately 100 ostriches who decided that that was totally unacceptable, that we ought not have such a drastic action against the Soviet Union. Imagine that, all they do is shoot someone and we will not take the diplomatic action of throwing their Ambassador out of the country.

Those 100 ostriches, however, found a supporter. The supporter was in the U.S. State Department, who immediately issued a press release saying that they thought it was a bad amendment, too.

Now, the question is, you know, whether or not that really reflects the world view of Ronald Reagan. I doubt it does at all. I think that that was something done by State Department personnel on their own and reflects the fact that they have a working relationship with the Soviet Ambassador that they do not want to lose, and that is far more important to them than the foreign policy interests of this country or even the moral question that faced this country at that time.

Mr. GINGRICH. I would suggest to the gentleman that in 1981 when you and I were here trying to help the country understand the Iranian hostage crisis and the Soviet invasion of Afgahanistan and President Carter was not particularly helpful in explaining all of that, that had the ranking Republican on the Foreign Affairs Committee, Mr. BROOMFIELD, of Michigan, offered an amendment in a similar setting and had President Carter's State Department repudiated that amendment, that candidate Ronald Reagan on the campaign trail would have ridiculed the State Department, so weak-kneed that when an American major is killed and no apologies offered, that it cannot even expel the Ambassador, that in fact candidate Reagan would have said clearly the Republicans in the House are right and clearly the bipartisan majority of some over 300 Members that voted in favor of expelling Dobrynin, were right. So I would say to the gentleman that it seems to me that in this case, in case after case it is the State Department and the foreign service professionals who systematically fail to educate the country.

I noticed today that our colleague from New York, Mr. ECKERT, a man who has been an Ambassador and has recently done a great deal to enlighten all of us to the fact that all around the world it is fairly routine to throw out Soviet diplomats. He listed country after country in a recent article in which Soviet diplomats were thrown out for spying or for other violations; that the proposal to throw out the Soviet Ambassador to the United States if they would not apologize for killing an American major was not unusual.

Mr. WALKER. If the gentleman will yield, one has to wonder also whether or not the action of ordering the assassination of the Pope is regarded by people in this body as being sufficient reason that we might throw out a Soviet Ambassador. Maybe not in this country, but certainly the Italian Government and so on might want to consider that as an appropriate action. And my guess is that the State Department and some of our ostrich friends would find that abhorrent, despite the fact that we are now getting information coming out of the trial in Italy that that is precisely what the Soviet Union did, and you have a whole series of actions, none of which are serious enough or even combined, which are serious enough that the ostriches in this body believe that we should take even the minimal action of perhaps asking the Soviet Ambassador to leave.

Mr. GINGRICH. Let me suggest, if I may carry on the point my friend is making, we had a similar clear incident with the trip of Ortega to Moscow. A number of ostriches were shocked that the morning after this House defeated an effort to help the freedom fighters a month ago, the following morning Ortega announced as a Communist in Nicaragua he would visit his fellow Communists in the Soviet Union.

Now, what was interesting to those of us who have been following the Nicaraguan Communists was that that was his seventh trip to the Soviet Union. Ortega visited Moscow in April of 1980, in May of 1982, in November of 1982, in March of 1983, in February of 1984, in March of 1985, and in May of 1985.

□ 2130

Yet suddenly people were shocked, but I am not so sure I fully blame ostriches in this House for being shocked, if in fact the American State Department cannot get its act together and explain what it is doing.

If the American State Department cannot use the word "Communist" to describe Cuba or the Soviet Union or Nicaragua, then probably the American State Department was not briefing anybody up here on the Communist network that was propping up a Communist dictatorship, and the American State Department probably was not briefing the news media. The American State Department probably was not coordinating academic research into communism, and there is little wonder that a foreign service which cannot bring itself to follow its President's directives, and within 2 weeks of his saying publicly and explicitly he would not use the word "Sandinista" but would use the word "Communist," finds it incapable of writing the word "Communist."

It is little wonder that that State Department would have a hard time educating the American people or their elected officials or the news media.

Mr. WALKER. If the gentleman will yield, one of our colleagues in the other body, reflecting upon the Ortega trip, was somewhat chagrined at some of his fellow liberals, that they were surprised by the trip, and he made the statement of, where did they think he would go, Disneyland?

Well I think from what the gentleman is saying, that there may in fact be some people in the State Department and this body who believe that maybe he would pick up and go to Disneyland.

Mr. GINGRICH. I think, though, that all too many foreign service officers, who have spent a professional career avoiding studying Leninism, avoiding studying the nature of the KGB and the Soviet Secret Police, avoiding thinking about how evil the Soviet system is, avoiding thinking about the nature of Castro and the failure of economic sanctions against Cuba, avoiding thinking about the lessons of North Vietnamese Communist toughness; and those folks then sit there in the State Department with 20 years of knowledge avoidance as their track record, and you cannot really expect them to be very accurate about what is going to happen.

What bothers me is, the one thing they are good at is manipulating power, that they are far more successful at bureaucratic infighting inside the United States than they are at stopping communism across the planet.

What we have seen for the last 6 months is a systematic effort by the senior foreign service to purge anybody who is pro-Reagan, both from the National Security Council and from the State Department, and to replace them with Foreign Service professionals who are good, decent, well-meaning and amazingly ignorant of the nature of communism.

So in closing I just want to say to the President, what while you should celebrate a temporary victory this evening, you must recognize that your administration's bureaucracy is seriously committed to goals other than yours; that it does not believe in the language you believe in; it does not

share the analysis that you have; and that unless you force that bureaucracy to reform itself, unless you impose change in that bureaucracy, it is very unlikely that you will be able to educate the country or the news media or the elected officials who have to come back again and again and vote on these issues.

The next time, I would say to the President, that you are concerned about why your message is not getting across, do not look down to the news media, do not look up to Capitol Hill. Look instead across your own National Security Council offices; look instead to your own State Department, and ask yourself: Why is it the civil service I have been elected to run finds it so difficult to listen to my instructions?

H.R. 2734, NATURAL GAS CONSUMER SUPPLY AND MARKETING ACT

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

● Mr. DANNEMEYER. Mr. Speaker, I am pleased to introduce a natural gas bill with my friend and colleague, the gentleman from New Mexico [Mr. RICHARDSON]. We are joined by bipartisan cosponsors: Messrs. BROYHILL, DOWDY, FIELDS, RALPH M. HALL, OXLEY, SCHAEFER, SHELBY, and WHITTAKER. Together, we are a majority of the Energy and Commerce Subcommittee on Fossil and Synthetic Fuels.

My longstanding interest in natural gas policy stems from the strongly held philosophical belief that competition is the best guarantor of the public interest. The history of natural gas regulation offers a plethora of examples to support the proposition that competition, not controls, brings about more desirable results in practice, as well.

In production, this means supply and demand, rather than federally imposed maximum prices, should determine how, when, where, and at what price natural gas is sold. We need only look to the winter of 1976–77, when controls held prices artificially low and produced a shortage, and to recent times, when prices were artificially high, to see that they distort economic decisions. Purported benefits are far outweighed by inevitable costs.

In transportation, increased competition will facilitate use of market signals rather than regulation in purchasing practices.

As of January 1, 1985, about one-half of flowing natural gas is free of price controls, due to the Natural Gas Policy Act of 1978 [NGPA]. But, that means the other half is still under price regulation. Consumer access to cheaper supplies will be forever blocked as long as these controls are in effect because they fail to provide incentives to maximize production from existing fields.

The second report of the Department of Energy under NGPA, section 123, submitted to Congress in January confirms the unfinished natural gas agenda for us to address. In a letter accompanying it, then-Energy Secretary Hodel wrote:

> This second report concludes that NGPA wellhead price controls, restricted access to interstate pipeline capacity, rising transmission margins, and regulatory restrictions on gas-on-gas competition are holding natural gas prices at artificially high levels.
>
> Only under comprehensive deregulation, which includes the deregulation of all wellhead prices, mandatory contract carriage, and the repeal of demand restraints, will an efficient equilibrium between supply and demand be achieved and maintained.

The bill is consistent with these conclusions and President Reagan's recommendation in the State of the Union Address in February that Congress complete the deregulation of natural gas.

NATURAL GAS WELLHEAD PRICING

The pricing provisions gradually move from a half-regulated, half-deregulated wellhead market to a free market.

The bill would decontrol natural gas still under controls: First, as the individual contracts under which specific volumes are sold expire; second, as contracts are freely renegotiated between buyer and seller; third, as production enhancement techniques are applied, the additional volume over what would otherwise have been produced, is decontrolled; and fourth, as infill drilling is undertaken to maximize efficient ultimate recovery.

Specifically, the bill keeps price controls on "old" gas which would be produced under existing contracts while removing other ceiling prices. "Old" gas ceiling prices would be removed very gradually, with the expiration of contracts. This is estimated to occur at a rate of less than 10 percent each year. Once contracts expire, parties should be free to bargain on price and nonprice terms. A buyer's market and competition at the burner tip with alternative fuels will discipline parties to reach reasonable terms.

In addition, the bill decontrols increased, or marginal production, from old gas wells due to production enhancement. It also facilitates greater infill drilling. There is ample data to support the view that significant volumes of lower-priced natural gas will be denied to consumers and the country if this is not done. The Office of Technology Assessment, in a February 1984 report, put the figure at 19 trillion to 38 trillion cubic feet; the Department of Energy concluded it would be 8.4 to 11.1 trillion cubic feet; ARCO calculated 38 trillion cubic feet; and Shell Oil Co. stated it would be up to 52 trillion cubic feet.

Title I also repeals the NGPA authority which permits reimposition of controls on those categories which were decontrolled on January 1, 1985. This would be counterproductive and represents, at best, an unhealthy element of uncertainty.

When it comes to pricing, there are those who focus on the short run and argue incentives are not necessary because supplies are plentiful today. In some cases this view is espoused by those who signed contracts in the late 1970's and early 1980's for large volumes of expensive natural gas with very onerous contract terms when supplies were tight. They were wrong to focus on the short term then, and they are wrong to do so today. They are also the forecasters who predicted a price "fly-up" upon partial deregulation this past January 1, which did not occur.

Policies implemented now will do nothing to change supply and demand today even if we wanted to do so. Rather, changes will impact future market conditions and are necessary to assure domestic production at affordable prices for the balance of the decade, indeed for the balance of the century.

As one who represents a State, California, which is not only a net consumer of natural gas, but is served by pipelines with large reserves of old gas, I am sensitive to price consequences. I could not, and would not, support these provisions if I did not honestly believe they would bring forth production at prices lower than would otherwise prevail.

TRANSPORTATION AND ACCESS

The traditional structure of the industry has been for pipelines to purchase gas from producers and then resell it to local utilities. In short, pipelines both purchases gas and transport it. This is in contrast to oil pipelines, for example, which as common carriers simply provide transportation service. Several years ago, many in the private sector and in Congress began to look at how to increase competition through greater access to transportation so utilities or end users could assemble gas purchasing packages rather than rely on those negotiated by pipelines. Thus was born the concept of contract carriage.

No one doubts that the era of competition is upon us and that pipelines are undergoing considerable change during a transition to the market realities of competition from other pipelines and other fuels.

Industry has responded with interesting proposals of its own to keep and increase market share. Renegotiation with producers has mitigated potential problems from contract terms which could not be sustained in the midst of excess supply deliverability. New marketing strategies abound and several

pipelines are competing for new natural gas markets, such as the enhanced oil recovery market in California. Pipelines report that voluntary carriage, in which pipelines transport gas, not owned by itself, for others on their own is on the rise. More, however, can and must be done.

The bill would create a system of mandatory contract carriage as an addition to traditional pipeline service. Pipelines would be required, upon request of a shipper, to transport gas to the extent of available capacity. Capacity would be presumed to exist and a pipeline would have the burden to prove otherwise. Transportation rates would be flexible and cost-based.

Nothing in the bill would require facilities of local distribution companies to be used for carriage involuntarily. Further, no pipeline would be permitted to serve directly a customer of a local distribution company unless it proved such service would not adversely affect other customers served by the local utility. State regulators could attach terms and conditions to any direct service, which would include bypass fees.

Our aim in seeking to require transportation for others is clear and simple: to promote competition in the buying and selling of natural gas. The industry is a long way from achieving an equilibrium of supply and demand. A continuing imbalance creates a temporary oversupply at higher prices than we think we should pay.

The Federal Energy Regulatory Commission has taken major constructive steps in the right direction on transportation this year, first with an in-depth "Notice of Inquiry" and recently with a May 30, 1985, "Notice of Proposed Rulemaking." The latter, running 200 pages, catalogs the conditions which require our attention:

One. Many interstate pipelines have contracted for more gas supply than can be marketed at the prices set forth in those contracts.

Two. Producers of gas, responding to very high prices for small supplies of deregulated gas, have developed new supply sources of gas. But since the market could not absorb these quantities at prevailing prices, a surplus has been created, resulting in many wells being shut in and in producers, particularly independent producers, seeking alternative markets for their gas.

Three. Pipelines have sought alternative markets, as well, and sought out new customers. But the existing customers of the pipelines have been concerned that so-called off-system sales would effectively transfer to the new customers a portion of the economic rent associated with old, price-controlled gas.

Four. Purchasers of natural gas, seeing the availability of supplies in the field at prices below the rolled-in average cost of all gas, have sought to purchase gas in the field and receive it instead of the supplies which the pipeline has obtained under the now-uneconomic, long-term contracts.

Five. The pipelines have generally expressed a reluctance to provide this transportation.

Six. A number of key aspects of the existing contractual arrangements in the industry from wellhead to city gate ended in large part to allocate to the buyer the risk that the supply of the commodity might prove unmarketable at some point over the life of the contract. As a result, the average delivered price of gas has been slow to adjust downward to transmit price signals more accurately that would help increase consumption and absorb the available excess supply.

Seven. This situation is resulting in a very large loss to the American economy in terms of net economic efficiency. In concrete terms, this has meant a drag on competitiveness of American products in world markets, lost jobs, lost production, and unnecessarily high energy costs to all consumers. It has contributed to distortions in the financial markets and to the inefficient allocation of scarce investment capital by encouraging the overinvestment in what now appear to be uneconomic energy supplies.

Eight. As a result, it appears that the current regulatory principles now tend to result in rates for the jurisdictional sale or transportation of natural gas that may not be the lowest reasonable rates consistent with reliable, long-term supply.

The premise of mandatory contract carriage is that would-be buyers and sellers must be reasonably assured of transportation to facilitate direct sales. Unfortunately, in today's natural gas industry, there is no assurance that a buyer can transport gas it wishes to purchase. This is because some pipelines may choose not to transport gas bought and sold by others.

The proposed FERC rulemaking indicates that we are not alone in seeking greater access to natural gas transportation and hence to gas markets. The Commission is to be commended for its leadership in this area. Given the importance of this issue to the future of the industry, we believe that pursuing a common goal of competitive transportation should be pursued on two tracks: one in the Congress and the other at FERC. Subcommittee hearings will provide a forum to explore what FERC has proposed and public comments on it.

While the proposed rulemaking is confined to transportation, the bill addresses pricing and repeal of demand constraints, among other issues. Furthermore, the industry and the Commission operate within the statutory framework set forth by Congress. Given changes in the industry and the marketplace, it is appropriate for Congress to reevaluate the existing framework.

OTHER PROVISIONS

Title III repeals portions of the Fuel Use Act and the incremental pricing title of the NGPA. Both were enacted on the erroneous assumption the sky was falling in and that we would suffer inevitable shortages due to a lack of energy resources.

Title IV covers pipeline and affiliate transactions. This is to avoid potential conflict of interest when an interstate pipeline sells to an affiliated distribution company, Hinshaw pipeline, or intrastate pipeline, or when an interstate pipeline purchases gas from an affiliated producer.

Title V invalidates contract or tariff requirements, such as mimimum bill and minimum purchase provisions, which require a purchaser to pay for gas not taken. These provisions exist between pipelines and local utilities. They restrict competition by causing purchasing to be made on other than price, which is a disincentive for pipelines with high minimum bills to keep prices down since they guarantee a certain percentage of sales.

We welcome public comment on our proposal and look forward to its consideration in the 99th Congress.

EXECUTIVE SUMMARY TO SECTION-BY-SECTION ANALYSIS OF RICHARDSON-DANNEMEYER NATURAL GAS SUPPLY AND MARKETING ACT

Title I eliminates wellhead price regulation for all natural gas except "old" natural gas. For old natural gas, decontrol would occur as the contracts applicable to such gas which contain definite terms expire. Decontrol of old natural gas would also occur to the extent gas is produced from enhanced recovery methods. The bill decontrols old natural gas if the contract is renegotiated after the date of enactment. Finally, gas produced from infill drilling would be decontrolled.

Title II provides for a comprehensive system of mandatory contract carriage. A pipelines would be required to transport gas, if it has available capacity, upon request of a shipper. Available capacity, moreover, would be presumed to exist. The pipeline's obligation to serve would be reduced to the extent transportation replaces sales. Nothing in the bill would impose a transportation obligation on local distribution facilities.

Title III repeals those sections of the Powerplant and Industrial Fuel Use Act that constrain the use of gas by utilities and large industrial users. Incremental pricing requirements would also be repealed.

Title IV prohibits certain self-serving transactions between interstate pipelines and their affiliated suppliers and customers. Take-or-pay payments to affiliated producers would be forbidden.

Title V disallows any minimum bill or charge of any kind that requires a purchaser or shipper of natural gas to pay for cost not incurred by the pipeline if sales are not made or transportation is not provided.

NATURAL GAS CONSUMER SUPPLY AND MARKETING ACT

TITLE I—WELLHEAD PRICING PROVISIONS

Section 101 eliminates wellhead price regulation of all natural gas, except for "old" natural gas. This is accomplished by repealing section 121 of the Natural Gas Policy Act, subtitle A, respecting the maximum lawful price for the first sale for resale of any natural gas, except for section 104 (old interstate gas), section 106 (old interstate and intrastate gas being sold under rollover contracts) and part of section 105 (old intrastate gas).

This section provides for the decontrol of old gas as the contracts applicable to such gas expire. Any natural gas not subject to a contract as of the date of enactment of this legislation would be decontrolled upon enactment.

This section also decontrols natural gas produced as a result of using specified production enhancement procedures. The amount of gas thereby decontrolled is to be determined in the first instance by the state regulatory agency involved. The Federal Energy Regulatory Commission may review a state determination. The buyer of gas that the well would produce without the application of production enhancement technology ("unenhanced gas") has the first option to purchase the "enhanced" natural gas. If, after 30 days, that option is not exercised, the enhanced natural gas may be sold to another buyer. The buyer of unenhanced natural gas from the well has an obligation to transport the enhanced gas if the buyer has facilities available to do so.

This section decontrols natural gas sold under a contract: (1) which the buyer and seller have renegotiated after the date of enactment; and (2) which expressly acknowledges the parties' intention that the contract be treated as a renegotiated contract for purposes of this Act.

Subsection 101(a) decontrols natural gas which is under existing contract and is produced from any well the surface drilling of which commenced after the date of enactment and which meets certain spacing and proration unit requirements contained in the Natural Gas Policy Act. The buyer would have the first option to buy this gas.

Section 102 repeals the provisions of the Natural Gas Policy Act allowing until June 30, 1987, the reimposition of price controls over natural gas deregulated January 1, 1985.

Section 103 eliminates certain Natural Gas Act nonprice controls regarding the dedication and abandonment of natural gas decontrolled by this Act.

TITLE II—TRANSPORTATION AND ACCESS

Section 201 sets forth a comprehensive system of mandatory contract carriage.

Application

In general, a pipeline shall, on written request, transport natural gas to the extent the pipeline has available capacity.

Subsection (a) provides that this section shall not apply to any pipeline, except an interstate pipeline if the State commission having regulatory jurisdiction over such facilities certifies to the FERC that it has and will exercise the authority to require such systems to file transportation tariffs and to transport natural gas without discrimination. If the State has not provided such authority to its regulatory commission, the Federal authority provided herein may be delegated to the State, in whole or in part.

Nothing in this section imposes any transportation obligation on local distribution companies.

Capacity to transport

A pipeline shall be presumed to have available capacity unless such pipeline's total capacity is necessary to serve its then existing customers. If a pipeline does not have sufficient total capacity to satisfy all its obligations, the Commission, by regulation, shall provide that any allocation of capacity be on the basis of the priorities promulgated under the Natural Gas Act for use in supply shortages.

Adjustment of transporting pipeline's obligations

If a contract carriage user does not wish to maintain standby supply service from the transporting piepline and elects to reduce the level of service it receives from the pipeline, the pipeline's obligation to serve is reduced accordingly. Moreover, the FERC, by rule or order, shall provide that for the two-year period following the date of enactment, a transporting pipeline may elect not to take delivery of, or pay for, a volume of natural gas necessary to offset any reduction in volumes of natural gas sold by the pipeline due to its transportation activities under this program.

If a contract carriage user wishes to reestablish supply service from the pipeline, the pipeline shall attempt to reestablish such service. A pipeline shall not discriminate against a former contract carriage customer which seeks to become a system supply customer. The FERC shall provide further guidance as to the terms and conditions under which reestablishment of service is to be done.

Special rule regarding local distribution company bypass

Any request by a consumer to interconnect directly with an interstate pipeline and to cease being a customer of a local distribution company shall be denied by the FERC unless it is satisfied that such interconnection is in the public convenience and necessity and that no one then served by the local distribution company would suffer any adverse impact by reason of the interconnection. The State commission having jurisdiction over the local distribution company in question may impose such additional conditions as it sees fit and is authorized to do.

Miscellaneous procedures and reports

Requests for transportation are to be self-executing. All questions regarding capacity are to be resolved by FERC within 45 days after an objection to a transportation request is lodged.

Each pipeline subject to this section shall publish separate, nondiscriminatory tariffs for the transportation, storage and gathering of natural gas.

As appropriate to further the purposes of this Act, FERC may require a pipeline to expand its total capacity. Every six months, pipelines shall file reports describing: (1) their total capacity; (2) their available capacity, and (3) indicating the location and expected duration of such available capacity.

No pipeline subject to this section shall discriminate against unaffiliated shippers of natural gas.

Subsection (b) requires FERC to make recommendations to the Congress in two years regarding possible improvements in the operation of this contract carriage program.

Subsection (c) provides that no shipper shall be subject to the jurisdiction of the Commission by reason of any activity pursuant to this section.

Section 202 authorizes the sale, transportation and assignment of natural gas by pipelines on behalf of anyone. (Current law restricts some of these transactions to particular users and particular supplies of natural gas).

Section 203 allows inter and intrastate pipelines, as well as any other purchaser, equal access to all natural gas supplies.

TITLE III—REPEAL OF FUEL USE ACT AND INCREMENTAL PRICING

Section 301 repeals those sections of the Powerplant and Industrial Fuel Use Act that constrain the use of natural gas by utilities and large industrial users.

Section 302 repeals incremental pricing requirements.

TITLE IV—PIPELINE AND AFFILIATE TRANSACTIONS

Section 401 prohibits an interstate pipeline from selling excessive quantities of higher priced natural gas to an affiliated intrastate pipeline, Hinshaw pipeline or local distribution company when lower-average-priced, natural gas is available for purchase from unaffiliated interstate pipelines.

Section 402 requires the FERC to prescribe regulations under which it shall not permit any interstate pipeline to recover the costs for natural gas purchased during periods when the pipeline takes delivery of less than the contracted amounts of natural gas tendered by any unaffiliated seller and: (1) the pipeline takes a greater contractual percentage from an affiliated seller than it takes from an unaffiliated seller of natural gas at the same price; or (2) it takes an equal contractual percentage from an affiliated seller and from an unaffiliated seller of lower-priced natural gas. In implementing this section, the Commission shall not penalize any pipeline for purchasing practices dictated by events beyond the pipeline's control.

Section 403 directs the Commission to prohibit any interstate pipeline from recovering any costs for, or collecting any rate of return on, take-or-pay payments made to its own or an affiliated production company.

TITLE V—MINIMUM BILL REQUIREMENTS AND RESTRICTIVE TARIFFS

Section 501(a) invalidates any contract or tariff requirement to the extent it requires a purchaser of natural gas from an interstate or intrastate pipeline to pay for costs not incurred by the pipeline if deliveries to the purchaser are not made.

Subsection (b) invalidates any provision in any interstate pipeline tariff, rate schedule or service agreement that, directly or indirectly, prevents purchases or deliveries of natural gas from other suppliers. A purchaser may be required to pay costs to the pipeline for facilities and services used by the purchaser.

TITLE VI—SAVINGS PROVISION AND EFFECTIVE DATE

Section 601 provides that nothing in this Act shall affect any contract that is not a contract for the first sale for resale of natural gas.

Section 602—This Act shall take effect on the date of enactment, except as provided otherwise.●

● Mr. RICHARDSON. Mr. Speaker, yesterday I joined with my friend and colleague, Mr. DANNEMEYER of California, in introducing comprehensive and much-needed natural gas legislation.

Mr. Dannemeyer and I are joined in this bipartisan effort by eight other members of the Subcommittee on Fossil Fuels who share our concerns about the natural gas industry; Mr. RALPH M. HALL, Mr. FIELDS, Mr. SHELBY, Mr. OXLEY, Mr. SCHAEFER, Mr. DOWDY, Mr. BROYHILL, and Mr. WHITTAKER.

On January 1, 1985, 60 percent of all natural gas was decontrolled under the 1978 NGPA. The remaining "old gas"—natural gas discovered or leased before 1977—is not decontrolled but instead remains subject to a maze of roughly 27 different gas price categories which have little to do with market prices. And while doomsday forecasters predicted gas prices would "fly up" upon partial-deregulation, gas prices at the wellhead have actually declined—a clear indication that deregulation, not reregulation—is in the best interest of the consumer. The Richardson-Dannemeyer bill, recognizing the benefits of partial deregulation, seeks to expand these benefits by changing the discriminatory pricing structure which currently exists under the NGPA and through the injection of the element of competition into the natural gas market.

The Richardson-Dannemeyer legislation includes five major areas:

First, decontrol of natural gas: Old gas would be decontrolled only as contracts expire, are renegotiated, as production enhancement techniques are applied and as infill drilling is undertaken to maximize gas recovery. This phased out approach would allow the market time to react to this change. Overall, the effect on prices should be very minimal since the average price for "old gas" is nearing $2 per mcf, which is not far below current market levels.

Second, mandatory contract carriage: This provision would require pipelines to transport gas for sale if the pipeline has the capacity after it meets the needs of its customers. Nothing in the bill would require local distribution companies to be used for carriage involuntarily. The objective of this section is to increase competition by ensuring that a buyer can transport gas it wishes to purchase—gas that has heretofore been captive to the pipeline.

Third, repeal portions of the Fuel Use Act and the incremental pricing title of the NGPA: Both provisions are anachronistic and contrary to a competitive natural gas market.

Fourth, pipeline and affilate transactions: This title deals with unfair competition and provides for the elimination of practices of favoring affiliates of pipelines or distributors. Distributors would not be able to purchase at higher levels from affiliated pipelines or producers than from unaffiliated pipelines with lower prices. Pipelines would also be prohibited from taking at higher levels from their production affiliates than from other producers.

Fifth, prohibition on contract or tariff requirements such as minimum bills and minimum purchase provisions which require a purchaser to pay for gas not taken. These practices distort the market and decrease competition.

Our legislation is predicated on the following: We believe that deregulation of the natural gas industry will mean increased exploration and production; that increased exploration and production will mean increased supplies of natural gas; and that increased supplies of natural gas will mean both a decrease in consumer costs and greater U.S. energy independence. In other words, a free natural gas market—where supply and demand and not arbitrary rules, categories and rates actually dictate what we pay for gas—is in the best interest of the consumer, the producer and the economy.●

● Mr. BROYHILL. Mr. Speaker, yesterday, I cosponsored the Natural Gas Consumer Supply and Marketing Act of 1985.

This legislation is intended to create a true marketplace for the buying and selling of natural gas. In my opinion, this is the only sure way of achieving a stable, lasting balance between the supply of, and the demand for, natural gas. If the experience of the last two decades teaches us anything, it is that regulatory coercion does more harm than good to the consumers of this vitally important energy commodity.

Regulation has given us gas curtailments and gas bubbles, depressed prices and price fly-ups. Clearly, an alternative to traditional regulation is currently needed. Why not trust the market? Why not allow sellers and buyers of natural gas to seek each other out, negotiate as other businesses negotiate, and then, having made an agreement that makes economic sense to both go ahead and consummate the transaction by shipping the gas?

H.R. 2734 would help bring about just such a marketplace for natural gas. By ensuring access to the facilities necessary to move gas, all consumers would be given an equal opportunity to obtain the amounts of natural gas they need to prices they can afford to pay.

I wish to extend my thanks to my colleagues who joined with me in cosponsoring this legislation. In particular, I would like to note the hard work and fine efforts of my colleague from California [Mr. DANNEMEYER] and my colleague from New Mexico [Mr. RICHARDSON].●

THE NATIONAL HEALTH SERVICE ACT

(Mr. DELLUMS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DELLUMS. Mr. Speaker, it gives me great pleasure to reintroduce the National Health Service Act, a bill which would create a national health service for the American people. I first introduced a bill to create a national health service in 1975 and have introduced similar legislation in each succeeding Congress.

For over 30 years the Congress has considered proposals to alter substantially the role of the Federal Government in providing for the health care of the American people. Many of these efforts have led to improvements in the health status of our population including programs to provide services to those most vulnerable—the elderly, the poor, and children.

Many Americans, particularly those with access to high quality care (including Members of Congress and the administration who already have their own special health services—the House, Senate, and President's physicians, Walter Reed, Bethesda, et cetera), look to these improvements and their own quality health care, and argue that the general population is already adequately served with health services. Unfortunately, the reality is quite different.

The present health care system, which is based on the private delivery of health care, financed largely on a fee-for-service basis, and where both the quality and quantity of care is still too frequently a function of race, age, income, language, or national origin, does not meet the health care needs of this country.

The problem is not only financial. Equally important, there is a serious inequality in the access to services, in the geographical distribution of manpower and facilities, and in the quality of care. In addition, our level of health, as measured by various health indicators, is abysmal for a country as rich as our own.

It is interesting to note that the United States is the only industrialized nation, with the exception of South Africa, that does not have a national health program for its people. The United States now ranks far below most of these countries with regard to major health indicators: 11 nations have lower infant mortality rates; 14 nations have longer life expectancy rates for both men and women; 26 nations have lower cardiovascular death rates; and 12 nations do better in preventing cancer deaths.

Despite our relatively poor performance, we spend enormous amounts of money. We spend some 10 percent of our GNP on health care. This com-

pares to the less than 6 percent spent by the British, and their spending includes a national health service for all the people of their country. It is interesting to note that they also rank higher than the United States in all of the above categories.

We must change the current reality where access to quality health care is often the privilege of the few. Quality health care should be a right of all people and not simply a commodity to be bought and sold in the marketplace.

WHY A HEALTH SERVICE?

Some health service financing proposals, particularly those directed at creating some version of comprehensive health insurance, would lead to improvements in the present situation. No insurance plan, however, will assure that health services are available to everyone, improve the quality of services, or hold down costs.

Instead of propping up an inadequate system with complex payment mechanisms and ineffective quality reviews, we need a health care delivery system that would provide comprehensive services to all and would be accountable to those it serves.

In my view, any scheme short of a national health service can, at best, only ameliorate the ailments of the present system. No matter how much we guarantee the payment of services, this gives little comfort to people if adequate services are not being provided.

What distinguishes my proposal from other alternatives is that I disagree with the idea that the American people can have real access to quality health care without changing the structure of the health system. I disagree that you can simply tinker with the financing mechanisms in an essentially private health care system and expect it to meet the needs of the American people.

It is my view that only through the creation of a national health service can we confront the present crises and assure that services: are actually available to people in every community; are designed to meet the needs of those communities; are oriented not only toward treatment, but to prevention in the broadest sense of that term; and are conducted with the objective of providing service and not profit.

Only such a system can hold down the escalating costs of health care, assure access to health services in every community, and address the increasingly severe occupational and environmental health problems facing the American people.

Let me emphasize, since such a system would serve the needs of all of the people—and not simply the poor, the minorities, and the powerless in our society—it would not be vulnerable to the kind of attacks that have recently been launched against our present public sector health services.

In short, creating a national health service is the only way to provide quality health care for all Americans at a price that this country can afford to pay.

OVERVIEW OF THE NATIONAL HEALTH SERVICE ACT

Basic principles: The National Health Service [NHS] will provide without charge, comprehensive care to all persons in the United States. These services will be delivered by salaried health workers. Health maintenance will be emphasized as well as treatment of illness. There will be increased availability and continuity of care provided at local facilities linked to specialized care facilities on a regional and district level.

Funding: The Service will be funded through (i) a surtax on individuals and on corporations; (ii) the elimination of tax expenditures for health related credits and deductions—presently about $40 billion; and (iii) funds currently allocated for Medicare, Medicaid, and other health related programs—about $140 billion. Health expenditures will be reduced for the vast majority of the population: The virtual elimination of out-of-pocket expenditures for health care or health insurance will far outweigh any increases incurred by individuals as a result of the health surtax.

Private practice: Private practice will be permitted under the NHS, but public funds and NHS facilities may not be used for private practice.

Organization: The governance of the NHS will be democratic, with elected representatives to community health boards composed of health consumers—two-thirds—and health workers—one-third. Community boards will organize and run local health facilities. They will select members of the district boards to oversee general hospitals. District boards will select representatives to regional boards, which will oversee special care facilities and schools for health workers. The national health board, selected by the regional boards, will set national health policy, determine the overall health budget, and distribute funds to each level.

Mr. Speaker, I urge you and all of our colleagues to consider such an alternative system and to read the summary, and the section-by-section analysis, of the legislation that follow:

QUESTIONS AND ANSWERS ON THE HEALTH SERVICE ACT

While high quality health care is a right of all people, this is not the current reality in the United States. Unequal access to care excessive costs, geographical imbalances and the deterioration of social, environmental, and occupational conditions beset Americans today. This act creates a United States Health Service to overcome these deficiencies and implements the right to quality health care.

The United States Health Service will provide to all individuals, without charge and without discrimination of any kind, comprehensive health care and supplementary services delivery by salaried health workers and emphasizing the maintenance of health as well as the treatment of illness. Representative and democratic governance will be established through community boards mandated to provide primary health care services and chosen in community wide elections. District boards will oversee general hospitals and be selected by the community boards. Regional boards will oversee specialized care facilities and health team schools and be selected by district boards. Lastly, the National Health Board will provide overall planning and guidance and be selected by the regional boards, with approval by the President.

Health workers will have fair compensation, secure employment, and opportunities for career advancement and for full and equal participation in governance. There will be local, regional and national planning and funding to establish health care facilities so as to overcome shortages, especially for inner-city and rural populations. The Service will be financed through progressive taxation of individuals and payroll taxes on the employers, with these funds distributed on a capitation basis, supplemented by allocations for special health care needs.

WHY A HEALTH SERVICE

Growing numbers of Americans realize that the present health care system, based on the private delivery of health care and financed on a fee-for-service basis, is unable to meet the health care needs of this country. One response has been to propose some form of national health insurance. However, no insurance plan will guarantee that health care services are available to everyone, improve the quality of current services, or hold down costs.

Instead of propping up an inadequate system with complex payment mechanisms and ineffective quality reviews, the Health Service Act will establish a health care delivery system that provides comprehensive health services to all Americans and is accountable to those it serves. This will be a publicly-controlled and operated health service employing health workers who will directly serve the public. Any scheme short of this can, at best, only ameliorate the ailments of the present health care system.

WHAT IS THE UNITED STATES HEALTH SERVICE

The United States Health Service is an independent federal agency that is democratically-controlled to deliver health care in communities throughout the United States.

WHO CAN USE THE HEALTH SERVICE

Any individual, while within the territory of the United States, will be able to receive services.

WHAT SERVICES WILL BE PROVIDED

The United States Health Service will provide, without charge, a full range of medical, dental, and mental health services, as well as occupational, home health, and health education services. Drugs and medical equipment will be furnished without charge. Environmental inspections and monitoring services will also be conducted.

These services will be provided through facilities established and maintained by the Service. Except in emergencies, it will not pay for services provided elsewhere. Three years after it begins full operation, it will not be possible for private practitioners (who charge their patients a fee) to use the

facilities of the United States Health Service.

HOW WILL PHYSICIANS AND OTHER HEALTH WORKERS BE COMPENSATED

All health workers will receive salaries commensurate with their job requirements and experience. Workers can receive increases in salary and be certified for job advancement through recognition of successful performance and through enhancement of their skills.

WHAT WILL BE THE STRUCTURE OF THE UNITED STATES HEALTH SERVICES

The Health Service will be set up as a four-tier system—the community, district, region, and national level. The base of the system is the "community," a geographic area with a population of between 25,000 and 50,000 (less in rural areas or in other special circumstances). In each community, primary health care services—general outpatient medical care, emergency services, mental health services—will be provided through community health centers, physicians' offices, laboratories, pharmacies, and other facilities. Nursing homes, multiservice centers for the handicapped, and mental health facilities, also will be established and operated so as to promote the integration of persons using these facilities into the community.

Several communities will be joined together to form a "district" with a population of between 100,000 and 500,000. Each district will have a general hospital.

Several districts will be joined to form a "region" with a population of between 500,000 and 3,000,000 (more if necessary to enclose an entire metropolitan area). Each region will have a medical center providing highly specialized medical services and a health team school where all health workers will receive their education.

HOW WILL THOSE WHO USE THE SERVICES OF THE UNITED STATES HEALTH SERVICE, AND THOSE WHO WORK FOR IT, RUN IT?

Community health boards chosen in community wide elections by residents and health workers will plan the delivery of primary and preventive health services, hire community health workers, and assume overall responsibility for all community health services. District health boards, appointed by the community health boards in the district (with each community appointing three members) will oversee the district general hospital. Regional health boards, appointed by the district health boards in the region, will oversee the regional medical center and health team schools, and assist community and district boards in performing their duties. Lastly, the National Health Board, appointed by the regional health boards with the approval of the President, will carry out overall planning and budgeting and establish guidelines for the provision of health services by all health boards.

Two-thirds of the members of each board will be representatives of the users of the Service; one-third will be representatives of those who work in the health facilities operated by the Service.

All health facilities will be managed by the workers in them on a democratic basis. Each health board, in consultation with the workers, will develop a plan for democratic decisionmaking within each facility, including the equal participation of health workers at all skill levels. Health workers can also bargain collectively with the health boards on wages, benefits, and working conditions.

WHAT SPECIAL RIGHTS AND GUARANTEES WILL HEALTH SERVICE USERS HAVE?

A Bill of Health Rights incorporated into the legislation guarantees users of the United States Health Service access to all its services, to their choice of health workers and facility, to information and explanations in their primary language about their health status and any treatment or procedure, and to advocacy and legal assistance. Specific protections are included for women and residents of health care institutions to ensure rights associated with their special situations and health needs.

HOW WILL THE QUALITY OF HELATH CARE BE ASSURED?

In contrast to the present medical licensing system, this Act calls for continuing review and assessment of the competency of health care providers with oversight by representatives who use those services as well as those who provide them. The National Health Board will establish national guidelines for area health boards in training, hiring, and certifying health workers.

The ultimate safeguard of quality is the control of service delivery by health boards accountable to those who use the Service and those who work in it, able to draw for advice and technical support upon all the professional expertise employed by the United States Health Service.

WILL THIS BILL PROVIDE OCCUPATIONAL HEALTH SERVICES?

Unlike any of the current health insurance proposals, this bill will provide extensive occupational health services. Screening diagnosis, treatment, and education for the detection and prevention of occupational hazards and diseases will be provided in community health facilities. Workers will participate in the occupational health programs in their community and work-places through elected community occupational safety and health action councils, which will perform monitoring and other functions to protect the safety and health of workers. Workers in each workplace will have the right to establish workplace occupational safety and health committees which will perform monitoring and other functions to protect the safety and health of workers.

HOW WILL THIS BILL ADDRESS THE PRESENT ADMINISTRATION OF HEALTH WORKERS AND FUNDS

Operating funds will be allocated to regions, districts, and communities on a per capita basis, so that all areas will have funds proportionate to their populations. This will allow presently underserved areas especially those where low income and minority persons live, and many rural areas, to overcome their present serious shortages of physicians, other health workers, and health facilities. Special funds, amounting to 2% of all operating funds, will be allocated to communities where low income persons live, to help them alleviate their special burden of health problems.

The present maldistribution of health workers will be dealt with by requiring that graduates of health team schools serve in underserved areas for at least a period equal to the duration of their education but not to exceed two years, and by requiring that health boards not hire particular type of health workers if they have substantially greater number of them while other areas have substantially less.

HOW WILL USERS OF THE SERVICE BE PROTECTED FROM FAILURE OF HEALTH BOARDS TO PERFORM THEIR DUTIES

Members of health boards will be accountable to the people who chose them, If they fail to meet the health needs of their areas, or neglect their duties, members of community health boards can be removed from office through a recall election. Members of other boards can be removed from office by two-thirds vote of the body that appointed them.

Regional boards will be empowered to investigate complaints regarding the actions of the community or district boards. In the event they determine that there has been mismanagement of funds or other failure or misconduct, they can suspend or restrict the board, appoint a trustee to take over its affairs, and hold a new election for a community board or see that a new district board is appointed. The National Health Board will perform similar oversight of regional boards.

HOW WILL THE EDUCATION OF HEALTH WORKERS BE CONDUCTED UNDER THIS BILL

Health workers will receive their education from the Service in health team schools organized by regional health boards. They will begin their education by sharing classroom and clinical experiences in a restructured educational process. Curriculum design will maximize the studies undertaken in common by students preparing for the various types of health work and will emphasize the social basis of health. As students progress, their studies will branch out and extend into the various categories of health-related skills and knowledge.

Admission policies will emphasize previous health-related work experience and encourage the entrance of students who reflect the composition of the region's population. No tution will be charged, and there will be stipends for living and educational expenses. (Outstanding health education loans will be paid by the Service for those accepting employment under the Service.) Each health team school will be governed by representatives of the region's residents and the staff and students of the school.

HOW WILL HEALTH RESEARCH BE CONDUCTED UNDER THIS BILL

The Service will be machined to conduct an extensive program of health and health care research. The first priority will be on the prevention and correction of the leading causes of illness and death, including environmental, occupational, and social factors. Research will be performed, to the maximum extent possible, under the auspices of community and district health boards, to ensure it is responsive to the health needs of people in their communities and workplaces.

HOW WILL THE SERVICE BE FINANCED

In spite of the expansion of services, the cost of operating the Service will be less than the cost of the present health care system. The elimination of administrative costs associated with the insurance industry and its complex billing procedures, the expected decrease in unnecessary hospitalization and treatment from the elimination of fee-for-service medical practice, and the elimination of excessive fees and profits are estimated to reduce the total cost by at least 20 percent.

Funds to run the Service will come from a Health Service Trust Fund containing receipts from a special halth service tax on individual and corporations and from general

Federal revenues. The individual health service tax will rise with increasing income. Low and middle income individuals having not over $6,000 taxable income will pay only 1 percent (equivalent to the Medicare payroll tax now in force, but repealed when the Service begins providing health services.) Higher income individuals and corporations will pay substantially higher taxes, and general revenues will contribute the amount now spent by Federal, State, and local governments on health services (Federal payment of these will be a form of additional revenue sharing to States and localities.)

Funds will be distributed to regions, districts, and communities on a uniform per capita basis, with special funds allocated to communities and districts for the care of persons over 65 years of age, persons confined to full-time residential institutions, low income persons, rural areas, and to meet special environmental, occupational, and other health needs of particular regions.

The division of funds between the district and community levels will be determined by the district boards, but with the consent of a majority of the community boards in each district. Similar procedures will be followed in dividing funds between the regional and district levels and the National and regional levels. Thus all health boards will have an equal role in determining the allocation of funds.

HOW WILL THE TRANSITION FROM THE PRESENT SYSTEM TO THE NEW HEALTH SERVICE BE MADE

Immediately after this law is enacted, the President will appoint an Interim National Health Board broadly representative of the American people, to oversee the start of the transition process. It will draw the regional boundary lines and appoint an interim regional health board for each region. These boards in turn will draw boundaries for districts and communities and will then conduct elections for the members of community health boards. The boundaries drawn by these interim boards can be modified by the permanent boards once they are established, using a procedure in which residents of the affected areas will participate.

Once community health boards are elected, they will begin identifying sites for health facilities, acquiring buildings, and hiring health workers, and they will appoint the members of district health boards. Each board in turn, as it is appointed, will begin preparing to carry out its assigned responsibilities.

Two years after the bill is enacted, the National Health Board will begin functioning and the delivery of health services will start two years later. All the health-care-related functions now carried out under the direction of the Secretary of Health and Human Services will then be transferred to the Service. Every two years thereafter, there will be elections for members of community health boards and subsequent appointments of new members of the district, regional and national boards.

In cases where particular boards are not ready, at the end of the four-year start-up period, to assume responsibility for the full delivery of services, these will be provided in neighboring areas or through private practitioners reimbursed under current Medicare arrangements. These temporary measures will remain in effect for up to three additional years.

The educational programs will be fully operating four years after the start-up of services.

SECTION-BY-SECTION SUMMARY

TITLE I—ESTABLISHMENT AND OPERATION OF THE UNITED STATES HEALTH SERVICE

Initial operation

Sec. 101—Establishment of the Service. There is established an independent establishment of the executive branch to be known as the United States Health Service. The authority of the Service shall be exercised by the health boards set up under this Act.

Sec. 102—Appointment of Interim National Health Board. No later than 30 days after the enactment of this Act, the President shall appoint 21 individuals over 18 years of age, broadly representative of the Nation's population, and no more than 7 of whom have been health workers within the preceding 2 years, to serve as members of the Interim National Health Board.

Sec. 103—Powers and duties of the Interim National Health Board. Members of the Interim National Health Board shall take whatever steps are necessary to establish the Service. They shall serve as the National Health Board of the Service until the National Health Board holds its first meeting, establish boundaries of health care delivery regions, select and provide assistance to interim regional health boards, and coordinate the initial election of community health boards.

Sec. 104—Authorization. There are authorized to be appropriated to the Service $4 billion to establish the Service.

Organization of area health boards

Sec. 111—Establishment of health care delivery regions. No later than six months after the appointment of members of the Interim National Health Board, the Board shall establish health care delivery regions throughout the United States. Each health care delivery region shall be a contiguous geographic area having a population of not less than 500,000 and not more than 3 million, except that the population may be less than 500,000 if it would facilitate the delivery of health care services or the effective governance of the program, and it may be greater than 3 million if the region includes a standard metropolitan statistical area. The boundaries of such regions shall consider economic and geographic barriers to the receipt of health care in nonmetropolitan areas. At least 60 days prior to the establishment of a boundary, the Interim National Health Board shall provide for a public hearing regarding such boundary.

Sec. 112—Appointment of interim regional health boards. No later than 60 days after the establishment of health care delivery regions, the Interim National Health Board shall appoint an interim regional health board for each region. Each interim regional health board shall be composed of 9 members over 18 years of age, broadly representative of the region's population, and no more than 3 of whom have been health workers within the preceding 2 years. Each interim regional health board shall establish the boundaries of health care delivery districts and communities in its region and conduct elections for voting members of community health boards in its region.

Sec. 113—Establishment of health care delivery districts and health care delivery communities. No later than six months after its appointment, each interim regional health board shall establish health care delivery districts and communities throughout its region. Each region shall be divided into three or more districts, each of which shall be a contiguous geographic area having a population of not less than 100,000 or more than 500,000, except that a district may have a population of less than 100,000 if this would facilitate the delivery of health care of the effective governance of the program.

Each district shall be divided into three or more communities, each of which shall be contiguous geographic area whose residents have a commonality of interest, language, and ethnic and racial composition and whose population is not less than 25,000 or more than 50,000 except that a community may have a population of less than 25,000 if this would facilitate the delivery of health care or the effective governance of the program.

At least 60 days prior to the establishment of a boundary, the interim regional health board shall provide for a public hearing regarding such boundary.

Sec. 114—Election of community health boards. The Interim National Health Board shall arrange with State and local governments for the initial election of user members to be held on a date not later than 9 months after the appointment of the interim regional health boards. For each board there shall be 6 user members, plus one user member for each 5,000 residents in the community in excess of 30,000. For each board there shall be 3 worker members, plus one for each 10,000 residents in the community in excess of 30,000. The Interim National Health Board shall establish procedures for nomination and election of these health board members following the criteria outlined in this Act. The interim regional health boards shall conduct and supervise the nominations and elections of community health board members.

The initial meeting of each community health board shall be held not later than 30 days after the election.

Sec. 115—Appointment of district health boards. Not later than 60 days after its initial meeting, each community health board shall appoint two users residing in the community to serve as user members of its respective district board. The worker members of each board shall appoint a community health worker to serve as a worker member of its respective district board. The district health workers shall appoint a district health worker to serve on the district health board, following procedures outlined in the legislation. The initial meeting of the district health board shall be not later than 30 days after such appointment.

Sec. 116—Appointment of regional health boards. Not later than 60 days after its initial meeting, the user members of the district health board shall appoint two users to serve as user members of its respective regional health board. The worker members of the district health board shall appoint a district health worker as a worker member of its respective regional health board. The regional health workers shall elect a regional health worker to serve on the regional health board. The initial meeting of the regional health board shall be not later than 30 days after such appointment.

Sec. 117—Appointment of the National Health Board. Each region shall be assigned to one of three groupings of regions, each having (to the extent possible) an equal number and balanced geographic distribution. Each board for a region in the first two groups shall appoint a user to serve as a user member and the National Health Board; the others shall appoint a worker member. These names shall be submitted to the President who shall have 10 days in

which to approve or disapprove the nominations.

Sec. 118—Subsequent election and appointment of members of health boards. The next election for members of the community health boards shall be held in conjunction with each election of Members of the U.S. House of Representatives that occurs after the effective date of health services. The term of service (of all members of health boards) will be four years with staggered terms, half of the members being elected every two years. Such elections, and subsequent appointments of members of district and regional boards and the National Health Board shall conform to the requirements of sections 114, 115, 116, and 117, respectively.

Sec. 119—Modification of the boundaries of health care delivery areas. No later than 2 years after each decennial national census, and at any other time it deems necessary, the National Health Board shall review the appropriateness of the boundaries of each region and may modify the boundaries if there has been a substantial population shift and if the modification is approved by a referendum of the residents whose regional identification would be changed. At least 60 days before the modification, a public hearing shall be held.

No later than 2 years after each decennial national census, upon receipt of a petititon signed by not less than 15 percent of the registered voters in an area, and at other appropriate times, each regional board shall review the boundaries of the districts and communities in its region. A regional board may, after review and public hearings, modify a boundary if there has been a substantial population shift or the change would better carry out the purposes of this Act, and if the changes is approved by a referendum of those affected by it.

General provisions regarding health boards

Sec. 122—Membership of health boards. Each health board shall be composed of (1) members elected or appointed in accordance with the preceding sections, (2) one member appointed, in the case of a community board, by the community occupational safety and health action council established in section 412 and, in the case of a regional board, by the regional occupational safety and health action council established in section 413, (3) such voting user members as are necessary to ensure that the user members of the board approximate the population of the area by race, sex, income level and language and segments of the population having special health needs, and (4) such nonvoting associate members as the members determine to be necessary to provide representation of State, territorial, and local government, of segments having special health needs of the population and, in the case of the Interim National Health Board and the National Health Board, to help carry out this Act.

A recall election shall be held for any member of a community health board no later than 60 days after presentation to the regional health board of a petition signed by at least 15 percent of the registered voters (or health workers as appropriate) in the community requesting recall of the member. Members of district, regional, and the interim regional boards, and the national board, may be recalled from office by the vote of two-thirds of the health board which appointed such members.

No individual may serve as a member of any board for more than 4 consecutive years, exclusive of any time that may be served to fill a vacancy. A vacancy caused by the death, resignation, or removal of a member shall be filled within 60 days by the same process which placed the original member on the board.

Sec. 123—Meeting and records of health boards. The members of each health board shall elect a chairperson and vice chairperson from among their members. The chairperson shall be responsible for convening meetings, including upon written request of any two members, and for carrying out other duties as the board may assign. Minutes of meetings of the board and its committees shall be available to the public, and all such meetings shall be open to the public.

Each health board may establish committees and advisory groups, and appoint to them such individuals as they find necessary to carry out their duties. Members of health boards shall receive per diem or salary payments plus reimbursement for necessary expenses.

Sec. 124—Procedures for establishment of national guidelines and standards. The National Health Board shall establish such guidelines and standards as will facilitate implementation of this Act. It encourages innovation and experimentation in achieving its objectives. At least 90 days before establishing a guideline or standard, it shall submit such guidelines or standards to all regional health boards for their review and comment. The National Health Board shall assist members of area health boards in using and implementing such guidelines and standards.

Sec. 125—Assistance to area health board members. Each regional board shall provide orientation, education, and technical assistance to district and community boards to insure that they are prepared to perform their duties.

TITLE II—DELIVERY OF HEALTH CARE AND SUPPLEMENTAL SERVICES

This title specifies the health care and supplemental services, and the administrative arrangements for delivering such services.

Patients' rights in health care delivery

Sec. 201—Basic health rights. The Service, in delivering health care services, shall ensure that every individual is given basic health rights. These include the right to receive high quality health care and supplemental services without charge and without discrimination; to be treated with dignity and respect; to choose health workers and to be responsible for facilities in which to receive service, to have access to one's health records; to have information translated into the individual's primary language; to receive a full explanation of all questions related to health care; to refuse any health care service, when the refusal does not directly endanger the health of others; to have counseling and assistance on health matters; to be accompanied and visited at any time by a friend or relative of the individual in the event of terminal illness, to die with dignity and to be allowed to die at home; and to have access to a complaint system and to legal assistance to enforce these rights.

Sec. 202—Right to paid leave to receive health care services. Each employee is entitled to one hour per 35-hour work week of paid leave to receive health care services.

Eligibility for, nature of, and scope of services provided by the service

Sec. 211—Eligibility for services. All individuals while within the United States are eligible to receive health care and supplemental services under this Act.

Sec. 212—Entitlement to services. On or after the effective date of health services, the Service shall provide users with all health care and supplemental services described in section 213 which are necessary for the promotion and enhancement of health, the prevention of disease, the treatment of illness, and rehabilitation following injury, disability or disease. These services do not include personal comfort or cosmetic services, unless the health board providing the services determines they are needed for health-related reasons.

Sec. 213—Provision of health care and supplemental services. The Service shall provide the following health care services in or through facilities established by the Service: promotion of health and well-being through health education programs; prevention of illness, injury, and death through education and advocacy addressed to the social, occupational and environmental causes of ill health through preventive services; diagnosis and treatment of illness and injury, including inpatient and outpatient service, mental health, occupational health, dental care, long-term care, and home health services; rehabilitation of the sick and disabled; and provision of drugs and therapeutic devices, appliances and equipment. The Service shall provide supplemental services of transportation and ambulance service to health facilities, child care facilities homemaking and home health services, and counseling and social service assistance. The Service shall conduct environmental and preventive functions now performed by State and local health departments. The Service shall provide reimbursement for the cost of emergency health care services provided in facilities or by persons outside the Service, when immediate medical attention is required and it is impractical for the individual to receive care from the Service.

Health care facilities and delivery of health care services

Sec. 221—Establishment of health care facilities and distribution of delivery of health care and other services. Each community board shall establish facilities in its community to deliver (1) comprehensive primary medical and dental care immunization, nutrition and screening services; children's health services; obstetrical and gynecological services; family planning and contraceptive services; pregnancy and abortion counseling and services; vision and hearing testing; provision of eyeglasses and other visual aids and hearing aids; 24-hour emergency medical services, provision of pharmaceuticals and medical equipment, mental health services, home health services, and occupational safety and health services; (2) specialized inpatient and outpatient health care services when these can be most effectively provided in a community setting; (3) supportive services and facilities for the physically or mentally handicapped, mentally ill, infirm and chronically ill to promote their integration and functioning within the community, and (4) community oriented health measures to focus community activities on the promotion of health and prevention of illness and injury and to make all residents aware of their ability to use the health services.

Each district board shall establish in its district a general hospital to provide inpatient health care services, as well as such

other facilities as will promote the effective delivery of health care in its district.

Each regional board shall (1) establish a regional medical facility providing highly specialized health care services, and (2) provide health care services for individuals whose health care needs cannot be met by community or district boards because of occupational or other factors including migratory agricultural workers and those confined to correctional institutions.

Each area health board shall also provide health education, the maintenance of personal health records, referral services to facilities outside the area, assistance to individuals with language or cultural differences or educational handicaps in utilizing the services, information on health rights, guidelines, and standards, information on grievance mechanisms and legal services, and environmental health inspection and monitoring services.

Each area health board shall hire appropriate health workers (including administrative personnel) to ensure that its facilities provide the services mandated for the board. Each area health board shall utilize, wherever possible, existing health facilities including health centers, clinics, hospitals, nursing homes, and medical laboratories.

If a community district board fails to provide the necessary health care and supplemental services on the effective date of health services, its respective regional board shall take whatever steps are necessary to ensure that such services are available to individuals, in the area. This may include appointment of a trustee or trustee committee under section 402, requiring the community or district board in an adjacent area to provide such services on a temporary basis, or (until three years after the effective date of health services) providing reimbursement provision of specified services using procedures in effect just before the effective date of health services under title XVIII of the Social Security Act (Medicare).

SEC. 222—Operation and inspection of health care facilities. Each health board shall establish policies and organizational plans for each facility it has established. In establishing, implementing, and modifying such policies and plans, it shall seek the fullest possible participation of health workers in the facility and individuals using the facility by the workers in the facility. These policies and plans shall provide for (1) the management of the facility through decisionmaking mechanisms which provide full and equal participation of all health workers employed in the facility, (2) the elimination of domination by health professionals, and (3) regular accountability of the health workers to the board which established the facility.

On and after three years after the effective date of health services, a health board may not permit a health facility it has established to be used for the private delivery of inpatient or outpatient services. No individual employed by a health board may engage in the private delivery of health care. ("Private delivery" means the delivery of the services for which there is remuneration from any source other than the Health Service Trust Fund established in section 511.)

Each health board shall ensure that any facility which provides substantial inpatient service for individuals who are within it for continuous periods of 30 days or longer is cleared and well-heated, cooled and ventilated, adequately staffed, provides, comfortable quarters for inpatients, provides opportunities for creative activity and recreation, establishes a review committee, informs an inpatient of all decisions involving the inpatient's health, and permits participation in such decisions. It shall not censor or harass communication of an inpatient, confiscate personal property, deny social and sexual life, require that the inpatient work, pay an inpatient less than the minimum wage, physically restrain an inpatient, other than one convicted of a crime, involuntarily for more than 72 hours without determination by the facility's review committee that such restraint is necessary, or take punitive or discriminatory action without approval of the facility's review committee. Annually, the inpatients of each such facility shall elect, from among themselves and any representatives of an interested user association, a review committee of at least 3 members.

Quality care shall be assured by regular inspections of the health care facilities. The results will be reported to the public.

Sec. 223—Provision of health services relating to reproduction and childhearing. Area health boards shall provide the following services: complete information on contraception and provision birth control materials or medication of the individual's choosing; complete and effective evaluation and treatment of veneral diseases and diseases of the reproductive organs; complete information and counseling with respect to pregnancy childbearing and possible outcomes involving genetically induced anomalies; complete and effective pregnancy testing; prenatal services; safe, comfortable and convenient abortion services; counseling by women in conjunction with the provision of all gynecologic, female contraceptive and abortion services and the counseling by men for male fertility-related services.

The services will be delivered without coercion or harassment, with complete confidentiality and without prior approval by anyone other than the individual receiving the services. An individual may be accompanied by a person of the individual's choice during the provision of the services described above to the extent this would not significantly increase the medical risk to the individual.

No area health board may perform a treatment or procedure (other than to preserve the patient's life) which could reasonably be expected to affect the individual's capacity to reproduce children unless the individual has again given voluntary consent to the treatment or procedure after being given full information on the effect of the treatment or procedure and on possible alternative treatments at least 30 days before beginning the treatment; and the individual, after the 30 day waiting period, has given written consent. Exceptions to this are the voluntary sterilization following the delivery of a child written consent has been given 30 days prior to the anticipated delivery date, or during emergency surgery within the 30 day waiting period.

Before a mastectomy or other breast cancer treatment is performed, an area health board shall provide the woman with complete information on the range of medical options available and the side effects of each option and she shall give voluntary written consent to such procedures.

An area health board shall provide that a woman may deliver her infant in her home, be accompanied during labor and delivery by whomever she chooses, use the position she chooses, care for her infant at her bedside, and feed her infant according to the method she desires, and be provided with information on the benefits, risks and side effects of each option.

TITLE III—HEALTH LABOR FORCE

Job categories and certification

SEC. 301—Effect of State Law. Notwithstanding any law of a State or political subdivision to the contrary, the service shall be the sole judge of the qualifications of its employees.

SEC. 302—Qualifications of Health Workers.—Each area health board shall establish procedures which ensure that work classified under a job category is performed by a health worker who is certified as competent to perform the work and authorized to perform the work by the area health board which employees the worker. Each area health board shall provide for the periodic review and assessment of the competency of its employees, and shall provide opportunities for health workers to be certified for more advanced job categories, each regional board shall provide periodic review and assessment of the performance of health workers in their region. The National Health Board shall provide the same for regional health workers.

SEC. 303—Establishment of Job Categories and Certification Standards.—The National Health Board shall establish guidelines for the classification, certification, and employment of health workers by job category that will ensure that health workers have demonstrated the necessary competency, expand the roles of health workers by enabling them to participate in health care delivery to the maximum extent consistent with their skills and permit alternative approaches to healing. In establishing these guidelines, the National Health Board shall provide for sufficient flexibility to permit regional boards most effectively to meet the health needs of their regions, and for sufficient uniformity to permit mobility of health workers among the regions as well as require exchange of health workers between districts. The National Health Board shall periodically evaluate the job categories and certification practices and make whatever modifications it deems necessary.

For job categories not requiring advanced specialty training, each regional board shall establish certification standards for its region which specify the functions performed by a health worker employed in a job category, the skills required to perform this work, the initial and continuing training, experience, and performance required, and the curriculum which a health worker must follow in a health team school. Each area health board within the region shall apply such standards to all health workers it employs.

The National Health Board shall establish standards for job categories involving highly specialized skills and requiring advanced specialty training. Area health boards shall apply such standards to all health workers employed by them in such job categories.

All such standards shall periodically be reviewed and modified as appropriate.

Education of health workers

SEC. 311—Health team schools. Each regional board shall establish a health team school to provide initial and continuing education in health care delivery for all health workers. Each school shall be functioning not later than four years after the effective date of health services, unless the National Health Board approves alternate plan. A re-

gional board, in consultation with its district and community boards, may decide that conducting particular educational programs in its school would be inefficient or inappropriate, and it may collaborate with one or more adjacent regional boards in conducting joint programs.

Schools shall be funded exclusively by the Service, shall not charge tuition, and shall provide students with allowances for living expenses. The National Health Board shall establish guidelines for operating health team schools such that the activities of each school shall be designed to meet the health needs of the region it serves, the number of students enrolled in each educational program shall be based on the needs of the region, and education for different job categories shall be integrated so as to permit health workers to receive successively higher levels of education. Each school's admissions, curriculum, faculty hiring, and governance policies shall be established with the fullest possible participation of community boards, health workers, staff, and students. Schools may not use low-income or minority individuals, women, or those in mental or penal institutions for experiments and demonstrations in numbers that are disproportionate to their population in the region.

Each regional board shall establish admissions policies for its school which emphasize previous health-related work experience, minimize the use of academic criteria other than those that are significantly related to future work performance, give preference to segments of the population now underrepresented among health workers, seek a student body that approximates the region's population by race, sex, family income, and language, and require the applicant to agree to perform health care service in accordance with Sec. 312.

Each regional board shall establish curriculum policies for its schools that give priority in study and field work to the leading causes of illness and death in the region (including especially environmental and social factors), provide all students with a common initial sequence of courses and then offer progressively more specialized studies, emphasize work-study experience in all types of health care facilities in the region, and facilitate the development of skills in decisionmaking and problem assessment by all health workers.

Each regional board shall establish faculty hiring procedures that seek a faculty that approximates the population of the region, and shall establish a government plan for the school which gives significant decisionmaking powers to staff and students.

SEC. 312—Service requirement. No individual may be enrolled in a health team school unless the individual agrees to perform service as an employee of the Service after graduation, for a period of time equal to the period of enrollment but not to exceed two years and for an area health board with the highest priority. For graduates of a health team school in a particular job category, the priority ranking for hiring is as follows: (1) the region, or a district or a community in the region, in which the school is located, if there is a health worker shortage in that job category; (2) any other region, district or community having such a shortage; and (3) any other area. A health worker shortage is defined to exist if an area has a ratio of the number of health workers in that job category to the number of residents which is less than two-thirds of the average of that ratio in the Nation, and the area health board has plans and a budget which call for hiring such an individual. The National Health Board shall assist in matching the locational preferences of graduates with the needs of the area health boards in the area. Any individual who refuses to fulfill his service obligation shall be required to repay to the Service an amount determined in accordance with a formula stated in this Act.

SEC. 313—Payment for certain educational loans. For individuals who have incurred educational loans prior to the enactment of this legislation and who agree to work for the U.S. Health Service, the Service agrees to assume payment of their educational loans in accordance with this section.

Employment and labor-management relations within the service

Sec. 321—Employment, transfer, promotion, and receipt of fees. Health boards shall hire, classify and fix the compensation and benefits of their employees, in accordance with this Act and guidelines established by the National Health Board. There shall be employment and promotion in the Service in the same manner as is provided under the Federal civil service system, opportunities for career advancement, encouragement of health workers to use up to ten percent of their work time for continuing education without loss of pay, and full protection of employees' rights to a fair hearing on adverse actions.

Health boards shall give preference in hiring to those employed, or self-employed, as health workers before enactment of this Act. The National Health Board shall ensure that all such individuals may find employment within the Service Employees of the Service shall be eligible for promotion or transfer to any position in the Service for which they are qualified. Each regional health board shall have a job placement service to assist health workers in its region in attaining the maximum degree of career promotion opportunities and to insure continued improvement of health care services.

A district or community board may not hire an individual to fill a position in a job category if the ratio of health workers in that category to resident in the district or community is greater than four-thirds of such ratio for the region, and if there is a district or community within the region which is a health worker shortage area.

An employee of the Service may not receive a fee or prerequisite from anyone other than the Service for duties performed by virtue of such employment.

Sec. 322—Applicability of laws relating to Federal employees. The provisions of chapter 75 of title 5, United States Code (relating to adverse actions against employees), subchapter I of chapter 81 of title 5, United States Code (relating to compensation for work injuries), and chapter 83 of title 5, United States Code (relating to civil service retirement) shall apply to employees of the Service (except in some cases for the personal staff of health board members), unless these are inconsistent with provisions of negotiated collective bargaining agreements or with procedures established by the Service and approved by the Office of Personnel Management.

Compensation, benefits, and other terms and conditions of employment in effect before the effective date of health services for health workers employed by the Federal Government shall apply to employees of the Service until changed by the Service in accordance with this Act. No variation of fringe benefits shall result in benefits which are less favorable to employees of the Service than benefits in effect for employees of the Federal Government on the effective date of health services.

Sec. 323—Applicability of Federal labor-management relations law. The provisions of the National Labor Relations Act shall apply to the Service and its employees, except that (1) supervisory employees shall be included, (2) professional and unprofessional employees shall not be treated separately and (3) emergency provisions shall apply to regions.

Sec. 324—Defense of certain malpractice and negligence suits. No malpractice suit may be brought against an employee of the Service while acting within the scope of the employee's employment. The remedy in such cases shall be in civil action brought against the United States.

TITLE IV—OTHER FUNCTIONS OF HEALTH BOARDS

Advocacy, grievance procedures, and trusteeships

SEC. 401—Advocacy and legal services program. Each area health board shall establish a program of health advocacy to ensure the full realization of patients' rights. Such program shall include the employment of health advocates in health care facilities and measures to correct any infraction of such rights.

The National Health Board shall establish a health rights legal service program to ensure that patients and health workers receive free of charge, high quality legal services for problems related to health care. The health rights program shall include the establishment of a legal services office in each region, and the establishment of such offices in communities and districts that have inadequate legal services. This program may be carried out directly or, in each instance, by contract with the National Legal Services Corporation or members of the private bar.

SEC. 402—Grievance procedures and trusteeships. Any user, health worker, or user association having an interest in health care may commence a grievance proceeding before a regional board, and a regional board may commence such a proceeding before itself, because of an alleged violation of this act by a district or community board. Any user, health worker, or user association may commence a grievance proceeding before the National Health Board because of an alleged violation of this Act by a regional board, and the National Health Board may commence such a proceeding before itself.

The National Health Board shall review by appeal, by any party or on its own initiative, an adverse decision by a regional board.

Whenever a grievance proceeding is commenced there shall be a public hearing if the grievance is supported by a suitable petition or before setting aside an election or transferring any function of a board. If a grievance concerns the conduct of a election of a community board, and it is determined that the election was not conducted in compliance with this Act, or that there had been systematic failure of the user members of such community board to approximate the population of the community, by race, sex, language, of income level, the election shall be set aside and a new one held within 60 days after the date of the determination. If a new election is held because of a determination that portions of the population have not been represented, the election shall be conducted in a way that will facilitate such representation.

For grievances having to do with other matters, if it is determined that a health board has failed to comply with this Act, a new election or appointment within 60 days may be required. If it is determined that a community or district board has failed to comply with this Act, functions of such board may be transferred to the respective regional board until a new election or appointment is carried out. If a regional board has failed to comply with this Act, functions of this board may be transferred to the National Health Board until a new regional board is appointed.

Any party to a grievance proceeding may bring suit in the United States district court for the judicial district in which such proceeding was brought.

Occupational safety and health programs

SEC. 411—Functions of the National Health Board. On and after the effective date of health services, the National Health Board shall oversee an occupational safety and health program conducted at the regional level and shall participate in establishing and administering occupational safety and health standards under the Occupational Safety and Health Act of 1970, which is amended to transfer this area of authority from the Secretary of Health and Human Resource to the National Health Board.

Sec. 412—Community occupational safety and health activities. A community occupational safety and health action council shall be established in each community as follows: With the assistance of the community board, employees of each workplace in the community having 500 or more employees shall elect one member of each 500 employees; employees of workplaces having less than 500 employees shall vote in communitywide elections for a number of members equal to the number of such employees divided by 500 (rounded to the next highest whole number). Each such council shall appoint one individual to serve as a member of its community board; appoint one individual to serve as a member of the regional occupational safety and health action council for its region; advise the community board on, and oversee occupational safety and health programs in the community; facilitate the establishment and operation of workplace safety and health committees; and assist employees with respect to inspections of their workplaces.

Sec. 413—Regional occupational safety and health programs. Each regional board shall establish an occupational safety and health program for its region using to the maximum extent feasible, facilities and resources of the community boards in its region. This program should include increasing the ability of employees to monitor safety and health conditions in, and assist in inspections of, their workplaces; facilitating communication among workers employed in similar industries in the region and unions regarding occupational hazards; conducting biologic screening of employees; monitoring the environment to identify hazards, and analyzing employment-related injuries and illnesses in the region.

Each regional occupational safety and health action council shall appoint one individual to serve as a member of its regional board, and shall advise its regional board and the National Health Board on occupational safety and health matters.

Sec. 414—Workplace health facilities. The employer in each workplace having 25 or more employees shall maintain a health facility in or near the workplace for occupational and emergency health care for employees. There facilities shall be organized according to National Health Board guidelines to provide services that meet the needs of the employees. They will be operated by the community board or the employer, with the cost in either case borne by the employer.

Sec. 415—Employee rights relating to occupational safety and health. Employees in each workplace having 25 or more employees shall have the right to establish workplace occupational safety and helath committees. Members of these committees (not to exceed one for every 100 employees or fraction thereof) may, without loss of pay, spend 8 hours of each month on occupational safety and health matters and may accompany inspectors during inspections of their workplaces. Employees have the right, without loss of pay, to monitor safety and health conditions in their workplaces and to remove themselves from the site of any hazard until it has been eliminated. Employers shall furnish their employees with safety equipment and clothing. Employees or their representatives shall have the right to inspect all medical records kept by their employer on the condition of their health. Employers shall provide their employees with copies of reports and data on conditions affecting their health and safety and with timely notification of the presence of any dangerous materials or conditions.

Health and health care delivery research

Sec. 421—Principles and guidelines for research. On and after the effective date of health services, the Service shall conduct a program of research on health and health care delivery. Within two years thereafter, the research program shall conform to these principles: (1) to the maximum extent possible, research shall be performed under the direction of, and in association with community, district and regional boards; (2) area health boards must review and approve any research conducted in their facilities; (3) priority in health research shall be given to the prevention and correction of the leading causes of illness and death; (4) priority in health care delivery research shall be given to the improvement of ambulatory and primary health care; (5) no research shall be conducted using human subjects until all useful animal research has been undertaken; and (6) no research shall be conducted on humans without written consent of the individual or while involuntarily confined.

Sec. 422—Establishment of institutes. The National Health Board shall establish a National Institute of Epidemiology, a National Institute of Evaluative Clinical Research, a National Institute of Health Care Services, a National Institute of Pharmacy and Medical Supply, and a National Institute of Sociology of Health and Health Care, each with specified functions.

HEALTH PLANNING, DISTRIBUTION OF DRUGS AND OTHER MEDICAL SUPPLIES, AND MISCELLANEOUS FUNCTIONS

Sec. 431—Health planning and budgeting. Each area health board shall collect data on the delivery of health care in its area and shall transmit this data and their evaluation of it to the respective regional board, in the case of a district or community board, or to the National Health Board, in the case of a regional board and to residents of the area. Each regional board shall coordinate the planning and administration of health care service, health worker education, and research in its region. The National Health Board shall formulate a national health plan and budget, in consultation with the regional boards, to provide guidance to area health boards.

Sec. 432—Distribution of drugs and other medical supplies. The National Health Board shall prepare and disseminate to area health boards a National Pharmacy and Medical Supply Formulary which will list drugs and medical supplies and give, for each item, standards of quality, medical conditions for which it is certified effective, and other appropriate information. At regular intervals the Board shall update the Formulary and publish a price list for items in the Formulary.

Each regional board shall establish a program for the purchase and distribution of drugs and other medical supplies for use by the health facilities in its region. This program will provide for the purchase of each item by competitive bidding or based on the price listed by the National Health Board, and it will provide for the distribution of drugs under their generic names.

Sec. 433—Miscellaneous functions of the National Health Board. The National Board shall, at the end of each calendar year, publish a report describing the operations of the Service during the preceding fiscal year and surveying the future health needs of the Nation and plans the Board has to meet these needs.

The National Health Board shall publish and dissiminate to area health boards, for use by users, a comprehensive dictionary of terms used in health care records and services.

TITLE V—FINANCING OF THE SERVICE

Health service taxes

Sec. 501—Individual and corporate income taxes. The Internal Revenue Code of 1954 is amended by adding a new part on health service taxes. These taxes are imposed on the taxable income of every individual, estate, trust, and corporation, increasing their tax liability in accordance with a table included in the Act. These taxes apply to taxable years including and after the effective date of health services.

Sec. 502—Other changes in the Internal Revenue Code of 1954. The Internal Revenue Code of 1954 is amended to delete any income exclusion for contributions to health plans providing health care and supplemental services that are provided under this Act; to deny deductions of payments for health care services provided under this Act; to deny deductions for contributions to medical and hospital facilities; and to repeal Medicare taxes. These amendments apply to taxable years including and after the effective date of health services.

Sec. 503—Existing employer-employee health benefit plans. No contractual or other nonstatutory obligation of an employer to pay or provide health services to his employees or others shall apply after the effective date of health services, to the extent such services are provided under this Act.

Sec. 504—Workers compensation program. No worker's compensation program shall pay for or provide health services after the effective date of health services, to the extent such services are available under this act.

Health Service Trust Fund

Sec. 511—Establishment of Health Service Trust Fund. There is created on the books of the United States Treasury a trust fund to be known as the Health Service Trust Fund. Funds received from health services

taxes shall be appropriated to the Trust Fund.

Sec. 512—Transfer of funds to the Health Service Trust Fund. On the effective date of health services, all of the assets and liabilities of the Federal Hospital Insurance Trust Fund and the Federal Supplementary Insurance Trust Fund are transferred to the Health Service Trust Fund. In addition to the funds received from health service taxes, there is also appropriated to the Trust Fund a contribution from general revenues equal to 40 percent of the funds received from health services taxes.

Sec. 513—Administration of Health Service Trust Fund. The Trust Fund shall be administered by a Board of Trustees, composed of the Secretary of the Treasury, the Secretary of Health and Human Resources, and the chairperson of the National Health Board, according to the accepted standards for such federal trust funds. The Secretary of the Treasury shall pay from time to time from the Trust Fund such amounts as the National Health Board certifies are necessary to provide health care and supplemental services under this Act.

Preparation of plans and budgets

Sec. 521—Determination of fund availability. The National Health Board shall, not later than January 1 of each year, initially fix the maximum amount of funds which may be obligated during the fiscal year beginning on October 1, of such year. Such amount may not exceed the lesser of 140 percent of the expected net receipts from health services taxes, or the amount spent during the previous year adjusted to reflect changes in the cost of living and scope and cost of services. The National Health Board may obligate less funds, if it determines that the cost of providing services has lessened, or additional funds if necessary because of an epidemic or other unexpected occurrence.

Sec. 522—Preparation of area plans and budgets. Each community board shall, by January 1, of each year, submit to its respective district board a plan and budget for the fiscal year beginning October 1. Each district board, in consultation with its community boards, shall, by February 1, submit to its respective regional board a plan and budget for the fiscal year beginning October 1. Each regional board, in consultation with its district boards, shall, by March 1, submit to the National Board, a plan and budget for the fiscal year beginning October 1. In preparing these budgets, each area health board shall specify its operating, prevention, capital, and research expenses for the coming fiscal year and for the five-year period beginning with that fiscal year.

Allocation and distribution of funds

Sec. 531—National budget. The National Health Board shall, as soon after April 1 as practical, transmit to the regional boards a national health budget for the fiscal year beginning October 1. It shall divide the total funds available into funds for ordinary operating, preventive health, capital, and research expenses, all divided into funds for use by the National Health Board and funds for the regions, and funds for special operating expenses as described in section 534. Funds for ordinary operating preventive health measures and research expenses are allocated to regions in proportion to their populations. During the first ten fiscal years, priority in capital funds shall be given to areas lacking adequate health care facilities. The budget shall be adopted upon approval by a majority of the regional boards.

Sec. 532—Regional budgets. Each regional board shall, as soon as practicable after adoption of the national health budget, transmit a regional budget to each district board in its region. This budget shall be adopted upon approval by a majority of the district boards. Funds for ordinary operating, prevention and research expenses shall be allocated to each district in proportion to population.

Sec. 533—District budgets. Each district board shall, as soon as practicable after adoption of the respective regional health budget, transmit a district budget to each community board in its district. This budget shall be adopted upon approval by a majority of the community boards. Funds for ordinary operating, prevention and research expenses shall be allocated to each community in proportion to population.

Sec. 534—Special operating expense fund. A fund for special operating expenses shall be incorporated into each budget prepared by the National Health Board. Special operating expenses include the costs of care and treatment of users 65 years of age and over, care and treatment of persons confined to full-time residential care institutions, special health needs of low-income individuals, special health needs of residents of rural areas, special health needs arising from environmental or occupational health problems, special needs from unexpected occurrences, and the conduct of environmental inspection and monitoring services.

The special operating expenses fund is allocated as follows: Funds for the additional expenses associated with senior citizens, and with persons confined to residential care institutions, are allocated to districts and communities and consist of basic capitation amounts multiplied, respectively, by the number of senior citizens and number of residents in such institutions, in the respective areas. The National Health Board shall determine the basic capitation amounts.

Funds for the needs of low-income residents are allocated to communities in proportion to the number of residents having incomes below the poverty level. (The total of these funds shall be no less than 2 percent of the ordinary operating expenses.) Funds for special environmental and occupational health needs are allocated by the National Board to regional boards in accordance with its determination of such needs. (The total of these funds shall be no greater than one-half percent of the ordinary operating expenses.) Funds for unexpected occurrencies shall be retained by the National Board and allocated by them. (These funds shall be no greater than one-half percent of the ordinary operating expenses.) Funds for environmental inspection and monitoring services shall be allocated to the area health boards performing such services.

Sec. 535—Distribution of funds. Funds shall be distributed by the National Health Board from the Trust Fund. No health board may request or receive funds from any other source. Area health boards may retain funds received from the National Health Board for two years after receipt of funds; after this period, unexpended funds must be returned to the National Health Board for deposit in the Trust Fund.

Sec. 536—Annual statement, records, and audits. Each area health board shall prepare annually and transmit to the National Health Board a statement that accurately shows the financial operations of the board and its facilities. The National Health Board and the Comptroller General of the United States shall, for auditing purposes, have access to all records and documents of the Service.

General provisions

Sec. 541—Issuance of obligations. The National Health Board is authorized to borrow money and to issue and sell such obligations as it determines are necessary to carry out this Act, but only in such amounts as are specified in appropriation Acts. The aggregate amounts of obligations at one time shall not exceed $10 billion. The National Health Board may pledge the assets of the Trust Fund and pledge and use its revenues to pay principal and interest on obligations. The service shall abide by the general rules and procedures for the issuance of obligations followed by agencies of the Federal Government. Obligations issued by the Service shall be obligations of the United States Government and payment is fully guaranteed by the Government.

TITLE VI—MISCELLANEOUS PROVISIONS

Sec. 601—Effective date of health services. The effective date of health services under this Act is January 1 of the fourth calendar year after the year in which this Act is enacted.

Sec. 602—Repeal of provisions. Effective on the date of health services, portions of the Public Health Service Act, the Social Security Act, and other acts relating to the provision of health care services and the conduct of health and health care research are repealed. Portions of the Public Health Service Act relating to health worker education remain in effect until four years after the effective date of health services.

Not later than 3 years after the date of enactment of this Act, the President shall prepare, in consultation with the National Health Board, and transmit to Congress legislation to repeal or amend additional provisions of law that are inconsistent with the purposes of this Act. Such legislation shall include transfers of such authority of the Secretary of Health, and Human Resources relating to standard-setting, regulation, and licensing, as the President determines, after consultation with the National Health Board to be appropriate.

Not later than one year after the effective date of health services, the National Health Board shall report to the President and to the Congress on how the Service is carrying out the purposes of the programs which have been repealed.

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. McCAIN) to revise and extend their remarks and include extraneous material:)

Mr. COURTER, for 60 minutes, June 18.

Mr. McEWEN, for 30 minutes, today.

Mr. DANNEMEYER, for 60 minutes, today.

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

Mr. THOMAS of Georgia, for 5 minutes, today.

Mr. ECKART of Ohio, for 5 minutes, today.
Mr. NEAL, for 5 minutes, today.
Mr. ANNUNZIO, for 5 minutes, today.
Mr. WEISS, for 5 minutes, today.
Mr. FOLEY, for 30 minutes, today.
Mr. DURBIN, for 60 minutes, on June 18.
Mr. HAYES, for 60 minutes, on June 18.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SOLOMON, prior to the vote on the Boland amendment in the Committee of the Whole today.

Mr. BROOMFIELD, immediately after the remarks of Mr. STUMP in the debate on the Hamilton amendment to H.R. 2577, in the Committee of the Whole, today.

Mr. RINALDO, immediately preceding the vote on the Michel amendment to H.R. 2577, in the Committee of the Whole, today.

Mr. DELLUMS, and to include extraneous matter notwithstanding the fact that it exceeds 2¼ pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $3,605.

Mr. BUSTAMANTE, immediately following the vote on the Boland amendment to H.R. 2577, in the Committee of the Whole, today.

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

Mr. SOLOMON.
Mr. LAGOMARSINO.
Mr. CLINGER in two instances.
Mr. BROOMFIELD in two instances.
Mr. KRAMER.
Mr. COUGHLIN.
Mr. BROYHILL.
Mr. TAUKE in two instances.
Mr. GUNDERSON.
Mr. PETRI.
Mr. CONTE in two instances.
Mr. MADIGAN.
Mr. MARLENEE.
Mr. WOLF in two instances.
Mr. SAXTON.
Mr. PORTER.
Mr. CRANE in two instances.
Mr. GILMAN.
Mr. EMERSON.
Mr. GROTBERG.
Mr. RITTER.
Mr. BLILEY.
Mr. DENNY SMITH.
Mr. COBEY.
Mr. MACK.

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

Mr. MATSUI.
Mr. ECKART of Ohio.
Mr. FRANK.
Mr. YATRON.
Mr. HALL of Ohio.
Mr. GARCIA.
Mr. BATES.
Mr. FOWLER.
Mr. RODINO in two instances.
Mr. HOWARD.
Mr. JACOBS.
Mr. ACKERMAN.
Mr. HUBBARD.
Mr. MRAZEK.
Mrs. SCHROEDER.
Mr. LANTOS.
Mr. DYMALLY.
Mr. STALLINGS in two instances.
Mr. LUKEN.
Mr. HOYER.
Mr. HAMILTON.
Mr. SHELBY.
Mr. SCHUMER.
Mr. ENGLISH.
Mr. DYSON.
Mr. KASTENMEIER.
Mr. MILLER of California.
Mr. FORD of Michigan.
Mr. PEPPER.
Mr. TRAXLER.
Mr. HAWKINS.
Mr. RAHALL.
Mr. GUARINI in two instances.
Mr. MORRISON of Connecticut.
Mr. ATKINS.
Mr. ORTIZ.
Mr. BRYANT.
Mr. WYDEN.
Mr. SIKORSKI.
Mr. BROOKS.
Mr. WALGREN.
Mr. KOLTER.
Mr. BORSKI.
Mrs. BOXER.
Mr. WEISS.

SENATE JOINT RESOLUTIONS REFERRED

Joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 88. Joint resolution to designate the week beginning September 8, 1985, as "National Osteopathic Medicine Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 125. Joint resolution designating the week of June 23, 1985, through June 29, 1985, as "Helen Keller Deaf-Blind Awareness Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 137. Joint resolution to designate the week of December 15, 1985, through December 21, 1985, as "National Drunk and Drugged Driving Awareness Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 138. Joint resolution to designate the week of June 2, 1985, through June 8, 1985, as "National Intelligence Community Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 142. Joint resolution to designate June 12, 1985, as "Anne Frank Day"; to the Committee on Post Office and Civil Service.

ENROLLED JOINT RESOLUTIONS

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled joint resolutions of the House the following titles, which were thereupon signed by the Speaker:

H.J. Res. 25. Joint resolution to designate the week beginning June 2, 1985, as "National Theatre Week;" and

H.J. Res. 64. Joint resolution designating Mother's Day, May 12, 1985, to Father's Day, June 15, 1985, as "Family Reunion Month".

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 66. Joint resolution designating June 14, 1985, as "Baltic Freedom Day".

ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 34 minutes p.m.) the House adjourned until tomorrow, Thursday, June 13, 1985, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1470. A letter from the Acting Assistant Secretary of Defense (Comptroller), transmitting a list of contract award dates for the period July 1 through August 31, 1985, pursuant to 10 U.S.C. 139(b); to the Committee on Armed Services.

1471. A letter from the Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting a draft of proposed legislation to amend section 403 of title 37, United States Code, to correct an inequity in eligibility for basic allowances for quarters (to include the Variable Housing Allowance) for members of the uniformed services without dependents and for members of the uniformed services who are married to other uniformed service members and have no other legal dependents; to the Committee on Armed Services.

1472. A letter from the Director, Selective Service System, transmitting a report on the operation of the System, pursuant to the Act of June 24, 1948, chapter 625, section 10(g) (65 Stat. 87; 81 Stat. 105); to the Committee on Armed Services.

1473. A letter from the Secretary of the Interior, transmitting a report on the activities of the Youth Conservation Corps program in the Department of the Interior, pursuant to Public Law 92-597, section 5; to the Committee on Education and Labor.

1474. A letter from the Associate Director, Bureau of Educational and Cultural Affairs, U.S. Information Agency, transmitting notification of a proposed waiver of limitation on foreign travel by a citizen who is financed by grants from the Private Sector Program, pursuant to 22 U.S.C. 2460 nt (Public Law 98-164, sec. 207(a) (FY 1984-1985)); to the Committee on Foreign Affairs.

1475. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to amend provisions of the Bankruptcy Code governing the powers of a bankruptcy court and the effect of automatic stays as they relate to

certain multifamily mortgages or other loans insured or held by the Secretary of Housing and Urban Development or the Secretary of Agriculture, and for other purposes; to the Committee on the Judiciary.

1476. A letter from the Acting Assistant Secretary of the Army (Civil Works), transmitting a report from the Chief of Engineers, Department of the Army, on Williamsport and South Williamsport, PA, together with other pertinent reports; to the Committee on Public Works and Transportation.

1477. A letter from the Director, Office of Civilian Radioactive Waste Management, transmitting a report on the activities and expenditures of the Office, pursuant to Public Law 97-425, section 304(c); jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 2040. A bill to authorize appropriations to the Department of Energy for fiscal years 1986 and 1987 for expenditures from the Nuclear Waste Fund for activities under title I of the Nuclear Waste Policy Act of 1982; with an amendment (Rept. No. 99-170, Pt. I). Ordered to be printed.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. HAMILTON: Permanent Select Committee on Intelligence. House Resolution 171. Resolution requesting the President to provide to the House of Representatives documents and factual information in his possession or under his control relating to certain counterterrorist units which received covert training or other support from the United States. (Rept. No. 99-171). Referred to the House Calendar.

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. ALEXANDER:

H.R. 2738. A bill entitled: "The Overseas U.S. Citizen's Representation in the Congress Act of 1985"; to the Committee on House Administration.

H.R. 2739. A bill entitled: "The Overseas American Children's Citizenship Equity Act of 1985"; to the Committee on the Judiciary.

H.R. 2740. A bill entitled: "The Overseas American Economic Competition Enhancement Act of 1985"; to the Committee on Ways and Means.

By Mr. BATES (for himself, Mr. ALEXANDER, Mr. ACKERMAN, Mr. ANNUNZIO, Mr. ANTHONY, Mr. BARNES, Mr. BERMAN, Mr. BOEHLERT, Mr. BONIOR of Michigan, Mr. BORSKI, Mrs. BOXER, Mr. BREAUX, Mr. BROWN of California, Mr. BURTON of Indiana, Mrs. BURTON of California, Mr. BUSTAMANTE, Mr. CARR, Mr. CARNEY, Mr. CHAPPIE, Mr. CLAY, Mr. CLINGER, Mr. COELHO, Mr. COLEMAN of Texas, Mr. CONYERS, Mr. COYNE, Mr. CROCKETT, Mr. DASCHLE, Mr. DAVIS, Mr. DE LUGO, Mr. DELLUMS, Mr. DERRICK, Mr. DICKS, Mr. DONNELLY, Mr. DOWNEY of New York, Mr. DURBIN, Mr. DYMALLY, Mr. EDGAR, Mr. FAZIO, Mr. FLORIO, Mr. FOLEY, Mr. FRANK, Mr. GEJDENSON, Mr. GONZALEZ, Mr. GRADISON, Mr. HAMILTON, Mr. HAMMERSCHMIDT, Mr. HAWKINS, Mr. HAYES, Mr. HERTEL of Michigan, Mr. HEFTEL of Hawaii, Mr. HILER, Mr. HOYER, Mr. HUNTER, Mr. JACOBS, Mrs. JOHNSON, Ms. KAPTUR, Mr. KOLTER, Mr. KOSTMAYER, Mr. LANTOS, Mr. LEACH of Iowa, Mr. LEHMAN of Florida, Mr. LELAND, Mr. LEVIN of Michigan, Mr. LOWERY of California, Mr. LOWRY of Washington, Mr. LUKEN, Mr. MCKINNEY, Mr. MACKAY, Mr. MARKEY, Mr. MATSUI, Ms. MIKULSKI, Mr. MOAKLEY, Mr. MRAZEK, Mr. NATCHER, Ms. OAKAR, Mr. ORTIZ, Mr. OWENS, Mr. PANETTA, Mr. PACKARD, Mr. PEASE, Mr. PENNY, Mr. RAHALL, Mr. REID, Mr. RODINO, Mr. ROE, Mr. ROYBAL, Mr. SAVAGE, Mr. SCHEUER, Mrs. SCHROEDER, Mrs. SCHNEIDER, Mr. SCHUMER, Mr. SEIBERLING, Mr. SHARP, Mr. SIKORSKI, Mr. SKEEN, Mr. SNYDER, Mr. SOLARZ, Mr. STARK, Mr. ST GERMAIN, Mr. STOKES, Mr. STUDDS, Mr. THOMAS of Georgia, Mr. TOWNS, Mr. TRAXLER, Mr. UDALL, Mr. VENTO, Mr. VOLKMER, Mr. WALGREN, Mr. WEAVER, Mr. WEISS, Mr. WHEAT, Mr. WILLIAMS, Mr. WISE, Mr. WOLPE, Mr. WYLIE, and Mr. YOUNG of Alaska):

H.R. 2741. A bill to prohibit discrimination in insurance on the basis of blindness or degree of blindness; to the Committee on Energy and Commerce.

By Mr. BIAGGI:

H.R. 2742. A bill to amend the Higher Education Act of 1965 to provide, with respect to guaranteed, insured, and direct student loans, deferral of repayment and payment by the Government of the interest during the borrower's service as an elementary or secondary school teacher; to the Committee on Education and Labor.

By Mr. ECKART of Ohio (for himself, Mr. SIKORSKI, Mr. MARKEY, Mr. CONYERS, Mr. FRANK, Mr. SEIBERLING, Mr. LELAND, Mr. SLATTERY, Mr. MARTINEZ, Mr. MILLER of California, Mr. KOSTMAYER, Mr. SWIFT, Mr. DELLUMS, Mr. WYDEN, Mr. BATES, Mr. ROSE, and Mr. DINGELL):

H.R. 2743. A bill to require the Nuclear Regulatory Commission to adhere to certain procedures in the conduct of its meetings; to the Committee on Interior and Insular Affairs.

By Mr. ECKART of Ohio (for himself, Mr. HERTEL of Michigan, Mr. NOWAK, Mr. KLECZKA, and Mr. SENSENBRENNER):

H.R. 2744. A bill to provide for coordinated management and rehabilitation of the Great Lakes and for other purposes; jointly, to the Committees on Merchant Marine and Fisheries, and Science and Technology.

By Mr. EMERSON:

H.R. 2745. A bill entitled "The Employment and Training Program of the Food Stamp Program"; to the Committee on Agriculture.

By Mr. LELAND (for himself, Mr. SABO, Mr. DYMALLY, Mr. JACOBS, Mr. DIXON, Mr. MRAZEK, Mr. ACKERMAN, Mr. WEISS, Mr. CROCKETT, Mr. STOKES, Mr. SMITH of Florida, Mr. MARKEY, Mr. FROST, Mr. HAYES, Mr. MITCHELL, Mr. OWENS, Mr. MOODY, Mr. RICHARDSON, Mr. FAUNTROY, Mr. SAVAGE, Mr. RANGEL, Mrs. BOXER, Ms. KAPTUR, Mr. DURBIN, Mr. MORRISON of Connecticut, Mr. CONYERS, and Mr. GRAY of Pennsylvania:

H.R. 2746. A bill to prohibit the transportation on South African vessels of agricultural commodities provided under the Agricultural Trade Development and Assistance Act of 1954; to the Committee on Foreign Affairs.

By Mr. MADIGAN:

H.R. 2747. A bill to allow taxpayers to designate on their income tax returns that overpayments of income tax shall be treated as contributions and used to reduce the public debt and that cash contributions included with such returns shall be used to reduce the public debt; to the Committee on Ways and Means.

By Mr. MURPHY (for himself, Mr. MARTINEZ, Mr. CROCKETT, and Mr. GARCIA):

H.R. 2748 A bill to provide for the establishment and operation of a national lottery to reduce the Federal deficit and to assist in financing the Federal old-age, survivors, and hospital insurance programs; to the Committee on Ways and Means.

By Mr. RITTER (for himself, Mr. BLILEY, Mr. BROWN of California, Mr. FUQUA, Mr. LUJAN, Mr. LUNDINE, Mr. NIELSON of Utah, Mrs. SCHNEIDER, Mr. WALGREN, Mr. YOUNG of Missouri, and Mr. ZSCHAU):

H.R. 2749. A bill to establish coordinated interagency research and demonstration projects for improving knowledge and use of risk assessment by those Federal agencies concerned with regulatory decisions related to the protection of human life, health, and the environment; to the Committee on Science and Technology.

By Mr. ROSE:

H.R. 2750. A bill to strengthen the operation of the agricultural stabilization and conservation committee system, and for other purposes; to the Committee on Agriculture.

By Mr. STALLINGS:

H.R. 2751. A bill to provide for the relief of certain water users deprived of winter livestock water from Willow Creek, Idaho, downstream of the Ririe Dam and Reservoir; to the Committee on the Judiciary.

By Mr. SYNAR (for himself and Mrs. SCHROEDER):

H.R. 2752. A bill to terminate the Copyright Royalty Tribunal and transfer its functions to the Register of Copyrights; to the Committee on the Judiciary.

By Mr. WALGREN:

H.R. 2753. A bill to amend the Clean Air Act with respect to the control of interstate air pollution; to the Committee on Energy and Commerce.

By Mr. WALGREN (for himself, Mr. RITTER, Mr. SHARP, Mrs. SCHNEIDER, and Mr. ECKART of Ohio):

H.R. 2754. A bill establishing a program for the demonstration and development of technologies for commercial application through the Clean Coal Technology Reserve, and for other purposes; jointly, to the Committees on Energy and Commerce, and Science and Technology.

By Mr. HOYER (for himself, Ms. MIKULSKI, and Mr. GARCIA):

H.J. Res. 314. Joint resolution designating the month of November 1985 as "National Diabetes Month"; to the Committee on Post Office and Civil Service.

By Mr. CROCKETT:

H. Res. 198. Resolution extending fraternal greetings to the 12th World Festival of Youth and Students, to be held in Moscow from July 27 to August 3, 1985; to the Committee on Foreign Affairs.

By Mr. MACK:

H. Res. 199. Resolution requiring a two-thirds majority for passage of certain appropriations bills in the House of Representatives; to the Committee on Rules.

MEMORIALS

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

156. By the SPEAKER: Memorial of the Legislature of the State of Colorado, relative to the Nation's fiscal deficit; to the Committee on Government Operations.

157. Also, memorial of the Senate of the State of Illinois, relative to the Small Business Administration; to the Committee on Small Business.

158. Also, memorial of the Senate of the State of Massachusetts, relative to deductions for State and local taxes; to the Committee on Ways and Means.

159. Also, memorial of the Legislature of the State of Nebraska, relative to Social Security benefits; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BATES:

H.R. 2755. A bill for the relief of Bradley H. Koskie; to the Committee on Armed Services.

By Mr. ROBERT F. SMITH:

H.R. 2756. A bill for the relief of Kok Djen Su and Grace Su; 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. 3: Mr. ENGLISH and Mr. MARTINEZ.

H.R. 25: Mr. MORRISON of Connecticut, Mr. ANDREWS, Mr. BUSTAMANTE, Mr. ROSE, and Mr. WILSON.

H.R. 44: Mr. VENTO and Mr. DELAY.

H.R. 237: Mr. BATES, Mr. BROOMFIELD, Mr. DORGAN of North Dakota, Mr. EVANS of Illinois, Mr. GALLO, Mr. MCKINNEY, Mr. MICHEL, Mr. PENNY, Mr. PORTER, Mr. ROBERTS, Mrs. SMITH of Nebraska, and Mr. WOLPE.

H.R. 275: Mr. SUNDQUIST and Mr. YOUNG of Florida.

H.R. 479: Mr. EMERSON, Mr. GEJDENSON, Mr. HUGHES, Mr. LEACH of Iowa, and Mr. ORTIZ.

H.R. 481: Mr. BATEMAN.

H.R. 585: Mr. MOLLOHAN.

H.R. 669: Mr. WOLPE, Mr. FIELDS, Mr. SCHEUER, Mr. GEJDENSON, Mr. DONNELLY, Mr. ADDABBO, and Mr. MCCLOSKEY.

H.R. 704: Mr. PARRIS, Mr. SOLOMON, and Mr. BARTON of Texas.

H.R. 767: Mr. KINDNESS, Mr. WHITEHURST, Mr. DORNAN of California, Mr. ROBERTS, Mr. WILSON, Mr. NIELSON of Utah, Mr. BARTON of Texas, Mr. SWIFT, Mr. BURTON of Indiana, and Mr. DELAY.

H.R. 1006: Mr. MORRISON of Washington, Mr. CLINGER, Mr. LUJAN, Mr. BOULTER, Mr. WORTLEY, Mr. MAZZOLI, Mr. HARTNETT, Mr. NEAL, Mr. VALENTINE, Mr. PARRIS, Mr. VENTO, and Mr. DASCHLE.

H.R. 1100: Mr. SOLOMON, Mr. STALLINGS, Mr. TRAXLER, Mr. STRANG, Mrs. BENTLEY, Mr. AUCOIN, Mr. GUNDERSON, Mr. EDGAR, Mr. PORTER, and Mr. OBERSTAR.

H.R. 1140: Mr. MARTINEZ.

H.R. 1156: Mr. CLAY, Mr. BIAGGI, Mr. DAUB, Mr. PERKINS, Mr. SWIFT, and Mrs. SMITH of Nebraska.

H.R. 1188: Ms. SNOWE, Mr. ADDABBO, Mr. COBEY, Mr. HARTNETT, Mr. FIELDS, Mr. HUTTO, Mr. SHUMWAY, Mr. ROE, Mr. FLORIO, Mr. ERDREICH, Mr. LUNDINE, and Mr. BOLAND.

H.R. 1242: Mr. FEIGHAN and Mr. GUARINI.

H.R. 1243: Mr. FEIGHAN and Mr. CLINGER.

H.R. 1294: Mr. PETRI.

H.R. 1453: Mr. BARNES and Mr. GRAY of Pennsylvania.

H.R. 1454: Mr. GRAY of Pennsylvania.

H.R. 1550: Mr. MARTINEZ, Mr. VENTO, Mr. FEIGHAN, and Mr. TALLON.

H.R. 1591: Mr. ROBERT F. SMITH, Mr. EVANS of Illinois, and Mr. EMERSON.

H.R. 1619: Mr. BROYHILL, Mrs. BENTLEY, Mr. FASCELL, Mr. MCGRATH, Mr. MORRISON of Washington.

H.R. 1644: Mr. COBEY and Mr. EDWARDS of Oklahoma.

H.R. 1746: Mr. TOWNS, Mr. LELAND, Mr. CONTE, Mr. DYMALLY, Mr. MADIGAN, Mr. MRAZEK, Mr. WORTLEY, Mr. LEVINE of California, Mr. WOLPE, Mr. GILMAN, Ms. MIKULSKI, Mr. ROSE, Mr. MCCOLLUM, and Mr. MARTINEZ.

H.R. 1770: Mr. STARK and Mr. CONYERS.

H.R. 1932: Mr. BLAZ.

H.R. 1965: Mr. APPLEGATE, Mr. BURTON of Indiana, Mr. CLINGER, Mr. DURBIN, Mr. GRAY of Illinois, Mr. HAMILTON, Mr. HILER, Mr. LOTT, Mr. LOWERY of California, Mr. MARTIN of New York, Mr. PEASE, Mr. RAHALL, Mr. REGULA, Mr. SHARP, and Mr. SOLOMON.

H.R. 1977: Mr. BURTON of Indiana, Mr. LOTT, and Mr. HILLIS.

H.R. 2069: Mr. DELLUMS.

H.R. 2098: Mr. STRATTON.

H.R. 2190: Mr. CROCKETT, Mr. NEAL, Mr. NIELSON of Utah, Mr. GLICKMAN, and Mr. DELLUMS.

H.R. 2211: Mr. DURBIN, and Mr. CONYERS.

H.R. 2262: Mr. DELLUMS, and Mr. KILDEE.

H.R. 2320: Mr. OWENS, Mr. DYMALLY, Mr. SAVAGE, Mr. MITCHELL, Mr. DELLUMS, Mr. HAWKINS, Mr. STOKES, Mr. FAUNTROY, Mr. CROCKETT, and Mr. HAYES.

H.R. 2337: Mr. BLILEY.

H.R. 2342: Mr. BIAGGI, Mr. CLINGER, Mr. SHUMWAY, Mr. RANGEL, Mr. MORRISON of Connecticut, Mr. EDGAR, Mr. DYMALLY, Mr. GONZALEZ, Mr. PEPPER, Mr. GUNDERSON, and Mr. CONYERS.

H.R. 2361: Mr. MARTINEZ, Ms. KAPTUR, and Mrs. BOXER.

H.R. 2398: Mr. DAUB and Mr. DELAY.

H.R. 2401: Mr. SMITH of Florida, Mr. FEIGHAN, Mr. CONYERS, and Mr. HORTON.

H.R. 2451: Mr. LUJAN, Ms. SNOWE, Mr. FUSTER, Mr. MARTIN of New York, Mr. HARTNETT, Mr. PICKLE, Mr. SMITH of Florida, Ms. KAPTUR, and Mr. THOMAS of Georgia.

H.R. 2454: Mr. NIELSON of Utah.

H.R. 2553: Mr. SENSENBRENNER, Mr. OWENS, Mr. RINALDO, Mrs. COLLINS, and Mr. HUNTER.

H.R. 2567: Mr. ADDABBO and Mr. WHEAT.

H.R. 2575: Mr. ADDABBO.

H.R. 2581: Mr. MARTINEZ.

H.R. 2584: Mr. BEDELL and Mr. SAXTON.

H.R. 2597: Mr. WEISS.

H.R. 2602: Mr. HOYER, Mr. SAVAGE, Mr. FOGLIETTA, Mr. MARTINEZ, Mrs. BENTLEY, Ms. MIKULSKI, and Mr. CONYERS.

H.R. 2620: Mrs. COLLINS and Ms. MIKULSKI.

H.R. 2626: Mr. ROGERS, Mr. WORTLEY, Mr. BARTON of Texas, and Mr. DELAY.

H.J. Res. 18: Mrs. MEYERS of Kansas.

H.J. Res. 156: Mr. DIXON, Mr. SAXTON, Mr. CONYERS, Mr. CLAY, and Mr. DE LA GARZA.

H.J. Res. 175: Mr. KILDEE, Mr. STENHOLM, Mr. SOLOMON, Mr. BROOMFIELD, Mr. FOLEY, Mr. HUTTO, Mr. MCEWEN, Mr. CLAY, Mr. COOPER, Mr. SAVAGE, Mr. WYLIE, Mr. YATRON, Mr. GRAY of Pennsylvania, and Mr. HALL of Ohio.

H.J. Res. 216: Mr. PEPPER, Mr. WHITTEN, Mr. RUSSO, Mr. GAYDOS, Mr. EMERSON, Mrs. BOGGS, Mr. STRATTON, Mr. GEPHARDT, Mr. ASPIN, Mr. BROOKS, Mr. ROBINSON, Mr. KEMP, Mr. CHENEY, Mr. EDWARDS of Oklahoma, Mr. BROWN of Colorado, Mr. BURTON of Indiana, Mr. BROOMFIELD, Mr. SCHEUER, Mr. MILLER of Washington, Mr. BATES, Mr. WYDEN, Mr. BROWN of California, Mr. LEWIS of California, Mr. SOLOMON, Mr. PACKARD, Mr. LAGOMARSINO, Mr. DEWINE, Mr. MONTGOMERY, Mr. MURTHA, Mr. STUMP, Mr. HYDE, Mr. FASCELL, Mr. COLEMAN of Texas, Mr. KOSTMAYER, Mr. COELHO, Mr. MILLER of California, Mr. DURBIN, Mr. BRUCE, Mr. FOLEY, Mr. ROSE, Mr. BEILENSON, Mr. HUCKABY, Mr. BOLAND, Mr. MCDADE, Mr. LIVINGSTON, Mr. GUNDERSON, Mr. DE LUGO, Mr. EARLY, Mr. GRADISON, Mr. LOTT, Mr. DREIER of California, Mr. UDALL, Mr. BARNES, Mr. BRYANT, Mr. MARKEY, Mrs. LONG, Mr. MCCLOSKEY, Mr. BENNETT, Mr. PICKLE, Mr. AUCOIN, Mr. SKEEN, Mrs. VUCANOVICH, Mr. SHELBY, Mr. JEFFORDS, Mr. ST GERMAIN, Mr. WHITLEY, Mr. HEFNER, Mr. GREEN, Mr. O'BRIEN, Mr. DORNAN of California, Ms. SNOWE, Mr. HENRY, Mr. PURSELL, Mr. RITTER, Mr. LEACH of Iowa, Mr. MCCOLLUM, Mr. TRAFICANT, Mr. GLICKMAN, Mr. DOWNEY of New York, Mr. HATCHER, Mr. ERDREICH, Mr. CROCKETT, Mr. OWENS, Mr. SMITH of Iowa, Mr. FORD of Tennessee, Mr. EDWARDS of California, Mr. FUQUA, Mr. TAUZIN, Mr. MOLINARI, Mr. WEAVER, Mr. DELLUMS, Mr. CONYERS, Mr. FOWLER, Mr. MORRISON of Washington, Mr. GROTBERG, Mr. GREGG, Mr. SHARP, Mr. STAGGERS, Mr. STUDDS, Mr. DYMALLY, Mr. CALLAHAN, Mr. MOODY, Mr. GALLO, Mr. WHEAT, Mr. PORTER, Mr. COYNE, Mr. MICA, Mr. TOWNS, Mr. DORGAN of North Dakota, Mr. DAUB, Mr. MARTINEZ, Mr. SILJANDER, Mr. FRANKLIN, Mr. MRAZEK, Mr. FOGLIETTA, Mr. PRICE, Mr. ACKERMAN, Mr. VENTO, Mr. ANTHONY, Mr. MAVROULES, Mr. BOUCHER, Mr. LELAND, Mr. GARCIA, and Mr. WIRTH.

H.J. Res. 304: Mr. HYDE.

H.J. Res. 306: Mrs. BOXER, Mr. ATKINS, Mr. KINDNESS, Mr. MCGRATH, Mr. FRENZEL, Mr. SOLOMON, Mr. PORTER, Mr. SILJANDER.

H. Con. Res. 56: Mr. PEPPER.

H. Con. Res. 69: Mr. PARRIS, Mr. SMITH of Florida, Mr. REID, and Mr. GAYDOS.

H. Con. Res. 71: Mr. MARTINEZ.

H. Con. Res. 148: Mrs. COLLINS, Mr. DYMALLY, Mr. HAWKINS, Mr. STOKES, Mr. MITCHELL, Mr. OWENS, Mr. FAUNTROY, Mr. SAVAGE, Mr. COURTER, Mr. DELLUMS, Mr. CROCKETT, and Mr. MORRISON of Connecticut.

H. Res. 74: Mr. DORNAN of California, Mr. LIGHTFOOT, Mr. MCGRATH, Mr. WEBER, Mr. SAXTON, Mr. MITCHELL, Mr. WILSON, Mr. STOKES, Mr. YOUNG of Missouri, Mr. BEDELL,

Mr. MARTINEZ, Mr. SCHEUER, Mr. BARNES, Mr. LELAND, Mr. MORRISON of Connecticut, Mr. LAFALCE, Mrs. BOXER, Mr. GLICKMAN, Mr. BILIRAKIS, Mr. DEWINE, Mr. BERMAN, Mr. BLILEY, Mr. WORTLEY, Mr. GALLO, Mr. COBEY, Mr. REID, Mr. DASCHLE, Mr. DIOGUARDI, Mr. DURBIN, Mr. EVANS of Iowa, Mr. BOEHLERT, Mr. GREEN, Mr. HEFTEL of Hawaii, Mr. WEISS, Mr. OBERSTAR, Mr. ECKART of Ohio, and Mr. MINETA.

H. Res. 76: Mr. YATRON, Mr. KOLTER, Mrs. BENTLEY, Mr. BIAGGI, Mr. MRAZEK, Mr. ADDABBO, Mr. MCHUGH, Mr. STRATTON, Mr. ECKERT of New York, and Mr. FEIGHAN.

H. Res. 194: Mr. DELLUMS, Mr. HEFTEL of Hawaii, and Mr. DYSON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1815: Mr. KASTENMEIER.
H.R. 2600: Mr. HARTNETT.

PETITIONS, ETC.

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

131. By the SPEAKER: Petition of the common council, Fort Wayne, IN, relative to experiments on animals; to the Committee on Agriculture.

132. Also, petition of the city council, Lubbock, TX, relative to the Fair Labor Standards Act; to the Committee on Education and Labor.

133. Also, petition of the city council, Midland, TX, relative to the Fair Labor Standards Act; to the Committee on Education and Labor.

134. Also, petition of Prof. Dr. Ingomar Hauchler MdB., et al., Members of the German Bundestag, Bonn, Germany, relative to the trade embargo on Nicaragua; to the Committee on Foreign Affairs.

135. Also, petition of the Hagerstown-Washington County Chamber of Commerce, Hagerstown, MD, relative to the balance of trade; to the Committee on Ways and Means.

AMENDMENTS

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

H.R. 1452

By Mr. MICA:

—Page 11, amend lines 1 through 8 to read as follows:

(f) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS FOR RECEPTION AND PLACEMENT SERVICES.—(1) In order to insure that sufficient funds are authorized to be appropriated to provide for reception and placement services in fulfillment of the responsibilities required under section 412(b)(7)(D) of the Immigration and Nationality Act (as added by subsection (b)(1) of this section), there are authorized to be appropriated (in addition to the amounts described in paragraph (2)) for fiscal years 1986 and 1987 any such additional sums as may be necessary to fulfill the responsibilities under that section.

(2) The amounts described in this paragraph are—

(A) the amounts authorized to be appropriated to the Department of State for "Migration and Refugee Assistance" by the Department of State Authorization Act, Fiscal Years 1986 and 1987, which may be used for enhanced reception and placement services under section 412(b) of the Immigration and Nationality Act; and

(B) any other amounts authorized to be appropriated for such services.

H.R. 1555

By Mr. BROWN of Colorado:

—Page 56, lines 4 and 5, strike out "$391,533,200" and insert in lieu thereof "$387,000,000".

—Page 48, lines 9 and 10, strike out "$284,904,000" and insert in lieu thereof "$196,211,000".

Page 48, strike out the sentence beginning in line 12 and ending on line 5 of page 51 and insert in lieu thereof the following: "Funds authorized to be appropriated by this paragraph for fiscal years 1986 and 1987 may be contributed to the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency."

—Page 47, after line 18, insert the following new section:

SEC. 316. APPROPRIATIONS FREEZE.

Notwithstanding the specific authorizations of appropriations provided by the preceding sections of this title, the aggregate amounts appropriate pursuant to those authorizations for each of the fiscal years 1986 and 1987 may not exceed $1,682,522,000.

—Page 30, line 17, strike out "$3,900,400,000" both places it appears and insert in lieu thereof "$3,841,000,000".

—Page 2, lines 14, 23, and 24, strike out "$5,427,050,000" each place it appears and insert in lieu thereof "$5,202,050,000".

Page 5, lines 3 and 4, strike out "$1,300,000,000" and insert in lieu thereof "$1,175,000,000".

By Mr. BROOMFIELD

—Page 30, after line 10 insert the following new section:

SEC. 128. CEILING ON MILITARY ASSISTANCE FOR TURKEY.

For each of the fiscal years 1986 and 1987, the aggregate total of assistance under chapter 2 of part II of the Foreign Assistance Act of 1961 and financing under the Arms Export Control Act provided for Turkey may not exceed $711,428,570.

By Mr. HALL of Ohio:

—Page 141, line 14, before the semicolon, insert the following: ", including the release of prisoners held without charge and an end to arrests by presidential order without court warrants and bail".

Page 141, line 24, insert "and security forces (including the Philippine Constabulary and the Civilian Home Defense Forces)" after "forces".

Page 144, after line 2, add the following:

(d) CONGRESSIONAL OVERSIGHT.—The Congress, in determining future aid levels for the Philippines, will take into account not only our military bases agreement with that country, but also the extent to which the objectives identified in subsection (b) have been implemented. The Congress may defer assistance for the Philippines under both chapter 2 of part II of the Foreign Assistance Act of 1961 and the Arms Export Control Act if—

(1) significant progress is not achieved with respect to the objectives identified in subsection (b), or

(2) the Congress finds that such assistance is used to violate the internationally recognized human rights of the Filipino people.

By Mr. SOLOMON:

—Page 2, lines 14, 23, and 27, strike out "$5,427,050,000" each place it appears and insert in lieu thereof "$5,462,050,000"; page 3, lines 4 and 5, strike out "$553,900,000" and insert in lieu thereof "$588,900,000"; and page 6, strike out lines 7 through 9 and insert in lieu thereof the following:

"(4) THE PHILIPPINES.—Of the total amount of credits extended under section 23 of this Act, not less than $35,000,000 for fiscal year 1986 and not less than $35,000,000 for fiscal year 1987 shall be available only for the Philippines.".

Page 8, lines 13 and 14, strike out "$761,000,000" and insert in lieu thereof "$786,000,000"; and beginning in line 17, strike out "not to exceed $25,000,000 for fiscal year 1986 and not to exceed $25,000,000 for fiscal year 1987" and insert in lieu thereof "not less than $50,000,000 for fiscal year 1986 and not less than $50,000,000 for fiscal year 1987".

—Page 30, line 17, strike out "$3,900,400,000" both places it appears and insert in lieu thereof "$3,840,400,000".

Page 37, line 4, strike out "$155,000,000" both places it appears and insert in lieu thereof "$90,000,000".

H.R. 1872

By Mr. BENNETT:

—Page 13, line 15, strike out "$9,039,500,000" and insert in lieu thereof "$6,921,700,000".

At the end of title I (page 22, line 23) add the following new section:

SEC. 111. TERMINATION OF MX MISSILE PROGRAM AND TRANSFERS TO CONVENTIONAL PROGRAMS.

(a) LIMITATION ON FY86 AND LATER FUNDS.—No funds appropriated or otherwise made available for procurement of missiles for the Air Force for fiscal year 1986 or for any later fiscal year may be obligated for the MX missile.

(b) LIMITATION ON PRIOR-YEAR FUNDS REMAINING AVAILABLE FOR OBLIGATION.—Funds appropriated or otherwise made available for procurement of missiles for the Air Force for a fiscal year before fiscal year 1986 that remain available for obligation may not be obligated for the MX missile program.

(c) AUTHORIZATION OF TRANSFER OF PRIOR-YEAR MX FUNDS INTO CONVENTIONAL PROGRAMS.—Subject to the provisions of Appropriations Acts, the Secretary of Defense may transfer to amounts appropriated for fiscal year 1986 for the Department of Defense any amounts appropriated or otherwise made available for procurement for the MX missile program for a fiscal year before fiscal year 1986. Any amount transferred pursuant to the preceding sentence shall be available only for conventional warfare programs.

(d) AUTHORIZATION OF APPROPRIATIONS FOR CONVENTIONAL PROGRAMS.—There is hereby authorized to be appropriated for fiscal year 1986 for procurement for the Armed Forces $2,117,800,000. Amounts appropriated pursuant to such authorization shall be available only for conventional warfare programs. Such authorization is in addition to any other authorization provided in this title.

By Mr. DICKS:

—Page 23, line 12, strike out "$6,305,732,000" and insert in lieu thereof "$5,932,770,000".

Page 26, strike out lines 18 through 22 (and redesignate the succeeding paragraphs accordingly).

At the end of title II (page 29, after line 14), add the following new section:

SEC. 207. STRATEGIC DEFENSE INITIATIVE.

(a) LIMITATION ON FY86 FUNDS FOR SDI.—Of the amount authorized in section 201 to be appropriated for fiscal year 1986 for research, development, test, and evaluation for the Defense Agencies, not more than $2,100,000,000, may be appropriated for activities of the Strategic Defense Initiative Organization of the Department of Defense.

(b) PROJECTS REQUIRED TO BE CARRIED OUT AT SPECIFIED LEVELS.—Of the amount appropriated or otherwise made available for fiscal year 1986 for research, development, test, and evaluation for activities of the Strategic Defense Initiative—

(1) not less than $12,500,000 shall be obligated or expended for the medical application of free-electron lasers and associated material and physical science research project;

(2) not less than $145,060,000 shall be obligated or expended for the battle management and command, control and communications project;

(3) not less than $98,240,000 shall be obligated or expended for the systems architecture project;

(4) not less than $72,150,000 shall be obligated or expended for the Strategic Defense Initiative system survivability project;

(5) not less than $103,500,000 shall be obligated or expended for the lethality and target-hardening project; and

(6) not less than $75,000,000 shall be obligated or expended for a new project directed toward defense against manned aircraft and cruise missiles.

(c) PROJECTS LIMITED TO A SPECIFIED MAXIMUM.—Of the amount appropriated or otherwise made available for fiscal year 1986 for research, development, test, and evaluation for activities of the Strategic Defense Initiative—

(1) not more than $117,000,000 may be obligated or expended for the optical surveillance experiment;

(2) not more than $162,700,000 may be obligated or expended for the space-based laser concepts project;

(3) not more than $13,500,000 may be obligated or expended for the hypervelocity launcher development project; and

(4) not more than $30,000,000 may be obligated or expended for the kinetic kill vehicle project.

(d) AMENDMENTS TO ANNUAL SDI REPORT.—Section 1102 of the Department of Defense Authorization Act, 1985 (Public Law 98-525; 98 Start. 2580), is amended—

(1) by inserting "(a)" after "SEC. 1102.";

(2) by inserting ", including planned tests" in paragraph (1) after "ballistic missiles";

(3) by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (5), (6), (7), and (8), respectively;

(4) by inserting after paragraph (3) the following new paragraph (4):

"(4) details of all developments in each Strategic Defense Initiative program and project during the previous calendar year;"; and

(5) by adding at the end thereof the following new subsection:

"(b) Each report under this section shall be submitted in two versions, one containing classified information requiring protection from unauthorized disclosure and the other containing no such classified information.".

By Mr. MAVROULES:

—Page 23, line 12, strike out "$6,305,732,000" and insert in lieu thereof "$ ".

Page 26, strike out lines 18 through 22 (and redesignate the succeeding paragraphs accordingly).

At the end of title II (page 29, after line 14), add the following new section:

SEC. 207. LIMITATION ON FUNDS FOR STRATEGIC DEFENSE INITIATIVE TO FISCAL YEAR 1985 LEVEL.

Of the funds appropriated or otherwise made available for the Department of Defense for fiscal year 1986 for research, development, test, and evaluation, not more than $1,397,299,000 shall be available for activities of the Strategic Defense Initiative Organization of the Department of Defense. Such funds shall be available only as follows:

(1) $376,399,000 for directed energy weapons.

(2) $255,950,000 for kinetic energy weapons.

(3) $99,000,000 for systems concepts and battle management.

(4) $112,000,000 for survivability, lethality, and key support technology.

(5) $545,950,000 for surveillance acquisition tracking.

(6) $8,000,000 for management headquarters functions.

—Page 23, line 12, strike out "$6,305,732,000" and insert in lieu thereof "$5,230,069,000".

Page 26, strike out lines 18 through 22 (and redesignate the succeeding paragraphs accordingly).

At the end of title II (page 29, after line 14), add the following new section:

SEC. 207 STRATEGIC DEFENSE INITIATIVE

(a) LIMITATION OF FY86 FUNDS FOR SDI TO FY85 LEVELS.—Of the funds appropriated or otherwise made available for the Department of Defense for fiscal year 1986 for research, development, test, and evaluation, not more than $1,397,299,000 shall be available for activities of the Strategic Defense Initiative Organization of the Department of Defense. Such funds shall be available only as follows:

(1) $376,399,000 for directed energy weapons.

(2) $255,950,000 for kinetic energy weapons.

(3) $99,000,000 for systems concepts and battle management.

(4) $112,000,000 for survivability, lethality, and key support technology.

(5) $545,950,000 for surveillance acquisition tracking.

(6) $8,000,000 for management headquarters functions.

(b) ACTIVITIES TO BE CONSISTENT WITH 1972 ABM TREATY.—The Secretary of Defense may not obligate funds appropriated or otherwise available for fiscal year 1986 for activities of the SDIO in any manner that is inconsistent with the 1972 Treaty on the Limitation of Anti-Ballistic Missile Systems between the Soviet Union and United States (the "ABM Treaty").

(c) LIMITATION ON SDI DEMONSTRATION PROJECTS.—Consistent with the announced objective of the President for the Strategic Defense Initiative as being "'a broad research program", funds appropriated or otherwise made available for fiscal year 1986 for activities of the Strategic Defense Initiative Organization may not be used for any demonstration project under a Strategic Defense Initiative program.

—Page 13, line 15, strike out "$9,039,500,000" and insert in lieu thereof "$7,842,700,000".

At the end of title I (page 22, after line 23) add the following new section:

SEC. 111. MX MISSILE PROGRAM.

(a) LIMITATION ON FY86 PROCUREMENT FUNDS FOR THE MX MISSILE PROGRAM.—Of the funds appropriated or otherwise made available in an appropriation law for fiscal year 1986 for procurement of missiles for the Air Force, not more than $921,000,000 may be used for the MX missile program. Such funds may be used only for—

(1) the acquisition of not more than eight basing sets for the basing of MX missiles;

(2) the acquisition of systems support consistent with the deployment of not more than 40 MX missiles; and

(3) maintenance of the production base for the MX missile program.

(b) LIMITATION ON DEPLOYMENT OF MX MISSILES.—The number of MX missiles deployed at any time may not exceed 40.

(c) POLICY ON FUTURE MX MISSILE PROCUREMENT.—Funds appropriated or otherwise made available for fiscal years after fiscal year 1985 for procurement of missiles for the Air Force may not be used for procurement of MX missiles except for the acquisition of those additional missiles required for the operational test and evaluation program and the aging and surveillance program.

—At the end of title II (page 29, after line 14), add the following new section:

SEC. 207. LIMITATION ON STRATEGIC DEFENSE INITIATIVE DEMONSTRATION PROJECTS.

Consistent with the announced objective of the President for the Strategic Defense Initiative as being "a broad research program", funds appropriated or otherwise made available for fiscal year 1986 for activities of the Strategic Defense Initiative Organization may not be used for any demonstration project under a Strategic Defense Initiative program.

By Mr. NICHOLS:

—Page 172, after line 20, insert the following new sections:

SEC. 1016. ALLOWABLE COSTS.

(a) REGULATION OF ALLOWABLE COSTS PAYABLE TO DEFENSE CONTRACTORS.—(1) Chapter 137 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"§ 2324. Allowable costs under defense contracts

"(a)(1) The Secretary of Defense shall require that a covered contract provide that if the contractor submits to the Department of Defense a proposal for settlement of indirect costs incurred by the contractor for any period after such costs have been accrued and if that proposal includes the submission of an indirect cost that has been expressly specified by statute or regulation as being unallowable—

"(A) that cost shall be disallowed; and

"(B) the contractor shall pay to the United States an amount equal to the greater of $10,000 or—

"(i) the amount of the disallowed cost, plus interest; or

"(ii) if the cost is of a type that has been finally determined, before the submission of such proposal, to be expressly unallowable to that contractor, an amount equal to twice the amount of the disallowed cost, plus interest.

"(2) An action by the Secretary under a contract provision required by paragraph

(1) to disallow a cost and to require payment of a contractor—

"(A) shall be considered to be a final decision for purposes of section 6 of the Contracts Dispute Act of 1978 (41 U.S.C. 605); and

"(B) shall be appealable in the manner provided in section 7 of such Act (41 U.S.C. 606).

"(3) Interest under paragraph (1) shall be computed—

"(A) from the date on which the cost is questioned; and

"(B) at the applicable rate prescribed by the Secretary of the Treasury under section 6621 of the Internal Revenue Code of 1954.

"(b) The following costs are not allowable under a covered contract:

"(1) Costs of entertainment, including amusement, diversion, and social activities and any costs directly associated with such costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities).

"(2) Costs incurred to influence (directly or indirectly) congressional action on any legislation or appropriation matters pending before Congress.

"(3) Costs incurred in defense of any fraud proceeding brought by the United States where the contractor is found liable for fraud or has pleaded nolo contendere to a charge of fraud.

"(4) Fines and penalties resulting from violations of, or failure to comply with, Federal, State, or local laws and regulations, except when incurred as a result of compliance or specific written instructions from the contracting officer.

"(5) Costs of membership in any social, dining, or country club or organization.

"(6) Costs of alcoholic beverages.

"(7) Contributions or donations, regardless of the recipient.

"(8) Costs of advertising designed to promote the contractor or its products.

"(9) Costs of promotional items and memoribilia, including models, gifts, and souvenirs.

"(10) Except as provided in subsection (c), costs for travel by aircraft to the extent that such costs exceed the amount of the standard commercial fare for travel by common carrier between the points involved.

"(c)(1) Subsection (b)(10) does not apply if travel by common carrier at standard fare—

"(A) would require travel at unreasonable hours;

"(B) would excessively prolong travel;

"(C) would result in overall increased costs that would offset potential savings from travel at standard commercial fare; or

"(D) would not meet physical or medical needs of the person traveling.

"(2) Subsection (b)(10) does not apply to travel by aircraft other than a common carrier if—

"(A) travel by such aircraft is specifically required for contract performance or is otherwise specifically authorized under the contract;

"(B) travel by common carrier is impractical; and

"(C) the travel performed is for business purposes and requires the use of such aircraft.

"(3) Costs for air travel in excess of that allowed by subsection (b)(10) may only be allowed by reason of one of the exceptions contained in paragraph (1) or by reason of paragraph (2) if the exception is fully documented and justified, including, in the case of an exception under paragraph (2), full documentation of the use of the aircraft for business purposes.

"(d)(1) The Secretary of Defense shall prescribe regulations to establish criteria for the allowability of indirect contractor costs under Department of Defense contracts. Such regulations shall be prescribed as part of the Department of Defense supplement to the Federal Acquisition Regulation. In developing specific criteria for the allowability of such costs, the Secretary shall consider whether reimbursement of such costs by the United States is in the best interest of the United States. Such regulations—

"(A) shall define in detail and in specific terms those costs that are unallowable under contracts entered into by the Department of Defense; and

"(B) shall provide that specific costs unallowable under one cost principle shall not be allowable under any other cost principle.

"(2) The regulations under paragraph (1) shall, at a minimum, clarify the cost principles applicable to contractor costs of the following:

"(A) Air shows.

"(B) Advertising.

"(C) Recruitment.

"(D) Employee morale and welfare.

"(E) Contributions or donations.

"(F) Community relations.

"(G) Dining facilities.

"(H) Professional and consulting services.

"(I) Compensation.

"(J) Selling and marketing.

"(K) Travel.

"(L) Public relations.

"(M) Hotel and meal expenses.

"(N) Membership in civic, community, and professional organizations.

"(3) Such regulations shall specify the circumstances under which clauses (A) and (B) of subsection (c)(1) may be applied.

"(4) Such regulations shall require that a contractor be required to provide current, accurate, and complete documentation to support the allowability of an indirect cost at the time a proposal for final settlement of indirect costs is submitted to the United States. If such documentation is not sufficient to support the allowability of the cost, the cost becomes expressly unallowable and is not subject to negotiation.

"(e)(1) The Secretary of Defense shall require the resolution of each cost which is challenged by the United States as being unallowable in the contractor's submission for final overhead settlement applied to covered contracts unless—

"(A) the contractor and the contracting officer cannot agree on the allowability of the cost under existing cost principles;

"(B) the contracting officer documents the reasons why an agreement cannot be reached; and

"(C) the contractor agrees that costs of that type will not be submitted to the Department of Defense for payment as an allowable indirect cost in the future.

"(2) The Secretary of Defense shall provide that, whenever feasible and practicable, the defense contract auditor be present at any negotiation or meeting with the contractor regarding a determination of the allowability of indirect costs of the contractor.

"(f)(1) A contractor that submits a proposal for final settlement of indirect costs applicable to a covered contract shall be required to certify that all indirect costs included in the proposal are allowable. Any such certification shall be in a form prescribed by the Secretary of Defense.

"(2) The Secretary of Defense or the Secretary of the military department concerned may, in an exceptional case, waive the requirement for certification under paragraph (1) in the case of any contract if the Secretary—

"(A) determines that it would not be in the interest of the United States to require such certification; and

"(B) states in writing the reasons for that determination.

"(g) The Secretary of Defense shall provide that, in establishing the interim or provisional rates for payment of indirect costs to a defense contractor for which final settlement will be made at a later time, such rates shall be based upon amounts incurred by such contractor for indirect costs less any amount questioned by the agency with responsibility for audits of defense contracts.

"(h) In this section, 'covered contract' means a contract entered into by the Department of Defense for an amount more than $25,000—

"(1) that is flexibly priced; or

"(2) for which cost or pricing data is required under section 2306(f) of this title.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end thereof the following new item:

"2324. Allowable costs under defense contracts.".

(b) REGULATIONS.—(1) Not later than 150 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe the regulations required by subsection (d) of section 2324 of title 10, United States Code, as added by subsection (a). Such regulations shall be published in accordance with section 22 of the Office of Federal Procurement Act (41 U.S.C. 418b).

(2) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives—

(A) a copy of proposed regulations to be prescribed in accordance with paragraph (1); and

(B) a report identifying—

(i) the nature of the proposed changes that would be made by such proposed regulations to the current cost principles on the allowability of contractor costs; and

(ii) the potential effect of such changes on the allowability of contractor costs.

(c) EFFECTIVE DATE.—Section 2324 of title 10, United States Code, as added by subsection (a), shall apply only to contracts entered into on or after the date on which regulations are prescribed in accordance with subsection (b).

SEC. 1017. SUBPOENAS OF DEFENSE CONTRACTOR RECORDS.

Section 2313 of title 10, United States Code, is amended by adding at the end thereof the following new subsection:

"(d)(1) The Secretary of Defense may require by subpoena the production of any books, documents, papers, or records of a contractor that are needed by the Secretary for the purposes of subsection (a) or the purposes of section 2306(f) of this title.

"(2) Any such subpoena, in the case of contumacy or refusal to obey, shall be enforceable by order of an appropriate United States district court.

"(3) The authority of the Secretary of Defense under this subsection may only be delegated—

"(A) to an officer of the Department of Defense appointed by the President, by and

with the advice and consent of the Senate; or

"(B) to the director of the defense agency or other element of the Department of Defense that has responsibility for audits of defense contracts.".

SEC. 1018. LIMITATION ON ASSIGNMENTS OF PRINCIPAL CONTRACTING OFFICERS.

(a) LIMIT ON TOURS OF DUTY AND REASSIGNMENTS.—The Secretary of Defense shall prescribe regulations—

(1) to limit to five years the maximum tour of duty for which an officer or employee under the jurisdiction of the Secretary may be assigned to represent the Department of Defense with a particular contractor as a principal contracting officer; and

(2) to provide that an officer or employee who has held a position as principal contracting officer with a contractor may not be reassigned to duty with that contractor for a period of five years after the end of the previous such assignment.

(b) WAIVER AUTHORITY.—The Secretary of Defense or the Secretary of the military department concerned may, in an exceptional case, waive the limitation in subsection (a) in the case of any officer or employee if the Secretary—

(1) determines that it would not be in the interest of the United States to apply such limitation in that case; and

(2) states in writing the reasons for that determination.

(c) DEFINITION.—For purposes of this section, the term "principal contracting officer" means—

(1) a principal corporate administrative contracting officer or deputy principal corporate administrative contracting officer; and

(2) a principal administrative contracting officer or deputy principal administrative contracting officer.

—Page 142, strike out line 9 and insert in lieu thereof the following (and redesignate the succeeding section accordingly):

TITLE VIII—PROCUREMENT POLICY REFORM AND OTHER PROCUREMENT MATTERS

SEC. 801. ALLOWABLE COSTS.

(a) REGULATION OF ALLOWABLE COSTS PAYABLE TO DEFENSE CONTRACTORS.—(1) Chapter 137 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"§ 2324. Allowable costs under defense contracts

"(a)(1) The Secretary of Defense shall require that a covered contract provide that if the contractor submits to the Department of Defense a proposal for settlement of indirect costs incurred by the contractor for any period after such costs have been accrued and if that proposal includes the submission of an indirect cost that has been expressly specified by statute or regulation as being unallowable—

"(A) that cost shall be disallowed; and

"(B) the contractor shall pay to the United States an amount equal to the greater of $10,000 or—

"(i) the amount of the disallowed cost, plus interest; or

"(ii) if the cost is of a type that has been finally determined, before the submission of such proposal, to be expressly unallowable to that contractor, an amount equal to twice the amount of the disallowed cost, plus interest.

"(2) An action by the Secretary under a contract provision required by paragraph (1) to disallow a cost and to require payment of a contractor—

"(A) shall be considered to be a final decision for purposes of section 6 of the Contracts Dispute Act of 1978 (41 U.S.C. 605); and

"(B) shall be appealable in the manner provided in section 7 of such Act (41 U.S.C. 606).

"(3) Interest under paragraph (1) shall be computed—

"(A) from the date on which the cost is questioned; and

"(B) at the applicable rate prescribed by the Secretary of the Treasury under section 6621 of the Internal Revenue Code of 1954.

"(b) The following costs are not allowable under a covered contract:

"(1) Costs of entertainment, including amusement, diversion, and social activities and any costs directly associated with such costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities).

"(2) Costs incurred to influence (directly or indirectly) congressional action on any legislation or appropriation matters pending before Congress.

"(3) Costs incurred in defense of any fraud proceeding brought by the United States where the contractor is found liable for fraud or has pleaded nolo contendere to a charge of fraud.

"(4) Fines and penalties resulting from violations of, or failure to comply with, Federal, State, or local laws and regulations, except when incurred as a result of compliance with specific terms and conditions of the contract of specific written instructions from the contracting officer.

"(5) Costs of membership in any social, dining, or country club or organization.

"(6) Costs of alcoholic beverages.

"(7) Contributions or donations, regardless of the recipient.

"(8) Costs of advertising designed to promote the contractor or its products.

"(9) Costs of promotional items and memorabilia, including models, gifts, and souvenirs.

"(10) Except as provided in subsection (c), costs for travel by aircraft to the extent that such costs exceed the amount of the standard commercial fare for travel by common carrier between the points involved.

"(c)(1) Subsection (b)(10) does not apply if travel by common carrier at standard fare—

"(A) would require travel at unreasonable hours;

"(B) would excessively prolong travel;

"(C) would result in overall increased costs that would offset potential savings from travel at standard commercial fare; or

"(D) would not meet physical or medical needs of the person traveling.

"(2) Subsection (b)(10) does not apply to travel by aircraft other than a common carrier if—

"(A) travel by such aircraft is specifically required for contract performance or is otherwise specifically authorized under the contract;

"(B) travel by common carrier is impractical; and

"(C) the travel performed is for business purposes and requires the use of such aircraft.

"(3) Costs for air travel in excess of that allowed by subsection (b)(10) may only be allowed by reason of one of the exceptions contained in paragraph (1) or by reason of paragraph (2) if the exception is fully documented and justified, including, in the case of an exception under paragraph (2), full documentation of the use of the aircraft for business purposes.

"(d)(1) The Secretary of Defense shall prescribe regulations to establish criteria for the allowability of indirect contractor costs under Department of Defense contracts. Such regulations shall be prescribed as part of the Department of Defense supplement to the Federal Acquisition Regulation. In developing specific criteria for the allowability of such costs, the Secretary shall consider whether reimbursement of such costs by the United States is in the best interest of the United States. Such regulations—

"(A) shall define in detail and in specific terms those costs that are unallowable under contracts entered into by the Department of Defense; and

"(B) shall provide that specific costs unallowable under one cost principle shall not be allowable under any other cost principle.

"(2) The regulations under paragraph (1) shall, at a minimum, clarify the cost principles applicable to contractor costs of the following:

"(A) Air shows.

"(B) Advertising.

"(C) Recruitment.

"(D) Employee morale and welfare.

"(E) Contributions or donations.

"(F) Community relations.

"(G) Dining facilities.

"(H) Professional and consulting services.

"(I) Compensation.

"(J) Selling and marketing.

"(K) Travel.

"(L) Public relations.

"(M) Hotel and meal expenses.

"(N) Membership in civic, community, and professional organizations.

"(3) Such regulations shall specify the circumstances under which clauses (A) and (B) of subsection (c)(1) may be applied.

"(4) Such regulations shall require that a contractor be required to provide current, accurate, and complete documentation to support the allowability of an indirect cost at the time a proposal for final settlement of indirect costs is submitted to the United States. If such documentation is not sufficient to support the allowability of the cost, the cost becomes expressly unallowable and is not subject to negotiation.

"(e)(1) The Secretary of Defense shall require the resolution of each cost which is challenged by the United States as being unallowable in the contractor's submission for final overhead settlement applied to covered contracts unless—

"(A) the contractor and the contracting officer cannot agree on the allowability of the cost under existing cost principles;

"(B) the contracting officer documents the reasons why an agreement cannot be reached; and

"(C) the contractor agrees that costs of that type will not be submitted to the Department of Defense for payment as an allowable indirect cost in the future.

"(2) The Secretary of Defense shall provide that, whenever feasible and practicable, the defense contract auditor be present at any negotiation or meeting with the contractor regarding a determination of the allowability of indirect costs of the contractor.

"(f)(1) A contractor that submits a proposal for final settlement of indirect costs applicable to a covered contract shall be required to certify that all indirect costs included in the proposal are allowable. Any such certification shall be in a form prescribed by the Secretary of Defense.

"(2) The Secretary of Defense or the Secretary of the military department concerned

may, in an exceptional case, waive the requirement for certification under paragraph (1) in the case of any contract if the Secretary—

"(A) determines that it would not be in the interest of the United States to require such certification; and

"(B) states in writing the reasons for that determination.

"(g) The Secretary of Defense shall provide that, in establishing the interim or provisional rates for payment of indirect costs to a defense contractor for which final settlement will be made at a later time, such rates shall be based upon amounts incurred by such contractor for indirect costs less any amount questioned by the agency with responsibility for audits of defense contracts.

"(h) In this section, 'covered contract' means a contract entered into by the Department of Defense for an amount more than $25,000—

"(1) that is flexibly priced; or

"(2) for which cost or pricing data is required under section 2306(f) of this title.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end thereof the following new item:

"2324. Allowable costs under defense contracts.".

(b) REGULATIONS.—(1) Not later than 150 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe the regulations required by subsection (d) of section 2324 of title 10, United States Code, as added by subsection (a). Such regulations shall be published in accordance with section 22 of the Office of Federal Procurement Act (41 U.S.C. 418b).

(2) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives—

(A) a copy of proposed regulations to be prescribed in accordance with paragraph (1); and

(B) a report identifying—

(i) the nature of the proposed changes that would be made by such proposed regulations to the current cost principles on the allowability of contractor costs; and

(ii) the potential effect of such changes on the allowability of contractor costs.

(c) EFFECTIVE DATE.—Section 2324 of title 10, United States Code, as added by subsection (a), shall apply only to contracts entered into on or after the date on which regulations are prescribed in accordance with subsection (b).

SEC. 802. SUBPOENAS OF DEFENSE CONTRACTOR RECORDS.

Section 2313 of title 10, United States Code, is amended by adding at the end thereof the following new subsection:

"(d)(1) The Secretary of Defense may require by subpoena the production of any books, documents, papers, or records of a contractor that are needed by the Secretary for the purposes of subsection (a) or the purposes of section 2306(f) of this title.

"(2) Any such subpoena, in the case of contumacy or refusal to obey, shall be enforceable by order of an appropriate United States district court.

"(3) The authority of the Secretary of Defense under this subsection may only be delegated—

"(A) to an officer of the Department of Defense appointed by the President, by and with the advice and consent of the Senate; or

"(B) to the director of the defense agency or other element of the Department of Defense that has responsibility for audits of defense contracts.".

SEC. 803. LIMITATION ON ASSIGNMENTS OF PRINCIPAL CONTRACTING OFFICERS.

(a) LIMIT ON TOURS OF DUTY AND REASSIGNMENTS.—The Secretary of Defense shall prescribe regulations—

(1) to limit to five years the maximum tour of duty for which an officer or employee under the jurisdiction of the Secretary may be assigned to represent the Department of Defense with a particular contractor as a principal contracting officer; and

(2) to provide that an officer or employee who has held a position as principal contracting officer with a contractor may not be reassigned to duty with that contractor for a period of five years after the end of the previous such assignment.

(b) WAIVER AUTHORITY.—The Secretary of Defense or the Secretary of the military department concerned may, in an exceptional case, waive the limitation in subsection (a) in the case of any officer or employee if the Secretary—

(1) determines that it would not be in the interest of the United States to apply such limitation in that case; and

(2) states in writing the reasons for that determination.

(c) DEFINITION.—For purposes of this section, the term "principal contracting officer" means—

(1) a principal corporate administrative contracting officer or deputy principal corporate administrative contracting officer; and

(2) a principal administrative contracting officer or deputy principal administrative contracting officer.