HOUSE OF REPRESENTATIVES—*Tuesday, July 30, 1985*

The House met at 12 o'clock noon.

The Reverend Kermit Johnson, former Chief of Chaplains, U.S. Army, Washington, DC, offered the following prayer:

Gracious God, whose strong presence is with us, strengthen us for the work of this day.

God of Justice, who puts down the mighty and exalts the lowly, help us to actively respond to Your voice in the voiceless who cry out for justice.

God of Hope, heal our cynicism. May we not support what we condemn and may we support even imperfect instruments for human hope.

God of Peace, in whose outstretched arms we all find welcome, may we not fear to reach across barriers of distrust.

God of Grace, who has specially blessed our land, may we both conserve and share Your gifts.

So, may we do justice, and love mercy, and walk humbly with You, our God, our Strength and our Redeemer. Amen.

THE JOURNAL

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

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate disagrees to the amendments of the House to the bill (S. 1128) "An act to amend the Clean Water Act, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STAFFORD, Mr. CHAFEE, Mr. SIMPSON, Mr. DURENBERGER, Mr. BENTSEN, Mr. MITCHELL, and Mr. MOYNIHAN to be the conferees on the part of the Senate.

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

S. 1078. An act to amend the Federal Trade Commission Act to provide authorization of appropriations, and for other purposes; and

S.J. Res. 180. Joint resolution commemorating the 10th anniversary of the signing of the Helsinki Final Act.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

CERTAIN FORMER FLIGHT ENGINEERS OF WESTERN AIRLINES

The Clerk called the bill (H.R. 484) for the relief of certain former flight engineers of Western Airlines.

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

MEALS ON WHEELS OF THE MONTEREY PENINSULA, INC.

The Clerk called the bill (H.R. 1095) for the relief of Meals on Wheels of the Monterey Peninsula, Inc.

There being no objection, the Clerk read the bill, as follows:

H.R. 1095

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Meals on Wheels of the Monterey Peninsula, Incorporated, and any individual who performed service in its employ after 1975 and before 1983 are relieved of all liability to the United States for the payment of unpaid taxes imposed by chapter 21 of the Internal Revenue Code of 1954 (and any interest or penalty assessed or accrued on such taxes) with respect to service performed in the employ of Meals on Wheels of the Monterey Peninsula, Incorporated, during such period.

SEC. 2. For purposes of title II of the Social Security Act, service performed in the employ of Meals on Wheels of Monterey Peninsula, Incorporated, after 1975 and before 1983 shall be treated (for purposes of benefits for months beginning after the month in which this Act is enacted) as employment, if and to the extent that a detailed record of such service is transmitted to the Secretary of Health and Human Services within twelve months after the date of enactment of this Act.

AMENDMENT OFFERED BY MR. PANETTA

Mr. PANETTA. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PANETTA: Page 1, strike out lines 3 through 11 and insert in lieu thereof the following (and redesignate section 2 as section 3):

That, except as provided in section 2, Meals on Wheels of the Monterey Peninsula, Incorporated (hereinafter referred to as "Meals on Wheels"), and any individual who performed service in its employ after 1975 and before 1983 are relieved of all liability to the United States for the payment of any interest or penalty assessed or accrued on unpaid taxes imposed by chapter 21 of the Internal Revenue Code of 1954 with respect to service performed in the employ of Meals on Wheels during such period.

SEC. 2. The Secretary of the Treasury shall take no action before the end of the 90-day period beginning on the date of the enactment of this Act with respect to the collection of any unpaid taxes imposed by chapter 21 of the Internal Revenue Code of 1954 for which Meals on Wheels and any individual who performed service in its employ after 1975 and before 1983 are liable with respect to service performed in the employ of Meals on Wheels during such period. Section 1 shall not apply for purposes of relieving Meals on Wheels of any liability arising after the end of such 90-day period for the payment of any interest or penalty on any amount of such taxes which remain unpaid after the end of such 90-day period.

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

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

There was no objection.

The SPEAKER. The question is on the amendment offered by the gentleman from California [Mr. PANETTA].

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Private Calendar.

PERMISSION FOR COMMITTEE ON FOREIGN AFFAIRS TO FILE CONFERENCE REPORT ON H.R. 2068, DEPARTMENT OF STATE, U.S. INFORMATION AGENCY, AND BOARD FOR INTERNATIONAL BROADCASTING AUTHORIZATIONS FOR FISCAL YEARS 1986 AND 1987

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tonight to file the conference report on the bill (H.R. 2068) to authorize appropriations for fiscal years 1986 and 1987 for the Department of State, the U.S. Information Agency, the Board for International Broadcasting, and for other purposes.

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

Mr. BARTLETT. Reserving the right to object, Mr. Speaker, I would

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inquire of the gentleman, under my reservation, has that been cleared with this side?

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. BARTLETT. I yield to the gentleman from Florida.

Mr. FASCELL. Yes, it has. The ranking member, the gentleman from Michigan [Mr. BROOMFIELD], is right here.

Mr. BARTLETT. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

LAST MONTH'S TRADE DEFICIT A RECORD-BREAKER

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

Ms. KAPTUR. Mr. Speaker, it's official! The Commerce Department announced today that last month's trade deficit was a record-breaker again, tipping the scales at $13.4 billion more imports coming onto our shores than exports going out, again the loss of thousands more jobs in America. Not only must we reassess this trade gap and its relation to jobs but also in the context of our solemn oath to provide for the common defense.

When the Revolutionary War broke out two centuries ago, our Continental Army found itself desperately in need of military equipment and clothing. The scene of soldiers with rags for boots at Valley Forge still stirs the hearts of all Americans. We were a group of colonies, dependent on another country for our manufactured goods. Now, when I look out and see that 77 percent of all footwear in this country is imported, I wonder just what country American soldiers of the future will have to rely on? And how about for uniforms and parachutes, with what's happening in our textile industry?

What kind of strategic situation are we in when we import 77 percent of our footwear, 95 percent of our motorcycles, 40 percent of our machine tools, 30 percent of motor oil fuel, and when we've given up most of the shipbuilding capacity in America and have lost our steel and metals development capacity to other nations? The accelerating decline of our manufacturing base is really a matter of national security. But, how can we expect progress on these fronts when we have a Pentagon that spends tens of thousands of dollars each year giving away watches made in Hong Kong and hats made in Taiwan to recruit the GI's of tomorrow?

SOVIET'S CALL FOR A 5-MONTH FREEZE ON NUCLEAR TESTING ANOTHER EXERCISE IN SOVIET DISHONESTY

(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 new Soviet leadership's call for a 5-month freeze on nuclear testing smells like leftover borscht.

Coming just a week after the Soviet's set off three nuclear explosions, it makes you wonder if there really is anything new in Moscow other than the smiling face of Gorbachev.

Ironically, it comes as the world observes the 10th anniversary of another exercise in Soviet dishonesty—the signing of the Helsinki accords designed to promote human rights in the Soviet bloc nations.

Ten years later, Soviet prisons and labor camps are full; emigration has slowed to a trickle; and names such as Sakharov and Shcharansky have become worldwide symbols of Soviet oppression.

If the Soviets were serious about reducing the nuclear threat, they would agree to onsite inspection.

Mr. Speaker, how could anyone take seriously this proposal from the same nation that shot down an unarmed civilian airliner, crushed freedom in Poland, and which continues to slaughter Afghan freedom fighters?

Mr. Gorbachev, you've got to be kidding.

THE PHYSICIAN'S EDUCATION LOAN COLLECTION ACT OF 1985

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

Mr. ANDREWS. Mr. Speaker, I have introduced legislation which will correct a serious defect in the National Health Service Corps scholarship program. This bill requires that physicians who are in default on loans made under that program shall be forced to repay the Government through deductions from amounts due to them under the Medicare and Medicaid Programs. This legislation would strengthen debt collection procedures available to the Department of Health and Human Services.

Millions of dollars are owed the Government due to these defaulting doctors, and further millions are being paid currently to these same doctors in reimbursement for services provided through Medicare and Medicaid. A check of 80 doctors who defaulted on $2.3 million of medical school loans disclosed that the same doctors received $3.5 million in Medicare and Medicaid reimbursements over a 2-year period. This illogical practice should not be allowed to continue. This Student Loan Program is important to improved health care in this country and to the education of deserving students; it should not be abused. These delinquent doctors should pay their debts.

THE AMERICAN PEOPLE ARE DEMANDING DEFICIT REDUCTION

(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, for some time now in 1-minute speeches, I have been reading letters on the budget from my constituents in Michigan's second district.

An overwhelming majority of my constituents are demanding deficit reduction, as are the great majority of the American people.

Here we are, 4 days away from recess, and still—no budget resolution.

Unfortunately, the conferees don't seem to be listening to the American people. If they had been, we'd have a budget resolution.

It's interesting how the American people have seen the writing on the wall. Daniel L. Quint of Northville, MI writes:

> Please stop playing politics, Democrats versus Republicans, with the future of our economy and the future opportunities of our children.

And Lynn and David Booth of Dexter, MI write:

> Prolonged bickering * * * will directly lead to total disharmony, deficient budget reductions, and certain inaction. A flawed lean budget is far preferable at this time * * *.

Thank you, Mr. Quint and Mr. and Mrs. Booth.

Let's report out a budget resolution and move this country toward continued economic growth by reducing Federal spending.

□ 1210

THE ALUMINUM INDUSTRY

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

Mr. McCLOSKEY. Mr. Speaker, I rise to express my support for efforts being made by the U.S. aluminum industry to gain greater access to the markets of our trading partners in Japan, Canada, and the European Community.

Today, our colleagues on the House Energy and Commerce Subcommittee on Investigations and Oversight, are hearing from the Aluminum Co. of America [Alcoa] on efforts to get the Japanese to open more of their markets to American aluminum. American aluminum presents the Japanese with an excellent opportunity to increase purchases of products made in the

U.S.A. They can begin by reducing tariffs on aluminum sheet and plate. Currently, Japan plans to reduce duties on this product by 20 percent beginning April 1, 1986. But this action will still leave Japanese aluminum tariffs three times higher than the U.S. tariff on similar commodities.

As a Representative of a district where a major aluminum production facility is located—Alcoa's Warrick operations in Newburgh, IN—I am vitally concerned we insist on fair play in the international aluminum market. Fair trade can benefit both countries.

SHUSTER ENDORSES CONRAIL PUBLIC SALE

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

Mr. SHUSTER. Mr. Speaker, after several months of evaluation, last week I reached my decision to support the public sale of Conrail, rather than the administration's proposed sale to Norfolk Southern Railroad.

I urge my colleagues to carefully consider the proposed public sale for several reasons:

The public sale will provide more income to the Federal Government; it will preserve competition; give better service to shippers; create more opportunities for employees; and preserve an independent railroad to serve the Northeast and Midwest.

There is indeed a risk involved in supporting an independent Conrail. If you believe that the Northeast is doomed to stagnation and decline, then an independent Conrail is likewise doomed. But if you believe in the future of the region, then an independent Conrail can surely survive and prosper. As it now is doing.

The bottom line, Mr. Speaker, is that I choose to believe in the future of our region of America, so I choose to support an independent Conrail.

ARMS CONTROL

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

Mrs. SCHROEDER. Mr. Speaker, 22 years ago President Kennedy broke the arms control deadlock of his day by challenging the Soviet Union to a moratorium on atmospheric nuclear testing. His initiative led 8 weeks later to the agreement and signing of the atmospheric test ban treaty. Yesterday Soviet leader Mikhail Gorbachev followed President Kennedy's courageous example by announcing that the Soviet Union will unilaterally stop conducting nuclear tests from August 6 until January 1, and will not be the first to conduct another nuclear test. This could be the opportunity of a lifetime for a lifetime of peace.

The Soviets have given a mile and President Reagan has taken an inch. He flatly rejected the offer and invited the Soviets to witness an American test. He has conceded the moral and political high ground to Gorbachev.

Mr. Speaker, this is no way to break through the barriers to arms control. Progress requires a show of good faith as well as strength. Refraining from nuclear testing and resuming negotiations on a CTB shows good faith without jeopardizing our national security. It goes far toward reaching an agreement to reduce the nuclear threat and head off an economically crushing arms race. We in Congress must go the full mile for arms control and meet the Soviet challenge. I invite my colleagues to urge the President to reconsider the Soviet offer; join with me on H.R. 1834, the simultaneous nuclear test ban; and stand up for economic, military, and common sense.

COMPARABLE WORTH

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

Mr. DAUB. When, my colleagues, is a study not a study? When it is a comparable worth study.

H.R. 3008 will be before the House this week. This legislation sets up a so-called study that would in fact make substantial change in the antidiscrimination laws, laws that are applicable to both the public and the private sector.

Never before has title VII of the Civil Rights Act of 1964 been interpreted to mean that equal pay must be paid to different jobs when someone deems them to be comparable.

Equal opportunity and nondiscrimination are the law. Equal pay for equal work is the law. Comparable worth is not the law.

The study that would be mandated by H.R. 3008 actually defines job evaluation as objective. This objectivity of comparable worth schemes can clearly be illustrated by comparing the job ratings of different comparable worth studies that have been performed in different States. When converted to a common scale, a nurse was rated 79 points in Minnesota, 124 points in Iowa, 108 points in Washington, and 150 points in Wisconsin. This kind of comparison showed that 3 States believed that nurses should be paid more than electricians, but in Minnesota it proved that they thought nurses should be paid less than electricians. Nevertheless, comparable worth proponents claim these studies to be bias free and totally objective. They can determine the intrinsic worth of jobs, we are told.

My bottom line is, there is no universal standard for job worth. H.R. 3008 asks Congress to endorse the fundamentally flawed concept of comparable worth through the guise of claiming it is only a study.

My colleagues, do not be deceived.

OUR POLICY IN NICARAGUA

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

Mr. BONIOR of Michigan. Mr. Speaker, today's Washington Post carries and article about a new series of Contra attacks inside Nicaragua. Among those killed in a Contra ambush were eight mothers going to visit their sons in the military service.

Many of the Members of this body believe that our aid to the Contras is in the interest of democracy in Central America; that is a method of pressuring the Sandinistas toward internal reforms. In the most recent votes on this issue, supporters called new aid to the Contras "humanitarian."

I know these are the genuine goals of every Member of this body. But, as the death of these eight mothers reminds us, our goals are not always matched by reality. We are backing a war in Nicaragua, a war that is causing immeasurable suffering to the civilian population of that country.

I hope my colleagues will continue to evaluate the consequences of our policy in Nicaragua, and will not close their eyes to the human costs of this war. For today in Nicaragua, there are eight more families without mothers, and an entire generation of children, who cannot forget what a policy that claims to support democracy has done to their lives.

CERTAIN FORMER FLIGHT ENGINEERS OF WESTERN AIRLINES

Mr. GLICKMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 484) for the relief of certain former flight engineers of Western Airlines.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 484

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to each of the former flight engineers of Western Airlines named in subsection (b) (or if a named individual is deceased, to his estate) the sum of $25,000.

(b)(1) The individuals referred to in subsection (a) are the following: Carlos Acuna, Fidel Aguirre, Arne Anderson, John Araiza, A. J. Baker, Joseph Baniecki, Arthur Bankers (deceased), Leland Bartleson (deceased), Frederick Beneze, William Blagdon, Jerry Blakeley, Hugo Boisett, Richard Bolton,

Richard Bongard, Donald Boyd (deceased), Frank Brasmer (deceased), Wayne Brewer, Lowell Bright, James Brott, Owrie Brown, Harold Camp, Emmett Carroll (deceased), James Carroll, Joseph Carter, A. J. Christensen, Glenn Collins, Ronald Crachy, Dick Crampton (deceased), Pierre Du Bois, Frank Crites, Louis Dauthtry, Sam Diehl, Donald Farrell (deceased), Thomas Farrell, Lyndon Fellows, Dorrence Fincher, Dewey Foster, Edward Franzen, Robert Fredrickson, William Gaedtke, Donald Gage, Daniel Galligan, Edward Gerlits, Wendell Goldsmith, John Hamilton, Harold Hayen, Fred Hazlett (deceased), William Hegemann, George Heinz, Robert Hicks, Eugene Hodgins, Duncan Hughes, Joseph Irvine, Albert Johnson, Harold Johnson (deceased), Jack Johnston, Stanley Klescewski, Dale Kluckman (deceased), John Kosmicki, Stanley Koltvett, Al Krueger (deceased), Glenn Kvendru, William Lagler, Donald Lensing, Paul Litjen, Robert Longworth, Loren Lorenzen, Bert Martens, Charles Martin, James McMahon, Antonio Mendiola, Gerald Moe, James Middleton (deceased) Jake Morlock, I. Newman, George Norris, L. O'Conner, Virgil Paulsen, James Potts, Dwight Preston, Robert Pugh (now known as Robert Gould), Peter Raymen, George Richter, Stanley Rober, Merle Russell, William Rodger, Walter Sabol, William Sawvell, Robert Sawyer, John Schroeder, Kenneth Schultz, Kenneth Severson, Donald Shannon, Kenneth Sherman, Edward Sherwood, Earl Shiveley, William Short, Eugene Siebern, Chifford Smith, Eldred Steffens, Raymond Tanis, Eli Tarin, Eli Tavarez, Paul Theod, Richard Thomas, Glenn Tidwell, Henry Tomberg, John Trank, William Tyler, Earl Troutner, Andrew Vagenas, Manuel Vargas, Alfred Vereb, Torgeir Vik, Martin Wahne (deceased), Rodney Waite, John Walik, Gillis Walsh, Herman Weinstein, John Willey, Fred Wolf, and David Wright (deceased).

(2) The individuals referred to in paragraph (1) are individuals who are former flight engineers of Western Airlines and who were plaintiffs in the matter referred to the chief commissioner of the Court of Claims by H. Res. 83, Ninety-fifty Congress, pursuant to section 1492 of title 28, United States Code (congressional reference case numbered 1-78).

SEC. 2. No part of each amount provided for in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim of any individual named in subsection (b) of the first section and the payment of receipt in excess of 10 per centum of each amount provided for in the first section shall be unlawful, any contract to the contrary notwithstanding. Violation of the provisions of this section is a misdemeanor punishable by a fine not to exceed $1,000.

With the following committee amendment: page 2, line 2, strike out "25,000" and insert in lieu thereof "$20,000".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

COMPARABLE WORTH

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

Mr. ARMEY. Mr. Speaker, not only do the proponents of comparable worth claim that it is only a study, but they further make the fallacious claim that no study of this subject has been done in the last 67 years, the last 57 years, the last 30 years, as previously reported.

Mr. Speaker, I have before me a summary entitled, "Equal Worth, Comparable Worth, and, Market Worth of Federal Jobs. A study of the Federal Government Pay Classification and Qualification System for Employment," by the U.S. Office of Personnel Management.

□ 1220

This is the study that is summarized in that report. The fact of the matter is that it has been studied not only by the Office of Personnel Management, but also by the U.S. Civil Rights Commission. The study, in both cases, rejected the concept.

If I may quote from the Office of Personnel Management:

Comparable worth simply is a recipe for conflict. Any nonmarket assignment of worth to different jobs would be arbitrary and therefore unjust. Such a system would promote class conflict. Notice we have not even referred to the cost of such a system which would be very substantial in the hundreds of billions of dollars, but only of comparable worth's illogic, imprudence, and injustice.

The fact is the studies have been made, the conclusions have been drawn, and there is no need to further study such an alternative.

THE CONCEPT OF PAY EQUITY

(Mrs. BURTON of California asked and was given permission to address the House for 1 minute.)

Mrs. BURTON of California. Mr. Speaker, I rise today in support of H.R. 3008, and for the concept of pay equity in general.

We all know that discriminatory wage practices exist. We know that they exist within the Federal wage classification system.

The Federal Government, which is the single largest employer, cannot continue to perpetuate a wage structure that systematically discriminates against a majority of its female employees.

Many of the States are already studying and collecting data on their wage structures. In California, three agencies collect data annually on comparable worth activities in the workplace.

In 1981, our legislature passed an amendment to the State civil service law establishing "a State policy on setting salaries for female-dominated jobs on the basis of comparability of the value of work."

In my city of San Francisco, the board of supervisors overwhelmingly passed a resolution declaring the city's intention to eliminate pay inequity based on race or sex-based wage classification.

Mr. Speaker, I urge my colleagues to realize that we are calling for a study, an important one. What we will end up with is knowledge—upon which we can plan.

THE NEVADA WILDERNESS BILL

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

Mr. REID. Mr. Speaker, when working on bills it's as important to define the legislation in terms of what the issues are not as it is for what the issues are. That has become especially true for a Nevada wilderness bill.

Earlier this week, I discussed what wilderness is, what it includes. Now, in order to dispel myths and confusion, I'd like to discuss what wilderness legislation is not.

For ranchers the Wilderness Act of 1964 does not preclude existing grazing uses in wilderness from continuing. In fact, ranchers are given more protection under wilderness than in nonwilderness forest lands.

For Nevada miners, even if all land recommended by conservationists becomes wilderness, over 70 percent of the national forest land would remain available for exploration and development. But until a Nevada wilderness bill is passed the entire 3.6 million acres of this roadless land remains in limbo as de facto wilderness.

These two examples demonstrate why it's important for us to take special care in drafting a Nevada wilderness bill that not only meets the needs of the State and the Nation, but also is understood in terms of purpose and possibility.

FATHER LAWRENCE JENKO HELD HOSTAGE IN LEBANON

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

Mr. O'BRIEN. Mr. Speaker, at 7:30 a.m., January 8, 1985, Father Lawrence Martin Jenco was kidnaped at gunpoint on his way to work as the director of Catholic Relief Services in Lebanon.

Father Jenco has served for 25 years in places like Thailand, North Yemen, India, and Australia. He was assigned to Lebanon in October 1984.

Father Jenco never wore a cleric's collar. He didn't want people to misunderstand his role. His job was to rebuild hospitals and schools and help refugees, not to evangelize.

Today is the 203d day since Father Jenco was kidnaped in Lebanon.

Today is the 501st day William Buckley has been held hostage in Lebanon.

Reverend Benjamin Weir has been held hostage in Lebanon for 448 days.

Today is the 136th day of captivity for Terry Anderson, the Associated Press bureau chief in Beirut.

David Jacobsen, director of the American University Hospital in Beirut, has been held hostage for 63 days.

Today is the 50th day of captivity for Thomas Sutherland, the dean of agriculture at the American University, Beirut.

Today also marks the 238th day since the disappearance of Peter Kilburn, the American University librarian.

Mr. Speaker, the Lebanese hostage crisis is more than 500 days long. At night, as they sleep restlessly—wonder if they fear we have forsaken them.

CATCH-22 AFDC RULES

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

Mr. LEHMAN of California. Mr. Speaker, today I am introducing legislation which will address a serious flaw in the Aid to Families with Dependent Children Unemployed Parent Program [AFDC-U]. The flaw is commonly known as the 100-hour rule.

This rule terminates eligibility for the AFDC-U program for a primary wage earner as soon as he or she is employed over 100 hours a month. It was originally intended to get able bodied wage earners off welfare, yet instead it discourages these parents from accepting employment and encourages welfare dependency. This is because the unemployed parent can legitimately and with good cause turn down employment if the resulting income would be less than the public assistance benefits for which the family is eligible. With the 100-hour rule, the father of a family of four on AFDC would have to work at least 140 hours a month at minimum wages to match the national average AFDC payment. The Federal Government, however, takes away all his benefits if he works just 100 hours.

It is time to address this unfortunate flaw in the AFDC program and to eliminate the work disincentive that has evolved. The bill I am introducing today will do precisely that. My legislation will encourage participation in the job market by establishing demonstration projects nationwide where the 100-hour rule would be waived. Wage earners would be allowed to work in excess of 100 hours a month without the threat of the family losing all AFDC benefits. Families, instead of becoming ineligible for assistance would see their grants reduced. As a result, there would be a reduced expenditure of AFDC program funds for each family receiving earned income.

It is clear that the 100-hour rule is not working when dependence on public assistance is increasing—not decreasing. The time has come to try something new. We need to break the cycle of welfare dependency passed on from generation to generation of welfare families. Working parents set role models, restore dignity and provide hope in families caught in the welfare trap.

WE MUST NOT FAIL THOSE WHO HAVE PLACED THEIR TRUST IN US

(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, today I am announcing that I plan to vote against any motion to adjourn until a budget resolution is agreed to by the House and Senate, and urge each of my colleagues to join me.

We all know the seriousness of the challenge we face. We have sought the responsibility of the position we hold, and now we must not fail those who have placed their trust in us. The American people, your constituents and mine, are beginning to wonder whether Congress can responsibly address the Federal deficit; whether elected Representatives are capable of making the difficult decisions necessary to govern this country and to save us from almost certain financial ruin.

As one who has fought out the tough decisions that must be made to shave $50 billion from our deficit, and whose 92 group budget proposal was confirmed by CBO as at least doable and accurate, I know it can be done.

□ 1230

Mr. Speaker, I implore my colleagues, Democrats and Republicans alike, to inform their leadership that they will vote no against any summer vacation recess resolution unless a budget resolution has passed this House and the Senate. We must exhibit the will, the guts, and the intestinal fortitude to address the Federal deficit with strong action. The jobs of people we represent are at stake. The quality of life in America is at stake. Rome is burning. Can we, will we stop the music and fight the fire?

Vote no against the adjournment resolution.

UNITED STATES, SOVIET NUCLEAR TEST BAN PROPOSALS SHOW PROMISE

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

Mr. DOWNEY of New York. Mr. Speaker, since the beginning of the nuclear age both the Soviet Union and the United States have dismissed each others' arms control initiatives as propaganda. Many in the Congress believe that whatever the U.S.S.R. proposes is bad for the United States. I'm sure they have their counterparts in the Soviet Union. Those of use who believe that arms control is good for national security have searched for ideas that fall between "Perle" and "prayer."

Yesterday, the U.S.S.R. offered the United States a 5-month moratorium on nuclear weapons tests. Maybe this is just more propaganda, maybe not. The 40th anniversary of Hiroshima is the time to break the vicious cycle of nuclear oneupmanship. We should carefully consider the Soviet offer and make a counterproposal that requires protocols for intrusive inspection of both sides. The United States should lead the way to make permanent the testing ban. The President's offer to the Soviets to inspect our nuclear tests is an excellent start. We are moving in the right direction whether we realize it or not. With more than 50,000 nuclear weapons on this planet now is the time to say enough is enough.

NEED FOR A BALANCED BUDGET AMENDMENT

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

Mr. LAGOMARSINO. Mr. Speaker, if we are truly serious about bringing the Federal budget under control, we need to consider new ways to restrain spending. One proven method that is already used in 36 States, including my home State of California, is the constitutional requirement of a balanced budget. Congress clearly needs to bring spending under control. Deficits have resulted from congressional spending which has doubled from 1960 to 1970, and tripled from 1970 to 1980. Since the balanced budget amendment would bring fiscal responsibility through the limitation of Federal

spending and taxes, it would foster economic growth and establish congressional accountability. With more money available to private markets, interest rates would go down. Lower long-term interest rates would lead to greater investment and higher employment. Seventy-five percent of the American people favor a balanced budget amendment and 32 States have called for a national constitutional convention on this issue. The breakdown in the budget conference illustrates the need for a balanced budget amendment. It becomes even more necessary. I urge my colleagues to support the balanced budget/tax limitation amendment.

HELSINKI ACCORDS

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

Mrs. KENNELLY. Mr. Speaker, this Thursday, August 1, marks the 10th anniversary of the signing of the Helsinki Final Act. In this document, the United States, the Soviet Union, and over 30 other countries pledged themselves to greater cooperation in military, economic, scientific, educational, and humanitarian matters. Perhaps most important, the Final Act committed the participating States to respect human rights and fundamental freedoms.

For 10 years, the Soviet Union and other eastern European nations have failed to adhere to the pledges made at Helsinki. In particular, there have been massive violations of section 7, which commits the signatory nations to respecting the fundamental rights and freedoms of human beings, including freedom of thought, conscience, and belief. The plight of Soviet Jews is well known. But Catholics, Pentecostals, and Baptists as well have all too often found that their religion can be exercised only at the cost of imprisonment, economic reprisals, and abuse.

Despite these widespread violations, the Helsinki accords remain a symbol of hope to the oppressed people of eastern Europe. On this 10th anniversary of their signing, we in the United States can let them know that we share their hope of a world in which human rights are honored. With Congressman GILMAN, I am today introducing a resolution reaffirming our commitment to these fundamental freedoms and calling on the President to urge Soviet leader Gorbachev to do the same when they meet this fall. I hope my colleagues will join us.

SPECIAL ORDER TODAY TO BEGIN NEW MOVE TOWARD VOLUNTARY SCHOOL PRAYER AMENDMENT

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

Mr. BARTON of Texas. Mr. Speaker, last evening I had the high privilege to host the second annual prayer vigil here in the House of Representatives. We had students from all over the United States gather in room H-227 to engage in an evening of prayer, special music, individual meditation, and a religious ceremony to try to determine what we can do to allow voluntary—and I emphasize "voluntary"—prayer back in our public school systems.

This evening I am going to have a special order with many other Members of this body in which we will discuss the issue in more detail and announce that we are going to begin the signature drive for discharge petition No. 1, which is for House Resolution 279 that the gentleman from Ohio [Mr. KINDNESS] has in the Committee on the Judiciary. H.R. 279 is a constitutional amendment to allow voluntary prayer in the public school system.

Mr. Speaker, I urge you and all the other Members of this body to participate with me in the special order this evening and to sign the discharge petition so we can get the amendment out of committee and out on the full floor where it can be debated.

FULL FUNDING OF U.S. CUSTOMS SERVICE URGED

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

Mr. KOLTER. Mr. Speaker, today we are scheduled to conclude consideration of the Treasury and Postal appropriations bill for fiscal year 1986.

There is an amendment pending in the committee of the whole that would cut $192 million from the bill by reducing each appropriation in the bill for discretionary spending by 2.65 percent. While the amendment may have merit, I want to call attention to the fact that such a reduction in spending would hinder the U.S. Customs Service from properly enforcing this Nation's trade laws and agreements.

Mr. Speaker, in 1984 alone, over 160,000 different shipments of steel and steel products entered the United States. Despite this high volume of steel and thousands of other types of imported goods, the U.S. Customs Service has done a good job of enforcing the laws, but Customs needs additional resources to ensure that our trading partners are complying with recently negotiated steel trade agreements.

Cutting funds from the U.S. Customs Service would only make their difficult job tougher. I urge my colleagues to exempt the Customs Service from this funding cut.

PAY EQUITY

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

Mr. MRAZEK. Mr. Speaker, I rise today to reinforce the current need for a pay-equity study of the Federal pay and job classification systems.

I believe it is essential that we determine why women and minorities are clustered in the lower end of the Federal pay scale. The existence of a wage gap in the Federal civil service is undeniable. Whereas 80 percent of the women employed by the Federal Government are concentrated in civil servcie grades 7 and below, 85 percent of federally employed men are classified in grades 10 and above. On the average, women in the Federal Government earn 63 percent of what men earn. The question is: Why?

Representative OAKAR's bill, H.R. 3008, would mandate a study of the Federal pay and classification systems to determine whether there is any evidence of discrimination based on sex, race, or Hispanic origin. Most corporations study and reevaluate their wage-classification systems on a regular basis. We need a national approach to civil service pay equity that can serve as a guide for each of our States.

If there is evidence of discrimination, it is surely our responsibility to redress the inequities. I therefore urge my colleagues to support this bill.

□ 1240

RATIONAL CRITERIA NEEDED FOR CAPITAL PUNISHMENT LEGISLATION

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

Mr. VALENTINE. Mr. Speaker, I rise to request that my colleagues sign discharge petition No. 2 for the release of H.R. 343 from the Judiciary Committee.

H.R. 343 demands our immediate attention. It is a bill designed to establish rational criteria for the imposition of the death penalty. It would apply to cases involving homicide, treason, and espionage. It would fulfill the requirements laid down by the Supreme Court in a series of cases involving capital punishment.

Our Nation's adversaries have enlisted the treasonous support of American citizens in their unending drive to acquire American technology for military use. Recent studies have shown that the Soviet Union has narrowed the Soviet-American technology gap to 3 years—from its previous level of 10 years—by stealing American defense technology. As many as 150 of their

weapons systems make use of technology stolen from sources in the West.

We must do all we can to deter treasonous activity. We need the death penalty to help us in this effort.

I commend my colleague, GEORGE GEKAS, for his leadership in drafting and introducing this important legislation.

Although I recognize that some of my colleagues have serious doubts about the death penalty, I hope every Member would agree that it is imperative for us to address the problem of espionage in full and free debate. The American people deserve no less.

For all of these reasons, I urge my colleagues to bring this bill to the floor by adding their names to discharge petition No. 2.

COKE—THE REAL THING IS BACK

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

Mr. DARDEN. Mr. Speaker, as we discuss and debate the weighty issues of the budget, national defense, tax reform, and international terrorism, we must not overlook a truly significant event.

Coke—the real thing is back. At the behest of a loyal and passionate consumer demand, the Coca-Cola Co. has returned the original formula, now called Classic Coke, to the grocery shelves and the vending machines.

Yesterday, throughout the Atlanta area, Coke came back. The return of Coke is like being reunited with an old love. It is better now than ever before. We Georgians are justly proud of our largest corporate constituent, the Coca-Cola Co.

All Georgia Members will have the Classic Coke available in our offices in the next few weeks. We invite all Members to come by our offices and sample the old pause that still refreshes.

U.S. TRADE DEFICIT GOES UP—INDUSTRIAL PRODUCTION GOES DOWN

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

Mr. BONKER. Mr. Speaker, today the Secretary of Commerce will announce the trade deficit for the preceding month and it is expected to be another record-setter as we work our way toward the $150 billion trade deficit in 1985.

This is a chilling reminder that the U.S. trade position is being seriously threatened and our industrial base is being undermined by a flood of unwelcomed imports. The statistics bear out this regrettable fact. As the U.S. trade deficit goes up, our industrial goes down.

Time is running out for Government to deal effectively with this problem. So far, the President shows no sign that there is a trade problem. He continues to ignore the need to deal with the strong dollar which is a plague upon our exporters. He has not used the authority the Congress has given him to confront unfair trade practices, and there is a growing realization that the administration really has no trade policy. It may well be the best explanation why the United States is becoming a punching bag in world trade.

Apparently President Reagan lacks the commitment, or at least the political will, to deal effectively with either of our deficits. But if the Secretary of Commerce continues to announce high trade deficits month after month and the President refuses to act, Congress has no choice than to go down the path of protectionism. If that happens we will start a trade war that no one can win.

BOY SCOUTS SHOULD LEARN TO TOLERATE RELIGIOUS VIEWS OF OTHERS

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

Mr. ACKERMAN. Mr. Speaker, among all the things that I have been able to achieve with the help of God, nothing has made me prouder that my association with the Boy Scouts of America.

As a Cub Scout, Boy Scout, Explorer, Scout leader, camp director, and as an Eagle Scout for 25 years, I worked for and believed in the same things I thought they believed in.

That is why it is so painful to me, as I now renounce my affiliation with the Boy Scouts of America. The Boy Scouts that I belonged to taught respect and tolerance for everyone else's religious views, and had no room for bigotry or intolerance.

In expelling 15-year-old Paul Trout because his beliefs differ from theirs, because his definition of religion and God does not fit their definition, the Boy Scouts of America raises questions about its tax-exempt status, and, more importantly, is in and of itself an act callousness and intolerance, and is not the Boy Scouts that I loved and belonged to.

I pray that God gives them the wisdom to reverse their decision and to tolerate the religious views of others.

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

Mr. FOGLIETTA. Mr. Speaker, yesterday the Soviet Union formally proposed the creation of a comprehensive test ban treaty on nuclear explosions. Such a test ban has long been held to be a vital step in halting the arms race. A test ban prevents the United States and the Soviet Union from confirming increases in capability and accuracy of new warheads. It serves to freeze testing of silo-killing warheads, the kind of warheads which place our nuclear deterrent at risk of new MIRV's and of new exotic nuclear technology.

Creation of a test ban has been under study for 20 years. Questions certainly remain about how verifiable a test ban can be without on-site inspections. But with proper safeguards and guarantees for verification a comprehensive test ban can be both workable and wise.

Despite the promise of a comprehensive test ban, the administration immediately rejected the Soviet proposal. If the administration is truly serious about arms control, then it must investigate the Soviet initiative. Slamming the door on a comprehensive test ban may eliminate a major opportunity for stabilizing the arms race. The administration needs to reevaluate its decision and pursue further the Soviet offer.

NO GUTS, NO GLORY

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

Mr. GLICKMAN. Mr. Speaker, it is quite disconcerting to see what is happening to the budget process. While the two Houses of Congress no doubt deserve some of the blame for the current breakdown of the process, the President has unbelievably pulled the rug from any responsible way to get the deficit down. And let us be honest, the deficit problem is far worse than anyone currently can vision. The economy is flat, revenues will not go magically up, and even the deficit reduction plan passed by the House will probably not reduce the deficit very much.

In addition, the appropriations process is not totally what it is cooked up to be. It appears that some of the bills coming to the floor may be understated in their effort to stay within the budget allocations, and then we will be faced with an enormous supplemental appropriations bill later this year. There is an expression, "No guts, no glory." Let us face it, the issue is political will and guts. If we do not have it, the country will face disaster. If we do, the country could have a glorious future.

□ 1250

BUDGET DEFICITS AND THE FARM ECONOMY

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

Mr. McCURDY. Mr. Speaker, for many months now, my farm State colleagues and I have approached the well to describe the worsening farm economy. Yet today we remain frustrated because the No. 1 enemy of the farmer, the budget deficit, remains at large.

U.S. fiscal policy in the 1980's has taken an industry that was relatively healthy in 1981 and brought it to the brink of collapse. No sector of the economy has been damaged by the Federal budget deficit more than agriculture. The strong dollar, high interest rates and declining land value are direct results of the budget deficit. Our farmers have come to expect that if it is news from Washington, then it must be bad news.

As we near the August recess when many of us will be traveling home to our districts, it is time we begin to consider what we will tell our constituents.

Shall we say, "I'm sorry Mr. Farmer, Mr. Smalltown Banker or Mr. Small Businessman, Congress and the administration just do not possess the courage to reduce the budget deficit. I know we got you into this mess but you will just have to get by as best you can."

That is the hard truth as it stands today. Our leaders are not willing to put farmers, small businesses, workers, our children, and other deficit victims, ahead of their own personal agenda.

Mr. Speaker, Americans are tired of rhetoric and finger-pointing in Washington. They want action from this body, the other body and the President. Let's act now and tell our constituents that political courage does exist in Washington.

TRADE POLICY

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

Mr. LEVIN of Michigan. Mr. Speaker, some observers believe the Democratic Party interest in trade is mainly the result of reading recent political polls and tea leaves. This is a misreading of the reality in today's America.

Trade is a good issue politically only because our Nation's basic economic strength is being sapped, and our economic structure eroded, not just in the Midwest, but everywhere in this country. As announced today, the U.S. trade deficit last month was the second highest in history.

In the face of such a deficit, we do not run for cover just because someone utters the word "Smoot-Hawley."

In our eyes, protecting the United States, our country, is not protectionism. The U.S. trade policy under this administration has been no policy at all. Laissez-faire in trade is not fair to America. We are indeed facing today a red threat, the red ink in trade. It is time for this administration to get smart, to get serious, and to get tough in the area of international trade.

ARMS CONTROL

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

Mr. MARKEY. Mr. Speaker, the Soviet Government yesterday offered to stop all nuclear explosions and the United States is ahead in nuclear warhead technology.

The White House, unfortunately, rejected it out of hand. They said that such Soviet proposals are invariably self-serving and designed to lock in areas of Soviet advantage. Just the opposite is the case here.

The message this sends is this: If the Soviets propose it, the United States will oppose it. That is no way to achieve arms control.

President Reagan offered them on-site inspection of American nuclear tests. I welcome that. On-site inspection is good and long overdue.

But the point is not to monitor nuclear explosions, but to end them. These proposals make it seem that President Reagan believes in verification, but not in arms control.

This is the classic historic opportunity. We can stop all nuclear tests now. All we have to do is say "yes."

President Eisenhower was not afraid to say yes in 1958 to 1961. We had no tests on either side during those years.

Why are we now still afraid? Let us verify a comprehensive test ban treaty, not verify the arms race.

Mr. President, do not turn your back on this opportunity. You and President Gorbachev have the opportunity of going down in history as the two greatest men who have ever lived in the history of this planet.

BUDGET AGREEMENT

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

Mr. SCHUMER. Mr. Speaker, as we sit here this afternoon, the budget process hangs in the balance. If we do not have a budget this week, one thing is clear, we will probably not have a budget at all.

The shame of it is that the Senate and the House are so close, and yet they seem to be so far. They are so close because over $50 billion of cuts, the very number that Paul Volcker, the Chairman of the Federal Reserve, told us was a necessity, and important in terms of reducing the deficit, are agreed upon. The Senate conferees, the House conferees could sit down in 10 minutes and agree on $50 billion in cuts.

It is any number higher than $50 billion that gives us trouble. Maybe we should include a COLA freeze. Maybe we should not. What should be the attitude toward new revenues?

But on the things that we cannot agree upon, we ought to once and for all agree to disagree. And on the things we do agree upon, we ought to sit down and have a budget. The financial markets, the country as a whole and even the international trade situation all depend on us coming through with a budget. And it would be a darn shame, Mr. Speaker, if for a disagreement over a few billion dollars, a $50-billion agreement were thrown down the drain.

PRESIDENTIAL TORPEDO OF BUDGET COMPROMISE

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

Mr. AuCOIN. Mr. Speaker, the President's incredible decision to torpedo the budget compromise is a shattering mistake. While the compromise, as I understand it, was in no sense perfect, we had the prospect, at least fleetingly, for a budget that would slash $80 billion off the deficit next year, and more than $300 billion off the deficit over the next 3 years.

Mr. Speaker, $80 billion, is dramatically better than the deficit reduction numbers agreed to by the House and agreed to by the other body. The $80 billion would send an unmistakable message to the financial markets and to the world that the Government of the United States is, indeed, serious about solving the deficit crisis. And make no mistake about it, a crisis it is.

All it took was some leadership. It was being shown in fledgling terms for a few precious moments. But from the White House instead we got a torpedo.

Let the people of this country know what has transpired over the last few days, and let them understand the White House's own failure to come to grips with the No. 1 economic problem facing this country.

ARMS CONTROL AND A COMPREHENSIVE TEST BAN

(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 applaud the President for his proposal to

the Soviet Union with regard to unilateral inspection of nuclear explosions in the United States. This is certainly a positive step toward reducing tension between the superpowers.

I would, however, hope that the administration would reassess its position with respect to the Soviet proposal for a moratorium on all nuclear testing. We should not turn down the Soviet offer outright simply because it is deemed to be political posturing on either side, or because it is a difficult issue.

The truth of the matter is that this is an opportunity that ought to be seized upon seriously. We have been on record for a long time in support of a renegotiated comprehensive test ban treaty with proper verification. Here is an opportunity to see if we act positively to stop the escalation which seems to be before us and to move toward a comprehensive test ban treaty.

It would be extremely useful, it seems to me, if the Congress would go on record in support of the administration's offer and also in support of the Soviet offer for a mutual moratorium or nuclear treaty. These efforts would move us toward the suspension of all nucler testing.

House Joint Resolution 3, recently approved by the Foreign Affairs Committee, moves us along this road by urging the President to seek ratification of two testing treaties and by urging the President to propose to the Soviet Union the immediate resumption of negotiation on a comprehensive test ban treaty. The measure is now pending before the floor where its approval is more urgent than ever. We should seize the opportunities before us and bring an end to nuclear testing.

□ 1300

THE COMPARABLE WORTH DEFICIT

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

Mr. RITTER. Mr. Speaker, comparable worth is like a gift-wrapped bomb. It looks nice on the surface, but what is inside is lethal.

This week, the House will take up legislation to perform a study on sex-based salary discrimination in the Federal Government.

The problem with the legislation, Mr. Speaker, is that it assumes from the outset that the comparable worth theory is valid. Most economists; indeed, the great weight of economic opinion, would violently disagree with that.

We have serious problems in putting this Nation's financial house in order. We have a significant budget deficit; we have a record trade deficit. The last thing this country needs, Mr. Speaker, is a brand new, massive self-imposed deficit that is ideologically induced: The comparable worth deficit.

THE BUDGET BUCK STOPS HERE

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

Mr. FRENZEL. Mr. Speaker, there has been a procession of orators today castigating the President for, as one of them suggested, "torpedoing a budget compromise."

I think the record would be fair if it indicated that the compromise that he torpedoed was one that had already been torpedoed by House budget managers and by the Speaker of the House.

The House has made it quite clear what it prefers for a budget. He wants as little saving as possible, a paper saving of $57 billion which translates to an acutal savings of perhaps less than a third of that.

I do not think any amount of 1-minute speaking can change the responsibility that lies in this House and our counterpart on the other side of the Capitol.

The President gave us a budget that called for some reductions. We rejected that. It is our responsibility, then, to find one of our own. We have not done it.

To add insult to injury, the House has voted for appropriations that even exceed our feeble budget. This House ought to accept the blame. The buck stops right here.

TENTH ANNIVERSARY OF THE SIGNING OF THE HELSINKI FINAL ACT

Mr. HOYER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate joint resolution (S.J. Res. 180) commemorating the 10th anniversary of the signing of the Helsinki Final Act.

The Clerk read the title of the Senate joint resolution.

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

Mr. BROOMFIELD. Mr. Speaker, reserving the right to object, I do so to allow the gentleman from Maryland [Mr. HOYER] an opportunity to explain the resolution.

Mr. HOYER. Mr. Speaker, as the cochairman of the U.S. (Helsinki) Commission on Security and Cooperation in Europe, I rise today in support of a resolution commemorating the 10th anniversary of the signing of the Helsinki Final Act. On August 1, 1975, the leaders of 33 nations of Western and Eastern Europe, Canada, and the United States signed the Helsinki Final Act. Seen as the capstone of détente policy, the Final Act placed respect for fundamental human freedoms squarely within the East-West framework as a basic element of government-to-government relations. Through good faith observance of the Final Act's standards for responsible and humane international conduct, signatory states were to advance along the difficult road toward mutual trust and cooperation.

As President Ford said upon signing the accords in 1975:

> History will judge this Conference not by what we say here today, but by what we do tomorrow—not by the promises we make, but by the promises we keep.

From the beginning, the West has acknowledged that full implementation of the Helsinki accords' human rights provisions realistically cannot be accomplished overnight but would necessarily be a long-term process.

The lack of significant progress in the area of human rights such as we find in the Soviet Union is not and should not be viewed as testimony on the credibility and utility of the Commission on Security and Cooperation in Europe process. This process has legitimized human rights as a matter of diplomatic discourse among nations and has placed it on the agenda of our allies.

By signing the Helsinki accords, the Western democracies in essence pledged to keep faith with the persecuted in the East.

It is telling to recall that the West failed to anticipate the impact that the human rights provision of the Helsinki accords would have on East bloc citizens. Western human rights advocates and politicians were not the first to act upon the accords as a means to expose human rights violations in the East. East bloc citizens seized upon the Helsinki provision as a program for human rights advocacy.

Despite continued repression, Helsinki monitors in the Soviet Union and Eastern Europe persevere in their perilous and selfless work to this day. Less than a week ago, Charter '77 issued a statement in commemoration of the 10th anniversary. It is a statement of hope, of urging not to give up and of reaffirmation of the ideals of the Final Act. For these courageous men and women, the Helsinki process remains a source of inspiration and of hope. It is also a lifeline, however thin a thread. It is not for us to sever that thread.

Mr. Speaker, 10 short years ago, the Helsinki Final Act helped to usher in a new era in international relations based on the precept that a states' humane treatment of its citizens is as significant as respect for a neighbors' frontiers or willingness to settle disputes peacefully. Because of Helsinki, Western governments now take it for granted that it is their right and re-

sponsibility to speak out when human rights violations occur in another participating state.

Mr. Speaker, this commemoration is a solemn moment, a time for reckoning, for coming to terms with our hopes and with our expectations. The foundation of the Helsinki process was painstakingly built in Geneva. It has developed slowly and has suffered setbacks. Frustration is great and justified.

But we should not lose sight of our ultimate aim, perhaps put most eloquently by Physicist Yuri Orlov, founder of the Moscow Helsinki group and a prisoner of conscience since 1977:

By our efforts, we increase the probability that in the end we shall be successful.

Mr. Speaker, I thank the gentleman from Michigan [Mr. BROOMFIELD], the ranking member of the Committee on Foreign Affairs, for yielding and for his leadership in this area, and I express my appreciation as well to the former chairman of the Helsinki Commission and the present chairman of the Committee on Foreign Affairs, the distinguished gentleman from Florida [Mr. FASCELL].

Mr. BROOMFIELD. I thank the gentleman.

Further reserving the right to object, Mr. Speaker, I yield to the ranking member of the Subcommittee on Human Rights and International Organizations of the Committee on Foreign Affairs, the gentleman from New York [Mr. SOLOMON].

● Mr. SOLOMON. Mr. Speaker, I rise in strong support of Senate Joint Resolution 180 and urge its unanimous adoption by the House of Representatives.

On August 1, 1975, representatives of 35 governments in Europe and North America concluded the Conference on Security and Cooperation in Europe by placing the signatures of their governments on a solemn covenant now known as the Helsinki Final Act. This covenant established the primacy of human rights as the foundation that underlies political and economic cooperation between the countries of Europe. This resolution commemorates the 10th anniversary of the signing of the Helsinki Final Act. In a commemoration of this kind, it is incumbent on us, as representatives of the people of the United States, to take stock of what has been accomplished in the last 10 years.

Unfortunately, there is little cause for rejoicing on this occasion. Even a casual reading of the Helsinki Final Act is enough to convince any objective person that the lofty ideals and declarations of purpose to which signatory countries have committed themselves have been ignored, even reviled, by the Soviet Union and its satellite countries.

When the Helsinki Final Act was signed 10 years ago, many of us were skeptical. However much we may believe in the principles of freedom and human dignity that are enunciated in the Helsinki Final Act, the act also served to legalize or ratify the Soviet Union's conquest of Eastern Europe—a conquest that has subjugated many peoples and cultures, a conquest that was begun by force of arms and completed by political deceit and treachery that have no parallel in this century.

It was the hope of some people that perhaps this recognition of Soviet hegemony in Eastern Europe would be enough to induce concessions by the Kremlin in the area of human rights. But such has not been the case. And I am led to no other conclusion than that the Soviet Union and its puppets in Eastern Europe placed their signatures on the Helsinski Final Act in a cynical and hypocritical attempt to gain an advantage in the propaganda warfare that has divided Europe since World War II.

If the Soviet Union and its satellites have any intention of living up to the human rights standards that are enshrined in the Helsinki Final Act, they have yet to give any indication of it. The tyranny, the repression, and the human degradation have continued unabated behind the Iron Curtain during these past 10 years.

Mr. Speaker, the implication is clear: The war against totalitarianism did not end with the defeat of fascism in 1945. The war continues today. It is not a shooting war in Europe—unless, of course, we consider the case of Major Nicholson and other American victims of Soviet violence—but it is a war just as real as World War II. And the stakes are just as high, too. What is ultimately at stake is the survival of freedom and human dignity on the European Continent—the very place where these great ideas first originated many centuries ago.

The record of the past 10 years is bad. The Helsinki Final Act has not proven to be a restraint on Soviet belligerence. But the Helsinki Final Act does have symbolic importance. Moreover, it provides us with a tool to use in dealing with the Soviet Union and its cronies. Let us take advantage of this 10-year commemoration to rededicate ourselves to the principles the act contains. Let us strive to turn the act—a piece of paper—into a living reality. I call upon our present administration and all subsequent administrations to make this solemn covenant the centerpiece of the East/West dialog and of our policy in Europe.

Let us keep faith with the many millions of people who suffer under the yoke of Soviet communism in Europe. Their cries should not go unheard. Nor should we be hesitant in demanding Soviet compliance with the principles the Kremlin pledged to uphold when the Helsinki Final Act was signed.

Over the next 10 years and beyond, let us strive to make the Helsinki Final Act a living expression of the faith that animates and sustains a free society and a free people. The Helsinki Final Act should be more than a monument to good intentions, it should be held forth as a beacon of hope to those people who are oppressed in Eastern Europe.●

Mr. BROOMFIELD. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. RITTER].

Mr. RITTER. Mr. Speaker, I rise in support of Senate Joint Resolution 180, commemorating the 10th anniversary of the signing of the Helsinki accords.

My colleagues, we in this House have to understand that the 10 years of those Helsinki accords have seen some achievement, particularly in putting human rights in the forefront of international affairs. But those 10 years have also shown many disappointments. Those disappointments are mirrored in the minds and in the memories of millions of people who saw in the Helsinki accords a chance to rise up out of repression and to seek new avenues to achieve basic human rights goals.

I think we would be dishonest with ourselves and with all those people if we did not recognize the facts as they are; and the facts as they are indicate that the Soviet Union has cynically used the Helsinki accords to solidify its post-World War II boundaries in Eastern and Central Europe, while giving extraordinarily little on the human rights front.

This House of Representatives has a body entitled the Joint Commission—along with the Senate—on Security and Cooperation in Europe; normally known as the Helsinki Commission. It is a bipartisan body and until recently under the leadership of Chairman FASCELL, the gentleman from Florida. This body met over the years to consider the performance and the adherence of the signatory nations to the Helsinki accords.

While the record of Soviet and East bloc conformity with the Helsinki accords is not good, the body nevertheless allowed people to come forward with their experiences, with their ideas, and with their proposals to open up the channels of consideration of human rights in the U.S.S.R. and East bloc countries.

□ 1310

The Helsinki watch group inside the U.S.S.R. was a direct outgrowth of the signing of the accords and the establishment of the Joint Commission on Security and Cooperation in Europe.

The same is true of Charter '77 in Czechoslovakia. It should be recognized, however, that these groups, while still in existence today, are barely operative. And it should be recognized that a major contingent of Helsinki "monitors," those who are still alive, who have not perished in Soviet labor camps, who are not living in Soviet labor camps, if one calls that life, who are not in forcible internal exile, that a sizable and prestigious number of Helsinki monitors have called for the abolition of the Helsinki accords.

I think we should very seriously consider what these people are telling us, and I think as we go forward with the work of the Joint Commission on Security and Cooperation in Europe, the House and the Senate body; we should investigate whether or not these accords have been abused and misused to the point where those to be served by opening channels for human rights achievements and new human rights goals have been cyncially shunted aside in exchange for Soviet lip service to human rights while in pursuit of the historical solidification of post World War II borders.

I personally feel that it is a worthwhile effort to keep the accords, at least in the near term. We should not rule out the consideration of the overall effectiveness of our accords, what they have provided to the people whom they were intended to serve, and what they have provided to the people who continue to repress them.

To the gentleman from Michigan [Mr. BROOMFIELD] I thank him for his leadership on issues of this kind in the Foreign Affairs Committee, and to the new House-side cochairman of the Commission, the gentleman from Maryland [Mr. HOYER], I wish him well in his new leadership role. I would also like to thank personally the extensive bipartisan and creative efforts of the gentleman from Florida over the period of years that I was honored to be a member of the Helsinki Commission.

Mr. BROOMFIELD. Mr. Speaker, further reserving the right to object, I am very happy to yield to the gentleman from Florida [Mr. FASCELL], the chairman of the Committee on Foreign Affairs.

Mr. FASCELL. I thank my colleague from Michigan for yielding, and I want to commend him for helping to bring this resolution to the floor, as well as the gentleman from New York [Mr. GILMAN], and, of course, the cochairman of the Committee on Security and Cooperation in Europe, the gentleman from Maryland [Mr. HOYER], who is the cochairman on the House side, and I would like to say to my colleagues that this is not just another resolution. It is a very important resolution for us to consider and to pass, for many reasons. I would just like to highlight some of them.

First of all, we reaffirm our commitment to the Helsinki accords. The Helsinki accords lay down principles of conduct between nations and between nations and their peoples, an historic document which was signed by the heads of states of 35 nations. Ten years later, they meet to commemorate that event in Helsinki. This resolution, therefore, supports the Secretary of State in his statement at Helsinki and the policy of the United States as we view the Helsinki accords 10 years later.

We do not ignore it all and we all pay attention in this resolution to the fact that the implementation of the Helsinki accords in the field of human rights has been less than desirable and that the Soviet Union has been egregious in its violations and intransigent in its implementation. An important fact in calling attention to that is that we must continue to do that because as all of the witnesses before the Commission have told us in the last 8 years, it is the one little hope that they have, that is, that the outside world will never forget and allow that these violations of principles formally agreed to by all of the nations continue to be violated in the most inhuman manner by the Soviet Union and other signatories and that this is the hope that must be kept alive and that we must continue, therefore, the process which gives us the opportunity to keep human rights at a very high level in international discussion, in all forums, so that people will have at least that glimer of hope that it will not be brushed aside, it will not be covered over as imperfect as the Helsinki accords themselves might be in their implementation, because it has no enforcement process, it is not a treaty, the only thing that all of the people can look forward to is the fact that in Vienna in 1986 we will have one more review conference to again point out the fact that man's inhumanity to man continues but that we in the United States, as one of the moral leaders of the world, have not forgetten the treatment, the mistreatment, of people who live under the yoke.

Mr. BROOMFIELD. Mr. Speaker, further reserving the right to object, I yield to the gentleman from New York [Mr. GILMAN], who is the ranking minority member on the Europe and Middle East Subcommittee of the Committee on Foreign Affairs.

Mr. GILMAN. Mr. Speaker, I rise in strong support of Senate Joint Resolution 180, which is a companion bill to House Joint Resolution 361, introduced by our colleague and the distinguished vice chairman of the Helsinki Commission, Mr. HOYER, and I want to thank our distinguished chairman of our Foreign Affairs Committee, the gentleman from Florida [Mr. FASCELL], for his continued efforts in monitoring the Helsinki accords, both as chairman of that Commission and as chairman of our Foreign Affairs Committee, and also the ranking minority member of our committee, the gentleman from Michigan [Mr. BROOMFIELD], for helping to bring this measure to the floor at this time. This legislation, which I am pleased to cosponsor, commemorates the 10th anniversary of the signing of the Helsinki Act on August 1, 1975. Although the climate for commemoration could most certainly be far better, it is important, nonetheless, to recognize that such an important document as the Helsinki final accords is still alive and kicking. These first 10 years give us much to review, and I anticipate discussing the progress of human rights under the accords in far more detail later on today in a special order.

This legislation summarizes the concerns of the Congress and the American people with respect to the several "baskets" which comprise the Helsinki Final Act. However, our primary interest today centers on the disregard of the Soviet Union, as a signatory nation, to adhere to the Lofty principles of Fundamental Freedoms set forth in this document. Although some progress was made in the first few years following implementation, the last 6 years have seen an unprecedented decline in the respect for human rights generally and for the provisions in principle seven specifically, which center on freedom of thought, conscience, religion or belief, and respect for human rights and fundamental freedoms.

As we review the history of the Helsinki accords, it is reassuring that the American people continue to demonstrate strong support for the Helsinki Final Act, the Madrid concluding document, the United Nations Charter and the Universal Declaration on Human Rights. While there is alleged support for these acts in the Soviet Union, the many Helsinki Watch Monitoring Groups which sprang up 10 years ago to monitor Soviet compliance have now been all but disbanded, and many Helsinki monitors has been confined to labor camps, incaracreated in harsh prisons, and sent to lonely places of internal exile.

This resolution (S.J. Res. 180) strongly reaffirms the support of the Congress for the humanitarian principles set forth in the above mentioned accords, and urges our President to convey this deep and abiding concern to the U.S.S.R. At all future meetings of the Helsinki signatory states, this resolution calls on our Nation to raise the issue of ongoing human rights violations with the Soviet Union and its allies, and to work with the governments of other Western democracies in promoting human rights progress in

the Eastern signatory states. It is incumbent upon all of us concerned about the dignity of man to exploit every avenue in stressing the inherent link between human rights for all and the achievement of lasting peace. Accordingly, Mr. Speaker, I urge our colleagues to join in adopting this important resolution.

□ 1320

Mr. BROOMFIELD. Mr. Speaker, I yield to the gentleman from Illinois [Mr. HYDE], a senior member of the Committee on Foreign Affairs.

Mr. HYDE. I thank the gentleman for yielding.

Mr. Speaker, we celebrate today a triumph of our capacity for self-deception and naivete over reality. Why anybody had any right in the name of common sense to expect the Soviet Union to live up to the undertakings that it became a signatory to in the Helsinki accords, I do not know. It would be a total repudiation of history.

Andrei Sakharov, Anatoly Schranski cannot leave the country, along with a long and depressing list of people who seek to emigrate from the Soviet Union. Yet, the Soviets undertook in this accord to free up immigration. We have just finished imposing in both bodies, sanctions on the Republic of South Africa. But Bishop Tutu can leave the country. Chief Buthelezi can leave the country. They do not hold people under house arrest over there remotely approaching what the Soviet Union does. And yet here we are celebrating 10 years of adject failure to provide the slightest respect for any practice of human rights in the Soviet Union.

Oh, yes, we have got a document that they have signed and we can show to the world, to the Court of Public Opinion, I do not know where that is, maybe the United Nations, or the World Court where virtually nobody ever votes with us, that the Soviet Union does not live up to its undertakings.

A treaty, an understanding, an accord is as good as the intention of its signatories to live up to it. Once more the Soviet Union has shown that words do not mean anything. Solemn undertakings do not mean anything to its leaders and to its government.

I hope the lesson of 10 years of failure in the field of human rights vis-a-vis the Soviet Union, as celebrated today upon the celebration of the Helsinki accords will teach us as we try to negotiate treaties at Geneva for arms control that we need a clear-eyed, unsentimental view of the Soviet Union, its philosophy, its history, and its goals. I hope for that, but nothing in what we memorialize today gives me cause for optimism.

Mr. BROOMFIELD. Mr. Speaker, further reserving the right to object, I yield to a member of the Committee on Foreign Affairs and of the Subcommittee on Human Rights and International Organizations, the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. I thank the gentleman for yielding.

Mr. Speaker, 10 years after the signing of the Helsinki accords I believe this is an excellent time for this House to commemorate the Conference on Security and Cooperation in Europe the Helsinki Commission. I am proud to serve as a commissioner on this important commission. As the joint resolution before us today clearly states, there is an inherent relationship between the quest for international human rights, and the quest for a lasting peace. As a matter of fact, the two are inseparable.

Three years ago, President Reagan declared to the British Parliament that "we must be staunch in our conviction that freedom is not the sole prerogative of a lucky few, but the inalienable and universal right of all human beings. "Mr. Speaker, we in this Congress and indeed the whole Western World, look on in disbelief and frustration at the flagrant Soviet violations of their solemn commitment to observe human rights. I would remind my colleagues that these commitments were explicitly stated in the Helsinki Final Act of 1975, and restated again in the Madrid concluding document.

Clearly the Soviets and their allies talk a good game, but their record in badly tarnished with pervasive repression, torture, the use of psychiatric prisons and mind altering drugs to terrorize dissendents, the use of forced labor and institutionalized anti-Semitism.

Mr. Speaker, I believe nevertheless that the Helsinki process is worthwhile and provides hope to the victims of Soviet and East bloc repression. The Helsinki process provides hope for believers in God, a group who are often singled out for very harsh treatment.

As one Jewish refusenik remarked to me when I was in the Soviet Union a few years ago, and I quote:

> You in the West are our only real hope; the Helsinki accords are leverage.

Implementation of the Helsinki accords hasn't been perfect, but they have been a constructive influence. They do provide leverage.

Just last month, Mr. Speaker, I traveled through Romania to investigate allegations of severe religious repression in that country. In meetings and conversations throughout Romania I was told by individual believers who put themselves at great risk simply by talking to a Westerner, that Western efforts on their behalf gave them genuine hope and that an appeals process like Helsinki was necessary in order for at least some of them to obtain freedom—or at least a diminution of repression.

Furthermore, I would suggest that absent the Helsinki accords, things might otherwise be worse. I believe it can be argued that the Helsinki accords have a chilling effect to some degree on the abuses in the Soviet Union and the Eastern bloc.

Mr. Speaker finally, let me just say that we in the West must seriously acknowledge that barring a miracle of profound proportions, reform in the current status of individual freedoms in the Soviet Union and the Eastern bloc promise to be incremental at best. But the alternative, to do nothing, is wrong.

Mr. Speaker, by their repressive policies, I would point out to my colleagues that the Soviet Union and the Eastern bloc have turned millions of ordinary people into spiritual giants—martyrs—in the eyes of the West and in the eyes of God.

Although the tenacity, the courage, and the abiding faith of these individuals may not be fully applauded or recognized in this world, the stories of their bravery will certainly be the grist of legends in the world to come. Mr. Speaker, I urge all of my colleagues to support this resolution.

Mr. BROOMFIELD. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. I thank the gentleman for yielding.

Mr. Speaker, I commend the gentleman from Maryland, the cochairman of the Helsinki Commission and the cosponsors—of which I am proud to be one—for offering this resolution marking the 10th anniversary of the Helsinki Final Act.

As founder and cochairman of the Congressional Human Rights Caucus and a founding member of the International Parliamentary Group on Human Rights in the Soviet Union, I believe very strongly that this is a document of hope, not only for the people of the West, but for the imprisoned millions behind the Iron Curtain of Communist oppression in the East.

As a new member of the Helsinki Commission, I went with my colleagues to Ottawa to the Helsinki Human Rights Review Conference about 2 months ago, and while our delegation sat across the table from that of the Soviet Union and talked of Andrei Sakharov, of Anatoly Shcharanski, of Ida Nudel, Joseph Begun, Zachar Zunshine, and others, they talked of unemployment and of the American Indians. As we talked of the substance of human rights—the fate of individuals—they talked of propaganda.

Mr. Speaker, 10 years after the signing of the Helsinki Final Act we find in the Soviet Union the state-spon-

sored Anti-Zionist Committee, official anti-Semitism that is rampant, the Helsinki monitor groups disbanded, their members imprisoned on trumped-up charges, or held in psychiatric institutions or in internal exile, final refusals given to those seeking to emigrate, and repression of human rights greater than ever before.

In the Soviet satellite countries, Mr. Speaker, we find in Bulgaria, the Turkish minority trampeled; in Poland, the Solidarity Union movement, and the cause of free labor, in a shambles; and in the German Democratic Republic, Romania, Hungary, and Czechoslovakia, the story is, with some small variations, much the same.

So today we have to celebrate, Mr. Speaker, in sadness, and we have to resolve that the next 10 years will see true, real progress on human rights. We have to send the message to our Soviet adversaries that without such real progress the Soviets and their satellites will get from us no cooperation, no agreements, no meaningful dialog, nothing for which they sought the Helsinki Final Act.

Mr. BROOMFIELD. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Pennsylvania [Mr. COUGHLIN].

Mr. COUGHLIN. Mr. Speaker, I rise in strong support of the resolution.

□ 1330

Mr. BROOMFIELD. Mr. Speaker, I support the joint resolution before us which marks the anniversary of the Helsinki Final Act. The resolution condemns the ongoing Eastern bloc violations of the Helsinki accords. It direct our Government to convey our deep concern about the flagrant human rights violations in the Soviet Union.

Ten years ago, President Ford and other leaders signed that solemn accord concerning human rights and related matters. This anniversary should be a joyous occasion. Today, all of us should be able to praise the great strides made in human rights in the past 10 years in the Soviet Union and bloc nations.

But the opposite is true. The anniversary of that signing ceremory is an occasion of great sadness. It is a grim human tragedy that little progress has been made in improving human rights conditions in the Eastern bloc, and the Soviet Union. In reality, the human rights situation in those countries hasn't improved.

While the accord commits the signers to respect human rights, the Soviets and Eastern bloc nations have ignored their promises. To them, this agreement was a joke.

After the pact was signed, a group of Soviet citizens formed the Moscow Helsinki Watch Group to monitor the Kremlin's compliance with the accord. Most members of that group are now in labor camps, or in harsh exile. Many of them are in poor health and some are being denied proper treatment outside the U.S.S.R. because of their involvement with that group.

The free flow of information and ideas between the East and the West has never really started. In 1984, for example, only 900 Soviet Jews were allowed to leave the Soviet Union.

The real value of the legislation before us is that it calls attention to the continued human rights violations by the Soviet Union and their allies.

How can we hope to have real peace with the Soviets if they can't respect a solemn agreement? How can we trust a country that seems to delight in breaking accords? How can we work with a country that enjoys silencing dissenting voices?

I urge my colleagues to join me in supporting this resolution.

● Mr. LUNGREN. Mr. Speaker, I rise to offer my support for the positive language embodied in House Joint Resolution 10. The chairman of the Foreign Affairs Committee, Mr. FASCELL, and our ranking member, Mr. BROOMFIELD, should be commended for their undertaking today.

As we mark the 10th anniversary of the signing of the Helsinki accords, it is appropriate to document the actual effect this agreement has had on the actions of the signatory countries, particularly the Soviet Union.

The constant change in leadership in the Kremlin over the past decade, combined with the signing of the Helsinki accords, has, unfortunately, not resulted in any constructive improvement in the struggle for human rights in the Soviet Union. It would have been naive to expect the human rights situation to improve immediately after the 1975 Helsinki Final Act was signed. However, we have a right to expect that the situation would improve, albeit gradually.

Mr. Speaker, the succession of Mikhail Gorbachev leaves an opportunity to challenge the Soviet Government's record on human rights. One example of the repression leveled by the Soviet Union against people attempting to exercise the basic and fundamental rights enumerated in the Helsinki accords is the plight of Soviet Jews. Statistics from the last 5 years reveal a crisis situation exists in terms of immigration by Soviet Jews, which is at a historically low rate.

I have corresponded on a great number of occasions with Soviet officials, on behalf of Soviet Jews who desire to emigrate from the Soviet Union. In addition, I have been honored to adopt a refusenik by the name of Leonid Volvovsky. Leonid was recently arrested by Soviet authorities for the crime teaching Hebrew to others. I immediately sent a telegram to three top level Soviet officials, including Anatoly Dobrynin, Ambassador to the United States; Aleksandr Rukunkov, the Procurator General—equivalent to the U.S. Attorney General—in Moscow; and to Anatoly Myshkov, the Consul General at the Soviet Consulate in San Francisco. In this telegram I stated: "I understand the Soviet Government has arrested Leonid Volvovsky. Please drop all charges against Volvovsky and let him leave for Isreal. In my contact with Volvovsky over the last 2 years I have found him to be a man of fine character. He only wants happiness and security for his family." To date, I have not received a reply from any Soviet official. Certainly imprisonment for those who teach the Hebrew religion is not a policy a country should be proud of.

Mr. Speaker, 1985 is viewed by many of us in the Congress as a critical period for human rights in general, and Soviet Jews in particular. America must be the nation that bears the burden of carrying the human rights movement to repressive governments in other parts of the world because no other nation on earth enjoys the benefits of freedom more. I urge all my colleagues to support House Joint Resolution 10.●

● Ms. FIEDLER. Mr. Speaker, I rise in support of Senate Joint Resolution 180 commemorating the 10th anniversary of the Helsinki accords. However, I do so in the hope that the next 10 years of the so-called Helsinki process are more successful than the first. The Soviet Union's record of compliance with the agreement signed in 1975 has been atrocious. Soviet leaders take what they like from the pact—namely, our recognizing their hegemony in Eastern Europe—and ignore the human rights provisions they also signed. Apparently, individual liberties are fine—as long as they don't involve the freedom to think, speak, and write as you please, to worship as you please, to read Western books and newspapers, to telephone a relative in the United States or Israel without the KGB listening in.

Soviet leaders have been especially cynical in the treatment of their citizens who had the temerity to take them at their word and set up groups to monitor compliance with the Helsinki agreements. According to the U.S. Helsinki Watch Committee, of the 100 or more people who openly joined these groups in the Soviet Union, 51 are currently in prison, in psychiatric hospitals, in labor camps, or in internal exile. Four have died in prison, another was killed in a suspicious automobile accident. Another 20 have been incarcerated and released. Not surprisingly, these groups have had to abandon their tasks.

Jewish emigration from the Soviet Union is the other area where the high hopes of the Helsinki era have been bitterly disappointed. After

reaching a high of 51,000 in 1979, emigration has dwindled to a tiny fraction of that number. Last year, only 896 Jews were allowed to emigrate.

So while I support the resolution, I want Mr. Gorbachev to know that Americans in and out of government are losing patience with the Kremlin's cynical, empty pronouncements. As President Ford warned us, the Helsinki accord will be judged not by the promises that are made, but by the promises that are kept.●

Mr. BROOMFIELD. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 180

Whereas on August 1, 1975 the United States joined thirty-four other nations, including the Soviet Union and other Warsaw Pact states, as signatories to the Final Act of the Conference on Security and Cooperation in Europe, known as the Helsinki Final Act, and

Whereas the Final Act is a balanced document incorporating provisions concerning human rights and fundamental freedoms, military security, cooperation in the fields of economic, scientific, cultural and educational affairs, free flow of information, and humanitarian affairs, and

Whereas the Helsinki process has evolved into the primary tool of East-West Human rights diplomacy and continues to serve as a beacon of hope to victims of oppression in the Soviet Union and Eastern Europe, and

Whereas the United States, our NATO Allies and a number of neutral and nonaligned countries have documented and protested many serious violations of the human rights and human contacts provisions of the Final Act by the Soviet Union and other Warsaw Pact states, and

Whereas the Soviet Union displays contempt for basic civil and political rights, such as freedom of thought, conscience, religion and belief; confines in prisons, labor camps and psychiatric institutions or internally exiles hundreds of citizens who have sought to know and act upon their rights, among them thirty-seven imprisoned members of Helsinki monitoring groups, and

Whereas the Soviet Union callously disregards its pledge to facilitate human contacts and has drastically reduced the numbers of Soviet citizens permitted to emigrate; has consistently denied exit permission to Soviet citizens married to U.S. citizens and to other individuals who have claims to U.S. citizenship; and deliberately impedes the East-West flow of information by jamming Western radio broadcasts, and

Whereas disregard for human rights also is evident in the other Warsaw Pact states of Eastern Europe, and

Whereas inter alia, Bulgaria maintains virtually total control over the life of its people and recently has engaged in a campaign of forcible assimilation aimed at the Turkish minority population; Czechoslovakia harshly represses independent social, political, religious, minority and cultural expression and persecutes members of Charter '77 and VONS (Committee for the Defense of the Unjustly Persecuted); The German Democratic Republic enforces a restrictive emigration policy; Hungary continually harasses citizens who publish or possess unofficial material; Poland outlaws the Solidarity Union, harasses and prosecutes Solidarity and human rights advocates and currently imprisons over 200 persons for exercising their human and workers' rights; Romania maintains a repressive internal regime and seriously violates the freedoms of conscience, expression and association, as well as religious liberty and minority rights; and

Whereas meetings of Helsinki signatory states present important opportunities for Western democracies to call the Soviet Union and its allies to account for these human rights violations, and

Whereas at the recent Ottawa Human Rights Experts Meeting of Helsinki signatory states, East Bloc human rights violations were raised and deplored by U.S. Ambassador Richard Schifter and by other Western and Neutral envoys on behalf of their respective states, and

Whereas U.S. Secretary of State George P. Shultz will lead the U.S. Delegation to the 10th anniversary commemoration of the signing of the Final Act: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(1) the Congress strongly reaffirms the human rights principles and humanitarian provisions of the Helsinki Final Act and the Madrid Concluding Document;

(2) the Congress recognizes and condemns continued East Bloc violations of international obligations under the U.N. Charter, the Universal Declaration on Human Rights, the Helsinki Final Act, the Madrid Concluding Document, and other relevant international instruments;

(3) the Congress requests that the President of the United States direct the U.S. Department of State to convey to the Soviet Union and its allies the United States' deep and abiding human rights concerns;

(4) the Congress urges the President to direct the U.S. Department of State to take full advantage of the opportunities provided by all upcoming meetings of Helsinki signatory states to call the Soviet Union and its allies to account for ongoing human rights violations and to work constructively with the governments of the other Western democracies to promote human rights progress in the Eastern signatory states; and

(5) the Congress calls upon the President to use every opportunity to stress the inherent link—explicitly stated in the Helsinki Final Act and the Madrid Concluding Document—between respect for human rights and the achievement of lasting peace.

The SPEAKER pro tempore. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the Senate joint resolution.

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

Mr. BROOMFIELD. 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 414, nays 0, not voting 19, as follows:

[Roll No. 266]

YEAS—414

Ackerman	Dorgan (ND)	Kastenmeier
Addabbo	Dornan (CA)	Kemp
Akaka	Dowdy	Kennelly
Alexander	Downey	Kildee
Anderson	Dreier	Kindness
Andrews	Duncan	Kleczka
Annunzio	Durbin	Kolbe
Anthony	Dwyer	Kolter
Applegate	Dymally	Kostmayer
Archer	Dyson	Kramer
Armey	Early	LaFalce
Aspin	Eckart (OH)	Lagomarsino
Atkins	Eckert (NY)	Lantos
AuCoin	Edgar	Latta
Badham	Edwards (CA)	Leach (IA)
Barnard	Edwards (OK)	Leath (TX)
Barnes	Emerson	Lehman (CA)
Bartlett	English	Lehman (FL)
Barton	Erdreich	Leland
Bateman	Evans (IA)	Lent
Bates	Evans (IL)	Levin (MI)
Bedell	Fascell	Levine (CA)
Beilenson	Fawell	Lewis (CA)
Bennett	Fazio	Lewis (FL)
Bereuter	Feighan	Lightfoot
Berman	Fields	Lipinski
Bevill	Fish	Livingston
Biaggi	Flippo	Long
Bilirakis	Florio	Lott
Bliley	Foglietta	Lowery (CA)
Boehlert	Foley	Lowry (WA)
Boggs	Ford (MI)	Lujan
Boland	Fowler	Luken
Boner (TN)	Frank	Lundine
Bonior (MI)	Franklin	Lungren
Bonker	Frenzel	Mack
Borski	Frost	MacKay
Bosco	Fuqua	Madigan
Boucher	Gallo	Manton
Boxer	Garcia	Markey
Breaux	Gaydos	Marlenee
Brooks	Gejdenson	Martin (IL)
Broomfield	Gekas	Martin (NY)
Brown (CA)	Gephardt	Martinez
Brown (CO)	Gibbons	Matsui
Broyhill	Gilman	Mavroules
Bruce	Gingrich	Mazzoli
Bryant	Glickman	McCain
Burton (CA)	Gonzalez	McCandless
Burton (IN)	Goodling	McCloskey
Bustamante	Gradison	McCollum
Byron	Gray (IL)	McCurdy
Callahan	Green	McDade
Campbell	Gregg	McEwen
Carper	Grotberg	McGrath
Carr	Guarini	McHugh
Chandler	Gunderson	McKernan
Chappell	Hall (OH)	McKinney
Chappie	Hall, Ralph	McMillan
Cheney	Hamilton	Meyers
Clay	Hammerschmidt	Mica
Clinger	Hansen	Michel
Coats	Hartnett	Mikulski
Cobey	Hatcher	Miller (CA)
Coble	Hayes	Miller (OH)
Coelho	Heftel	Miller (WA)
Coleman (MO)	Hendon	Mineta
Coleman (TX)	Henry	Mitchell
Collins	Hertel	Moakley
Combest	Hiler	Molinari
Conte	Hillis	Mollohan
Conyers	Holt	Monson
Coughlin	Hopkins	Montgomery
Courter	Horton	Moody
Craig	Howard	Moore
Crane	Hoyer	Moorhead
Crockett	Hubbard	Morrison (CT)
Daniel	Huckaby	Morrison (WA)
Dannemeyer	Hughes	Murphy
Darden	Hunter	Murtha
Daschle	Hutto	Myers
Daub	Hyde	Natcher
Davis	Ireland	Neal
DeLay	Jacobs	Nelson
Dellums	Jeffords	Nichols
Derrick	Jenkins	Nielson
DeWine	Johnson	Nowak
Dickinson	Jones (NC)	O'Brien
Dicks	Jones (OK)	Oakar
Dingell	Jones (TN)	Oberstar
DioGuardi	Kanjorski	Obey
Dixon	Kaptur	Olin
Donnelly	Kasich	Ortiz

Owens	Schroeder	Swindall
Oxley	Schuette	Synar
Packard	Schulze	Tallon
Panetta	Schumer	Tauke
Parris	Seiberling	Taylor
Pashayan	Sensenbrenner	Thomas (CA)
Pease	Sharp	Thomas (GA)
Penny	Shaw	Torres
Pepper	Shelby	Towns
Perkins	Shumway	Traficant
Petri	Shuster	Traxler
Pickle	Sikorski	Udall
Porter	Siljander	Valentine
Price	Sisisky	Vander Jagt
Pursell	Skeen	Vento
Quillen	Skelton	Visclosky
Rahall	Slattery	Volkmer
Rangel	Slaughter	Vucanovich
Ray	Smith (FL)	Walgren
Regula	Smith (IA)	Walker
Reid	Smith (NE)	Watkins
Richardson	Smith (NH)	Waxman
Ridge	Smith (NJ)	Weaver
Rinaldo	Smith, Denny	Weber
Ritter	Smith, Robert	Weiss
Roberts	Snowe	Wheat
Robinson	Snyder	Whitehurst
Rodino	Solarz	Whitley
Roe	Solomon	Whittaker
Roemer	Spence	Whitten
Rogers	Spratt	Wilson
Rose	St Germain	Wirth
Roth	Staggers	Wise
Roukema	Stallings	Wolf
Rowland (CT)	Stangeland	Wolpe
Rowland (GA)	Stark	Wortley
Roybal	Stenholm	Wright
Rudd	Stokes	Wyden
Russo	Strang	Wylie
Sabo	Stratton	Yates
Savage	Studds	Yatron
Saxton	Stump	Young (AK)
Schaefer	Sundquist	Young (FL)
Scheuer	Sweeney	Young (MO)
Schneider	Swift	Zschau

NOT VOTING—19

Bentley	Ford (TN)	Mrazek
Boulter	Gordon	Rostenkowski
Carney	Gray (PA)	Tauzin
Cooper	Hawkins	Torricelli
Coyne	Hefner	Williams
de la Garza	Lloyd	
Fiedler	Loeffler	

□ 1350

So the Senate joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HOYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject matter of the Senate joint resolution just passed.

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

There was no objection.

TREASURY, POSTAL SERVICE AND GENERAL GOVERNMENT APPROPRIATION ACT, 1986

Mr. ROYBAL. 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. 3036) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1986, and for other purposes.

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

The motion was agreed to.

□ 1353

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3036, with Mr. BEILENSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on Friday, July 26, 1985, titles V and VI were open to amendment at any point. Pending was an amendment offered by the gentleman from Minnesota [Mr. FRENZEL].

The Chair now recognizes the gentleman from Minnesota [Mr. FRENZEL] for 5 minutes in support of his amendment.

Mr. FRENZEL. Mr. Chairman, per my letter to each Member of the House of Representatives, my amendment which is now pending makes uniform cuts across the board in discretionary items in this appropriation.

Mr. Chairman, the total spending in the committee bill amounts to over $13 billion. Of that amount, the mandatory spending programs, three of them, are not included in my amendment. Only included are discretionary amounts, which in the bill total $7.25 billion.

Mr. Chairman, eliminating the mandatory provisions of the bill, there are about $7.2 billion in spending for discretionary items. Those discretionary items are about $192 billion over the level of fiscal year 1985, the current year. In order to preserve the House intention to freeze discretionary items, my amendment cuts that $192 billion by applying an equal reduction of 2.65 percent across the board to each of the discretionary items. It results in a savings from the bill's expenditures of about $192 billion.

Mr. Chairman, I have had Members ask me why I am cutting Customs, why I am cutting BATF or Federal law enforcement training, just as Members always ask why in a reduction amendment we have to cut anything.

Unfortunately, if we are going to reduce spending, we have to cut something.

I would note, Mr. Chairman, that there are two very heavy items in the bill. The committee bill increases the Customs Service spending by 14 percent, which is well over the amount contemplated in the House budget resolution which many Members have voted for twice.

If one accepts my amendment, the Customs Service will still have an increase of over 11 percent, will still be above the House budget resolution and will have plenty of money to run a good operation.

Mr. Chairman, the House is being tested again today on the basis of whether it really meant anything when it said it wanted to reduce deficits. There is a great deal of questioning by the people of the United States to why this body would vote for a freeze in its budget of discretionary items, and then, as it handled its appropriation bills, continue to spend more money than is required by a freeze.

This amendment gives the House a chance to stand up for what it said it was doing when it passed its budget resolution the first time. This gives the House a chance to reaffirm what it said it was doing in its budget resolution and what many of its Members said they wanted to do.

Again, Mr. Chairman, there will be two amendments and those will seek to exempt certain line items from spending. The first amendment, from the gentleman from Texas [Mr. COLEMAN], will reduce the force and effect of my amendment and result in overspending on discretionaries.

The second amendment will reorient my suggested allocation.

In defense of my own amendment, I can say that I tried to ratify what the committee had done, neither digging deeper than it had done nor favoring any discretionary amounts that it perhaps did not favor.

□ 1400

I felt that across the board was the best way that I could show respect for the committee's work. It is only a 2.65-percent reduction, and it only reduces discretionary spending by $192 million. But I think it is the very least that the House can do if the House has any interest whatsoever in living up to its budget resolution or reducing the deficit.

I yield back the balance of my time.

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

Mr. Chairman, this amendment does, in fact, reduce budgetary spending for these departments by $192 million. But this is done without the benefit of a hearing, and without actually knowing what the needs are of the departments that are going to be affected by this cut.

I do not think that this is the proper way of making reductions in any budget of the Federal Government. I think that we must know what the needs are of the various departments in question before we do that.

Our committee spent several months studying these issues and came to the conclusion that the amounts recom-

mended by the committee were proper. These amounts are $214 million less than the House-passed budget resolution. It is $214 million less below the budgetary amounts allocated to this committee. Not more, but less.

I have to note that if this amendment is adopted, then hundreds of millions of dollars in revenue that could and should be collected by IRS will not be collected, and our deficit will grow even higher as our honest citizens bear more and more of the tax burden.

My colleagues probably saw in the newspaper this morning that there are thousands of individuals in the United States that have been waiting for their tax refund and they have not been able to receive it partly because the IRS does not have the sufficient personnel to process those returns and send that money back to the people that they owe the money to.

We must also point out the fact, Mr. Chairman, that the Federal Government is paying 13 percent interest on the money that they owe, and that each day that goes by, more and more is being owed to the people who are waiting, impatiently, I might say, for IRS to send them their tax refund, which is expected and in many cases very much needed.

If the amendment is adopted, drugs and other illegal imports that should be stopped at our borders by Customs will find their way into this country, and again because this reduction means fewer personnel. The damage that will be done to our society by drugs in actual terms of dollars is literally many billions of dollars' damage, and no one really knows how much it really will cost ultimately in medical care down the line. The damage done to the lives of our citizens, particularly our youth, is beyond calculation.

There is another department that is also going to be affected by this cut, and I am not going to go through each of these departments, except those departments that are revenue-producing. The Bureau of Alcohol, Tobacco and Firearms brings in billions of dollars of revenue, and at the same time it is one of the most important Federal agencies in stopping illegal trafficking of firearms and investigating illegal bombings. They would suffer the consequences of this cut. And as a result, they will be able to do less, again because of lack of personnel.

There are many agencies funded in this bill which perform less exciting and less glamorous functions, but those functions are important to the orderly process of Government. Reductions such as this would reduce their effectiveness, and in the long run would cost the Government far more than these reductions would save.

The General Services Administration, for example, leases, purchases, and maintains billions of dollars' worth of office and other type of space. Less effective management could result in substantial loss. GSA is also responsible for the purchase of billions of dollars in personal property and maintains a stockpile valued at many billions of dollars. We really do not know at this time, since we have not studied the effects of this cutback, what this would mean to their operations.

I can go on and on, Mr. Chairman, about one of these departments. But I hesitate to do so, again because of lack of time, but because primarily no one seems to be listening. If someone just listens to the facts, they will come to the same conclusion that the committee came to, that we cannot make these cuts, particularly in these revenue-producing departments that bring in as least $12 in revenue for every $1 that is spent in their operation.

AMENDMENT OFFERED BY MR. COLEMAN OF TEXAS TO THE AMENDMENT OFFERED BY MR. FRENZEL

Mr. COLEMAN of Texas. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. COLEMAN of Texas to the amendment offered by Mr. FRENZEL: At the end thereof insert the following new sentence:

The provisions of the preceding sentence shall not apply to funds appropriated or otherwise made available under title I of this Act for Federal Law Enforcement Training, the Bureau of Alcohol, Tobacco and Firearms, the United States Customs Service, the Internal Revenue Service, and the United States Secret Service, or title II of this Act for the Postal Service.

(By unanimous consent, Mr. COLEMAN of Texas was allowed to proceed for 6 additional minutes.)

Mr. COLEMAN of Texas. Mr. Chairman, my amendment would exclude the law enforcement agencies contained in title I and all of title II of the bill from the amendment offered by the gentleman from Minnesota. Those agencies are: the Federal Law Enforcement Training Center; the Bureau of Alcohol, Tobacco and Firearms; the U.S. Customs Service; the Internal Revenue Service; the Secret Service; and the Postal Service.

The committee worked long and hard to develop a bill which is both under its tentative 302(b) subdivision and provides the necessary resources for the administration of law enforcement, tax and duty collection; drug interdiction; and the preservation of the revenue foregone function of the Postal Service. We did not "raid" the Treasury. The bill is under the House passed budget allocation by $207 million. However, the gentleman from Minnesota believes the committee is spending too much for the functions under its jurisdiction, and therefore believes it should be cut. While that may seem fiscally proper, such a cut would cause severe repercussions both in law enforcement and revenue collection. In effect, the gentleman's amendment might be pennywise, but it would most certainly be pound foolish.

The amendment I offer to the gentleman's amendment still allows for a cut in the bill of $35 million. What it would do is remove from the harmful and ill-conceived cutting edge those agencies which would otherwise be irreparably harmed by the gentleman's amendment. Let me just explain what his amendment would do to those agencies.

Mr. FRENZEL's amendment would cut the U.S. Customs Service by a total of $20,814,000. Of that amount, $19,212,500 would come out of the salaries and expenses of the Customs Service. That would cause the reduction of approximately 540 positions contained in the bill, resulting in 438,750 fewer entries inspected and processed and a possible revenue loss of $260 million or more in revenue. The Committee on Appropriations, the Committee on Ways and Means, the Budget Committee, and others have recommended an increase in customs personnel above the fiscal year 1986 request by some 1,687 positions. Ways and Means and the Congressional Budget Office estimate that the increase in personnel would result in revenue gains of $780 million over the next 2 years. Using those calculations, Mr. FRENZEL's amendment would therefore result in revenue losses of up to $500 million. Furthermore, the Ways and Means Subcommittee on Trade reported that nearly $40 billion in illegal imports were slipping into the country annually. That costs the Treasury, according to the committee, $3 billion annually.

Perhaps a more important point to stress with the Customs Service is that it is the front line against the influx of illegal narcotics threatening the social fiber of our society. In testimony before our committee, the Commissioner of Customs stated that for every pound of cocaine customs seizes, two or three get through. Furthermore, according to the Customs Service, of all cargo containers which enter the country, 98 percent pass through uninspected. The odds presented by that situation are unacceptable in the war on drugs. According to the Select Committee on Narcotics, in 1984 the supply of heroin in this Nation increased by 200 percent. The supply of cocaine increased by 50 percent and the supply of marijuana increased by 300 percent. However, the gentleman's amendment would cut not only 540 enforcement personnel out of the bill, it would also cut $1.6 million from the air interdiction program of the Customs Service. In effect, those cuts would probably cut back on the available air time for P-3A's used to detect and track planes carrying dope into

this country, and the funds for the operation and maintenance of 2 additional Blackhawk helicopters Customs hopes to acquire as well, which are used to intercept such aircraft. To cut these funds for the Customs Service's Drug Interdiction Program, while the illegal drug trade continues to flourish, would be a dereliction of duty. If the Congress is really serious about fighting drugs, we are going to have to pay for it.

Mr. FRENZEL would also have us cut $97 million from the Internal Revenue Service. The committee approved an increase of $178 million for the IRS for fiscal year 1986. So did the Ways and Means Committee. The Ways and Means Committee and the Joint Committee on Taxation estimate that this could result in new revenues of up to $1.2 billion or more. Mr. FRENZEL's amendment would cut that figure in half, if not more. As a matter of fact, it would probably result in more losses in the long run. For instance, the committee approved funds for 500 additional personnel to process returns in fiscal year 1986. I do not believe there is a Member here who is not aware of the terrible backlog being experienced by the IRS this year. They are 6 million returns behind, which will cost millions in interest. The committee added the personnel in anticipation of 500 million additional returns to be processed next year. Yet, Mr FRENZEL's amendment would eliminate those positions and we would be left in a worse position. While no one may be too fond of the IRS, they are an important function of Government. When we spend money on them they bring more back in. In light of our deficits, and the amount of taxes owed yet unpaid, it is foolish not to properly fund the agency. Mr. FRENZEL would cut the examination and appeals section of the IRS by over $37 million, cutting staff by 1,000 positions resulting in 60,000 fewer examinations. This lowers the overall audit coverage to 1.2 percent, the tenth straight year of decline since 1976. And, again, we lose badly needed and owed revenue.

The gentleman would cut the Bureau of Alcohol, Tobacco, and Firearms by more than $4 million. That would result in a reduction of 150 staff positions under the fiscal year 1985 level. This agency enforces our alcohol taxes, estimated at $5 billion annually. Their enforcement capabilities would be greatly deterred, particularly when the increase in distilled spirits tax rate is due to increase on October 1, 1985. It would also curtail their ability to halt cigarette smuggling involving organized crime and to investigate domestic bombings in a time of rising terrorism. To cut this budget and staff would be most unwise.

Mr. FRENZEL would have us cut the budget of the Federal Law Enforcement Training Center. The committee reviewed the administration's request for this program and found it necessary in order that current training levels be maintained. That program works with 59 organizations to see that Federal and State law enforcement personnel are adequately trained. It makes no sense to cut it when Members of this House talk about controlling crime. Not more than 2 weeks ago, this House debated ways of fighting terrorism. To cut the budget of the training facility would be a step in the opposite direction.

Mr. FRENZEL's amendment would cut the Secret Service by $7 million. That budget is already under the fiscal year 1985 appropriations by $2.6 million. The committee worked with the administration in developing this budget and all parties agreed the amount contained in the bill was necessary to continue adequate protection of the President, Vice President, and other Government officials, as well as to curtail counterfeiting. I see no merit in cutting its budget, nor does the administration.

Finally, the gentleman's amendment would further cut the funding contained in the bill for the Postal Service. The result would no doubt mean a further increase in rates for small in-county publications and nonprofit organizations. The funding level contained in the bill is $79 million below the fiscal year 1985 amount. The full committee already cut funding for this function by moving the scheduled rate increase up from July 1986 to January 1986. That represents a 14-percent increase in mailing costs for these small town newspapers and charitable organizations. These groups provide assistance to the poor and downtrodden, particularly in the last few years because of the cutbacks in Government assistance programs. To cut this program further would be contradicting the administration's efforts to enhance more private rather than Government assistance.

The House already rejected a freeze on these agencies when we passed the budget resolution in May. We realized their importance to law enforcement and revenue collection then and should do so now.

Mr. Chairman, the gentleman's amendment is just bad government. It would result in reductions of revenue. It would lower our defenses against drugs, terrorism, and organized crime. And it would increase the burden on the less fortunate. The bill reported by the committee is fiscally sound. If you want to cut more, support my amendment, and add to the amount already under the House budget allocation. But, at least, do not support an amendment, as the one offered by the gentleman from Minnesota, which will weaken Federal law enforcement and fiscal administration.

□ 1410

Mr. DORGAN of North Dakota. Mr. Chairman, will the gentleman from Texas yield?

Mr. COLEMAN of Texas. I yield to the gentleman.

Mr. DORGAN of North Dakota. I thank the gentleman.

Let me support the gentleman's statement, particularly with respect to the IRS. I would like to make a couple of comments about that.

We are losing, some people estimate, $4 to $5 billion a year because we do not have adequate enforcement of our tax laws. We used to examine about 3 percent of the tax returns coming in; now we are down to somewhere around 1.4 to 1.3 percent of the tax returns. We have somewhere around $30 to $35 billion out there in accounts receivable that is not being collected. At that same time we have a diminution of our ability to collect through the collectors we have on the IRS staff.

W.R. Grace Commission said we ought to have 7,500 more people in the IRS to enforce the tax laws the way they are supposed to be enforced. Now I know a lot of folks do not like the IRS, but the people out there that work for a living, that are on the W-2 form, that do not have any flexibility, they are the people that end up having to pay for the lack of compliance, the lack of enforcement that currently exists in this tax system.

I am pleased that we saw some additional positions put in the committee bill above the administration's budget recommendation. I think that is a step forward. I hope we will take a much bigger step next year and get back to the position when we started enforcing the tax laws the way they ought to be enforced.

Some people think it is conservative to say, "Let's get rid of half the IRS." That is not conservative, it is nonsense. Let us make certain we enforce these tax laws. To do that we need an adequate level of audit staff, of those who are able to collect delinquent accounts. I thus support the gentleman's approach.

The CHAIRMAN. The time of the gentleman from Texas [Mr. COLEMAN] has expired.

(On request of Mr. SKEEN and by unanimous consent, Mr. COLEMAN of Texas was allowed to proceed for 3 additional minutes.)

Mr. SKEEN. Mr. Chairman, will the gentleman from Texas yield?

Mr. COLEMAN of Texas. I am happy to yield to the gentleman from New Mexico, the ranking minority member on the committee.

Mr. SKEEN. I thank the gentleman for yielding.

The question I would like to ask: The net effect of your substitute to the Frenzel amendment would be, then, how much in total reduction

over where we are now before any amendment takes place, in dollars?

Mr. COLEMAN of Texas. As the gentleman from New Mexico knows, the Frenzel amendment would have cut approximately $192 million from the Appropriations Committee bill. My amendment to the amendment, instead, cuts $35 million. While it would have been my preference to have gone completely with the matter of the committee bill because I think the necessary reductions were made in a very precise way, I felt it necessary, even preferable, to offer this amendment to the amendment so that other, more crippling amendments to the amendment of the gentleman from Minnesota could not preclude this particular cut. So we are cutting an additional $35 million which by the way causes us to come under the budget authority by some $242 million.

Mr. SKEEN. We were under the House budget, am I not correct?

Mr. COLEMAN of Texas. You are correct.

Mr. SKEEN. We are, however, over the President's budget by some $1.2 billion.

Mr. COLEMAN of Texas. If I might for a second I would like to speak to that issue. As you know, the President's budget did not have any dollars for revenue forgone, which both bodies have decided we are going to have to do something about. So as a result we wind up with a $900 million addition no matter what we do from one body to the other.

Mr. SKEEN. The reason I ask that question is there seems to be some confusion about whether we are over the budget that the House passed or under the budget. I just want some assurance that the base that we are still on, that my information is still correct that we are still under the House-passed budget.

Mr. COLEMAN of Texas. That is correct, the gentleman is right.

Mr. SKEEN. I thank the gentleman for yielding.

Mr. CONTE. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

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

I want to commend the gentleman from Minnesota [Mr. FRENZEL] for his effort and hard work in trying to reduce the deficit. There's no doubt that deficit reduction should be a high priority for the Congress.

Although the Frenzel amendment is well intentioned, it may have some unintended and expensive results. On the surface, this amendment appears to save $192 million by imposing a 2.7-percent cut across the board. However, the result may actually increase the deficit by a significant amount.

As I understand it, the Frenzel amendment would cut $98 million from the IRS and about $21 million for the Customs Serivce. These two agencies, along with a reduction in the Postal subsidy, would absorb about 75 percent of the total cut proposed in the amendment.

As the gentleman from Minnesota knows, these two agencies are the biggest revenue producers in the Government. The Customs Service, for example, collected $12.5 billion in duties and taxes during fiscal year 1984. In the end, Customs returned to the Treasury $21 for each dollar appropriated.

The ratio for the IRS is even better. In fact, any cut to this Agency will result in substantial losses in revenue. During the subcommittee hearings on the IRS, I asked the Commissioner for the record what the impact of a $30 million cut would be on tax revenues. To say the least I was shocked with the answer. The IRS estimated that a $30 million cut in IRS operations would cost the Treasury $375 million in fiscal year 1986. I can only imagine what the revenue loss would be with a $98 million cut as proposed by this amendment.

Mr. Chairman, based on this fact alone, this amendment should be rejected. It doesn't make sense to cut a small amount now and lose millions in revenue next year. I urge my colleagues to reject this amendment.

□ 1420

It is amazing to note that because of the delay in processing the tax refunds this year, the Internal Revenue Service has to pay more than $200 million in interest alone. So we are being penny wise and pound foolish with this amendment.

The Coleman amendment is better than the Frenzel amendment, but let us face it. You know why this budget is a billion dollars over the President's budget. The administration has zeroed out because he zeroed in revenue foregone: When that budget came up here, no funds were recommended for revenue foregone.

So this committee did the responsible thing; This bill does comply with the phasing schedule. The committee provided $922 million for revenue foregone in this bill. The committee also added $178 million for the Internal Revenue Service so that they can beef up their enforcement efforts and collect the billions of dollars in taxes now owed to the Government.

Mr. COLEMAN of Texas. Will the gentleman yield for a question?

Mr. CONTE. I will be glad to yield.

Mr. COLEMAN of Texas. I would just say to the gentleman, I have similar problems with both amendments, and I think because of your statement that it might be wise; I would only offer to withdraw my amendment to the amendment if the gentleman from Minnesota would withdraw his amendment, and then we could pass the bill.

I think that would be appropriate. I will be happy to do that if the gentleman from Minnesota would be willing to withdraw his amendment. On the other hand, if he is not, then I would hope you would support my amendment to the amendment because it is better, and then if you desire, of course, on the final vote on the Frenzel amendment if it is amended by mine, you could vote no.

Mr. CONTE. I will take that under consideration.

I just do not understand why both gentlemen are not directing their amendments to the source of the problem. One of the biggest items in this bill is revenue foregone. It is a Postal subsidy, and nobody wants to talk about it, nobody wants to offer an amendment; but it is a legitimate question.

I know you may get a few letters from the nonprofit organizations and the rural newspapers, but I know you can take that kind of heat.

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

I think, Mr. Chairman, that we can stipulate to the fact that the Coleman amendment does in fact improve the Frenzel amendment. It improves it by $157 million, but I rise in opposition with mixed emotions, for it reminds me very much of a situation where a man is asked whether he wants to die at sunrise before a firing squad or take poison in the evening before he goes to bed. The end result is that he is going to die anyway.

In this instance, the Departments in question are going to suffer the consequences of whatever cutback is voted upon no matter what if these amendments are approved.

The truth of the matter is that regardless of the Frenzel-Coleman amendment, they are being brought to this floor without the benefit of the kind of study that is necessary to make a determination with regard to the needs of these departments.

It is true that we are above the President's recommendation, but the truth of the matter, as has already been stated, is that revenue foregone is $926 million more than that zero figure recommended by the President of the United States.

That is the real problem of the situation. Again, as we look at the amendments before us, we find that one is better than the other only because it reduces the impact of amendment No. 1.

So I rise in opposition to both amendments, but in this instance, the Coleman amendment, with some reservations is better, but still not good legislation. Mr. Chairman, I sincerely hope that both amendments are defeated.

Mr. DURBIN. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, I stand today in support of the position expressed by the gentleman from Massachusetts [Mr. CONTE]. I believe that Mr. COLEMAN has improved on Mr. FRENZEL's amendment, but I happen to believe that the chairman of the subcommittee is correct that we would be better off if neither amendment was adopted.

Several days ago, there was a debate on this floor about the authorization and appropriation for the National Aeronautics and Space Administration. Many Members deviated from what had been their norm in voting by saying that we should put additional money into NASA because it would come back to us twelve-fold or fourteen-fold.

Ladies and gentlemen of the House, we have before us today a very similar situation. If we decide to cut back in the money for the Internal Revenue Service, it is very clear, and the gentleman from Massachusetts [Mr. CONTE] stated it, that we will lose upward of $375 million at least, at least, if we fail to get the Internal Revenue Service the necessary personnel to process the returns which they received.

In addition, the statement made by the gentleman from Texas [Mr. COLEMAN] was also very instructive as to what we should be doing on this particular amendment. It we are going to sacrifice some 468,000 inspections by customs officials, we not only run the risk of jeopardizing the whole border operation of protecting the United States, we also run the risk of allowing drugs to come into this country—illegal drugs and contraband.

Can we afford this? Can we afford what this will do to our society? And finally, the question of revenue foregone. I have not heard any speaker who, and I apologize if I missed the remarks, but I have not heard any speaker in support of the Frenzel amendment suggest that they support the administration's position to do with revenue foregone, and that is a major component in this decision today.

I believe the gentleman from Massachusetts is correct that we should oppose the Frenzel amendment. If we are forced to consider the Frenzel amendment, at least with the Coleman amendment added to it, we will have a sounder legislative product.

Mr. COLEMAN of Texas. Will the gentleman yield?

Mr. DURBIN. I yield to the gentleman.

Mr. COLEMAN of Texas. The only comment or question I would have for the gentleman is this. Because of where we are parliamentarily, Mr. Chairman, I am wondering whether or not the gentleman does not agree that it would be better to exempt from the Frenzel cuts the Internal Revenue Service, the Customs, the Secret Service, and all of the law enforcement agencies as well as the revenue foregone issue at this point in time?

In other words, I am asking the gentleman whether or not it would not be better for Members of this body to vote "aye" on the Coleman amendment, and then we can determine at the end of that whether or not we want and amendment at all to what the committee work has done.

Mr. DURBIN. I agree with the gentleman. I think that is the proper course to follow.

Mr. Chairman, I would say that I would hope that the Frenzel amendment —would not prevail without the Coleman amendment attached to it.

Mr. SKEEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is a very interesting process. Of course, those of us on the committee are going to stand up and talk about defending the committee's position. I do not think that we need to defend it, because I think we have done our work and done it well.

However, that is the process; and when you bring these bills out here to the floor, then this is the kind of thing that you open to the rest of the membership who have not had the great privilege and advantage and pleasure of working in these subcommittees, I admire the gentleman from Minnesota a great deal, because I understand his motivation, and I admire his forthright manner in which he approaches budget cuts.

However in this case I have to reluctantly oppose this kind of an amendment because I think that it is misplaced. I do not think that it really gets to the heart of what we are trying to do.

Mr. Chairman, I am a little bit confused. We have another amendment on top of this one, and I understand that there is another one in order, and I would make inquiry of the Chair as to whether or not we can amend this other amendment, the so-called Spratt amendment?

□ 1430

The CHAIRMAN. The Chair would advise the gentleman from New Mexico that the amendment of the gentleman from South Carolina [Mr. SPRATT] could be offered after the committee disposes of the amendment being proposed by the gentleman from Texas [Mr. COLEMAN].

Mr. SKEEN. So we have a triple-tiered situation going on here.

The only problem I have with the Coleman amendment is this: It restores and exempts from the cuts those areas that we worked to bolster because they were income-producing and were critical in so far as need for personnel and for function.

For instance, the Customs Service returns to the Treasury $21 for every $1 that we spend. So assuming from that, if you cut $1, then you are going to lose $21. I do not know if they work in that kind of proportion.

Mr. COLEMAN of Texas. Mr. Chairman, will the gentleman yield?

Mr. SKEEN. I yield to the gentleman form Texas.

Mr. COLEMAN of Texas. I hope the gentleman understands that should not be a problem with the Coleman amendment. In fact, the gentleman should be supporting the Coleman amendment. Let me read it again, so there is no mistake.

Mr. SKEEN. Reclaiming my time, I think I may have misled the gentleman due to the thrust of his question.

My only problem with the amendment of the gentleman from Texas is the $35 million that we ultimately cut from the appropriations in this particular bill. That is $35 million from agencies which can ill afford to lose that much in their funding base.

Now I yield to the gentleman from Texas.

Mr. COLEMAN of Texas. Let me just tell the gentleman what it is. Because it is an amendment to the Frenzel amendment, it cuts 2.65 percent out of the Office of the Secretary, out of the Office of International Affairs, out of the Financial Management Service, out of the Bureau of the Mint, out of the Bureau of Public Debt, out of the Energy Credit, out of compensation of the Office of Administration of the President, the White House Office, the executive residence, the residence of the Vice President, the special assistant, all of the rest that belong in this bill lose 2.56 percent because it is the Frenzel amendment.

My point is that there are no cuts, no losses in the very thing that the gentleman is concerned about and that I am concerned about, and that is law enforcement; there are no cuts if my amendment is adopted.

Mr. SKEEN. I understand the gentleman, and I do appreciate his bringing that up.

I will wind up by saying that I think that the Coleman amendment does offer improvement. I have some reservations, which I have already stated, and I have to oppose the Frenzel amendment.

Mr. MOORE. Mr. Chairman, I move to strike the requisite number of words.

Well, my colleagues, here we go again. While the American people watch Rome burn, we stand here, fiddling around, with more excuses of why you cannot cut this and you cannot cut that. Here we go again.

Instead of doing something meaningful to bring down the deficit, we are once again mired down in debate that we cannot hold spending at last year's level, we have got to increase it.

I, for one, am fed up with it. You vote that way, if you wish. We are

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going to give you that chance. But I am at least going to express what I think is the frustration of the American people.

We do not have a budget. We have got to do something to hold down spending, which means that as each bill comes up, we are going to have to make some tough votes. Every bill that comes up has got some wonderful reasons why you cannot cut this and you cannot cut that, and there is merit to every one of them. But if we do that on every one of them, you do not cut spending at all.

What is wrong with the Frenzel amendment is not for what it has been attacked so far on the House floor. What is wrong is that it does not go far enough. The gentleman does not take it back to 1985 spending levels. He does not come anywhere close to it. He cuts some spending but does not take it back to what we spent last year.

When people talk about a freeze, that is what they are talking about. So if you cannot vote for the Frenzel amendment, what you are simply saying is, "Let's let this bill go by, let's give it 3 percent increase over last year's spending," which is what the bill does, "and we will look for some other bill that comes to the floor, and we will try to do it on that one."

We did not do it last week, we are not going to do it today. It looks like you are telling the American people we are not serious about those deficits, we will not do it this week, we will not do it next month. We will suffer with a $200-billion deficit a little while longer.

I urge the Members to vote against the Coleman amendment because it only saves $35 million, and that is not really serious. I think the Frenzel amendment, at $192 million savings is barely serious, but certainly the Coleman amendment is less serious.

I have heard it said—and I serve on the Ways and Means Committee—we have got to have all of these IRS agents just to collect taxes. Well, I did a little mathematics. If, as the gentleman from Texas [Mr. COLEMAN] says, 1,500 agents, which is what I am told the amount of money in this amendment he would preserve, would save you $1 billion, why do we not go ahead and appropriate 300,000 new agents and abolish the budget deficit altogether? If 1,500 will give you $1 billion, 300,000 will give you $200 billion and you would not have a deficit; and we can go you one better, we can give you 350,000 agents and we can reduce your taxes as that would bring in a surplus in revenue. We will abolish the deficit and we will reduce your taxes. That is the kind of nonsense you go through with this kind of reasoning.

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

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

Mr. FRENZEL. I thank the gentleman for yielding.

Last year we increased the number of IRS agents. It did not do a damn thing to reduce our budget deficit. The year before that we added some IRS agents. Did they find any more money? No. But they found some taxpayers to harass.

This function, this budget fiction that more employees who do not know anything, who have to be trained, are suddenly going to go out and find money is ridiculous. Taxpayers produce money, not IRS revenue agents.

Mr. MOORE. Well said. I agree with the gentleman.

I would simply add that is the kind of nonsense we go through in rationalizing every step of the way why we cannot cut spending. You can cut it if you have got the guts to vote to cut spending. And if you do not, then do not go home and tell your people, gee, you want to reduce spending but you just could not do it. The Congress can do whatever the hell it wants to do if you got the courage to, and that is what I have seen missing in this congressional process.

Let me take it one step further. My good friend from New Mexico made the point a moment ago that this bill is below the House-passed budget resolution. That is no great document, but I voted for it. But what you do not realize is that this bill is $1 billion above the Senate-passed resolution, $1 billion more in spending.

Now, if you go to conference and you split the difference, that is $500 million, then you are nowhere close to the $500 million less level in this bill because that would be below 1985 spending, and this bill is 3 percent above it.

So you are deluding yourselves by saying we are saving money, because the bill is under the House-passed budget resolution. You are nowhere close to what a conference is going to come back with, if it does.

Let me conclude by simply saying this: With all due respect to all of you, all of these things are important. What is more important is bringing down the deficit. And I submit that every single bill that comes through—I have been listening now, just as you have been listening all spring and summer as we have fought these appropriation bills, as every one of them comes through, we could give a thousand excuses why you cannot even cut, you cannot even hold it to last year's spending. The Frenzel amendment does not even do that. It does not cut. It does not even hold it to last year's spending. If you cannot vote for that, then you are not serious.

So I end, as I started: Here we go again. Here we go again.

The CHAIRMAN. The time of the gentleman from Louisiana [Mr. MOORE] has expired.

(On request of Mr. PURSELL and by unanimous consent, Mr. MOORE was allowed to proceed for 3 additional minutes.)

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

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

Mr. PURSELL. I want to thank the gentleman also for supporting the Frenzel amendment. I do likewise. I think it is a small amount. But I think we should also be aware that the pay increase is not even in this appropriation bill, as it is not in some of the other appropriation bills. In this bill it would be about $140 million. Now, it would seem to me that, ethically, if the pay raise is recommended by the administration and the conferees and the Congress itself across the board for Federal employees—and that is a separate question—since it has been recommended, what they are going to do is take all of that for all of the appropriation bills and dump it into a supplemental bill down the road, and that adds up to about $1 billion.

So the gentleman is correct in his statement that this is not at the freeze level either with or without the $140 million that was addressed for the pay increase.

Mr. MOORE. The gentleman from Michigan has been following the budget process and participating very closely, and I thank him again for his comments. The gentleman brings out again the games the Congress is playing with the American people. We talk about reducing spending, which we are not. We talk about freezing spending, which we are not. And then you point out that we are going to come right along with a supplemental appropriations bill and spend well above what we did last year.

□ 1440

These games have got to end, my colleagues, if we are ever going to do anything about the budget deficits.

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

Mr. MOORE. I yield to the gentleman.

Mr. SKEEN. I really appreciate what you are saying, and the fervor of it. I think that the gentleman has interpreted it correctly. There is only one problem: Where are the amendments to cut this back down to the budget? Where are all the great, gutsy kind of amenders out here today that will reduce this thing? It would be just as welcome as rain if you could get it passed.

Mr. MOORE. Reclaiming my time, we have offered one and you have spoken against it. Vote for that one and we will cut some more.

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

Mr. MOORE. I yield to the gentleman.

Mr. FRENZEL. The gentleman from New Mexico is batting a thousand in opposing all the cuts so far. How many more do we have to bring before we find one you like?

Mr. SKEEN. Well, why do you not start with revenue forgone, if the gentleman will yield?

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

Mr. MOORE. I yield to the gentleman.

Mr. HOYER. I thank the gentleman for yielding.

Mr. Chairman, I understand the gentleman's frustration. It is somewhat like, I suppose, the chairman of the Senate Budget Committee who also himself has some frustration.

Let me ask the gentleman this: The gentleman mentions that we are $1 billion over the Senate. Would the gentleman be in favor of cutting the revenue forgone section of the bill by $900 million?

Mr. MOORE. You offer the amendment; I will vote for it.

Mr. HOYER. I take it then the gentleman would be in favor of that?

Mr. MOORE. I am in favor of cutting spending. I will vote to cut any spending anywhere down the line. That is why I am standing up here now.

Mr. HOYER. Including revenue forgone. I thank the gentleman for his statement.

Mr. SMITH of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I strongly support the amendment offered by the gentleman from Texas to protect the law enforcement component of H.R. 3036. This bill funds the U.S. Customs Service, which is a major component of our drug enforcement program. The Bureau of Alcohol, Tobacco and Firearms. IRS, Secret Service, and the Federal Law Enforcement Training Center. Unless the Coleman amendment is adopted, funding for these programs will be reduced by over $131 million.

I, for one, do not believe that any benefit associated with reduced funding would be worth the increased costs to society. Believe me, there are increased costs in every community in this country if the Frenzel amendment passes.

Just last week, the Select Committee on Narcotics Abuse and Control heard from Customs officials on their efforts in the drug war. With 3 months left in this fiscal year, Customs has already seized 15,000 kilos of cocaine, a threefold increase in just 3 years. If that is reduced, if the agents are not there to handle it, how much more cocaine is going to flow into every community in this country?

In its May 1985 special report on worldwide cocaine trafficking trends, DEA estimated wholesale cocaine prices in Miami to be between $30,000 and $35,000 per kilo in March. That means to that date, Customs has seized about $450 million in cocaine. Over $1 billion has been seized since then.

Recognizing the importance of the Customs Service in the war against drugs, the Appropriations Committee funded 16,087 more Customs Service positions than the administration requested. Remember, this administration has cut positions in the last 4 years in every one of their budget proposals.

Mr. COLEMAN of Texas. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Florida. I yield to the gentleman.

Mr. COLEMAN of Texas. I thank the gentleman for yielding.

Of course, I appreciate his work with me on this particular amendment. I know of his interest in the narcotics committee, and I would hope that this point would not be lost.

The gentleman from Louisiana just a moment ago spoke about 1985 levels. All that the numbers of customs do is attempt to get it back to 1981 levels. Not an increase from 1981, just back to those levels. I think that is the point that needs to be reiterated here on this floor.

Mr. SMITH of Florida. I thank the gentleman for pointing that out very graphically. We have been fighting a losing battle to keep the positions in the current range, and we have been losing steadily each year as to what we had 4 years ago with a greater need now than ever before.

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

Mr. SMITH of Florida. I yield to the gentleman.

Mr. GILMAN. I want to commend the gentleman for his continuing efforts in waging, helping us wage war on narcotics. I want to associate myself with the gentleman's remarks. We talk about waging an extensive effort against the narcotics traffickers. If we are going to do it, we need the manpower, we need the funds, we need the equipment to do it, and this is not the way to do it, to cut it out of a very important agency that is helping us fight that war in the Customs.

Mr. SMITH of Florida. I thank the gentleman for his remarks, and I want everyone to be aware, if you cut it out at the Federal level, there is no comparable way that you can make the dent on drug trafficking in the local community. Without the Customs Service, State and local police cannot do the job in stemming the flow of cocaine and marijuana and other illicit drugs coming into this country. They do not have the resources. They will have to plug in more; the local taxpayers will pay more, but they will not be nearly as effective if the Federal Government is not involved in that fight.

How many more millions of dollars worth of cocaine will enter this country if we reduce Customs funding? Millions and millions and millions. The amendment of the gentleman from Minnesota also would reduce funds for the IRS—the only sure moneymaking operation in the Federal Government. The gentleman says that we have added more but we have not collected more money. That is not true. We have collected more money. We have made a dent on the delinquent taxpayers and others. The problem is that we want to put the agents where they belong in the revenue-producing areas; not in the areas of shuffling paper, and there is a difference when you add them in those areas.

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

Mr. SMITH of Florida. I yield to the gentleman.

Mr. PICKLE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Minnesota to reduce the overall discretionary appropriations in this bill which includes the Internal Revenue Service.

I commend the gentleman for his desire to reduce the Federal deficit by cutting spending in general. However, by applying this amendment to the IRS, he is actually defeating his own avowed purpose.

This amendment would cut approximately $100 million from the level of funding for the IRS that is contained in the committee's bill. That $100 million cut will cost us about $600 to $700 million in lost revenue next year because it would reduce IRS enforcement efforts.

This kind of budget cutting is pennywise and pound-foolish.

The amendment violates the spirit of the reconciliation package tentatively approved by the Ways and Means Committee which calls for $1.2 billion in revenue to be raised through improved IRS operations.

In addition, the Frenzel amendment would wipe out much of the increase in taxpayer services and tax return processing recommended by the Ways and Means Committee and the Appropriations Committee.

Every Member of this body has received complaints from constituents this year about the slowness and problems of processing tax returns. The Ways and Means Oversight Subcommittee has heard extensive testimony on these problems.

In an effort to prevent even further chaos and delays in next year's filing season, we made a bipartisan recommendation for a modest increase in enforcement, taxpayer services, and return processing.

I urge my colleagues to support the amendment by the gentleman from Texas to exempt enforcement agencies from this reduction.

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

(By unanimous consent, Mr. SMITH of Florida was allowed to proceed for 5 additional minutes.)

Mr. SMITH of Florida. I appreciate the remarks of the gentleman from Texas. He is a ranking member on the Ways and Means Committee with many years of experience. I defer certainly to have the information that he has just imparted to the Congress.

At a time when we need every dollar of revenue due under the law, reducing IRS personnel as everyone has said would be penny-wise and pound-foolish.

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

Mr. SMITH of Florida. I yield to the gentleman.

Mr. ROYBAL. I would just like to compliment the gentleman on his statement, not necessarily his position, your statement with regard to Customs and the great need for agents is correct. These additional agents will definitely do a great deal to stop narcotics from coming into the United States. The main reason why the committee did in fact increase agents for Customs by 1,687 in personnel, is because of that reason. That increase in personnel is costing $86 million more than the President recommended.

We did the same thing for IRS because of the fact that there are thousands upon thousands of returns that have not been processed and moneys that are due the taxpayer have not been returned to the taxpayer. We inceased that by 2,243 positions, and it is costing $178 million.

We increase revenue foregone by $922 million and that placed us $1.2 billion more than the President recommended. While we are about $1.2 billion more than the President recommended, the vast majority of that amount is in revenue foregone; $922 million.

I would like to compliment the gentleman for again highlighting the fact that this country does face a tremendous problem with regard to narcotics. I think that we do know that every school in the Nation is faced with it. I sincerely hope that we can continue to look at the facts the way they are and vote accordingly.

Mr. SMITH of Florida. I thank the gentleman for his comments and kind words. I would hope that everybody would be aware that it is not just Customs. We have Bureau of Alcohol, Tobacco, and Firearms; BATF.

□ 1450

We have evidence that drug traffickers are engaged in a symbiotic relationship with terrorists in drug-producing countries. Without question, this is the case in South America. Drug traffickers bring drugs to the United States and often take back guns for these terrorists. BATF has the responsibility to enforce our gun laws.

Do we want to reduce its funding in light of this relationship? Do we want more guns on the streets flowing both in and out of the United States?

In addition, as a member of the Crime Subcommittee, I applaud the Appropriations Committee directive that BATF make enforcements against the prohibition of unregistered private ownership of machineguns a priority. How are we going to do that with less agents? These days, these weapons are becoming commonplace in south Florida, the area in which I reside and which I represent, and we need every available agent to deal with this problem.

Yet we may not get the needed help without the committee's funding level. I want to remind my colleagues of the action that we took on July 17. At that time, we rejected a similar amendment to the Frenzel amendment that would have affected law enforcement programs of the Department of Justice—DEA, FBI, U.S. attorneys, et cetera.

I urge my colleagues to take the same action today and protect the law enforcement functions of the Department of the Treasury. By exempting law enforcement functions from any freeze, we will be telling the American people that we will control spending, and we have. Every appropriation bill that has been out on this floor to date has been lower than the President's request and within the House budget, which is a $56 billion deficit saver.

We have voted for those things, but we are not going to indiscriminately cut spending where it will hurt the taxpayer, and this is one area. We will not cut at the expense of our war against drug traffickers and other criminals.

Recent FBI crime statistics show that in a number of areas, crime continues to increase. Unfortunately, south Florida is one of those areas. In 1984, Dade County experienced 231 murders, 70 of which were directly drug related. I suspect many unexplained and other homicides also were related to drugs. In overall violent crimes, Dade County, unfortunately, was second in the Nation. We are tired of having the reputation as the drug and crime capital of this country. Because we are to a large degree victims of our geography, we cannot totally control at the local level what enters the region, but we must deal with their consequences.

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

Mr. SMITH of Florida. I ask unanimous consent to proceed for 5 additional minutes.

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

Mr. FRENZEL. Mr. Chairman, reserving the right to object, can the gentleman give us an idea of where he is going to proceed? He has had 10 minutes, and certainly drug interdiction and so forth is an important subject. Could the gentleman do with 3, perhaps?

Mr. SMITH of Florida. If the gentleman will yield, I would be happy to do with 3. I have been kind enough, I think, to extend most of my time to people who asked me to yield, and that is why I had to use 10 minutes.

Mr. FRENZEL. I see.

Mr. Chairman, if the gentleman has to do it, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The gentleman from Florida [Mr. SMITH] is recognized for 5 additional minutes.

Mr. SMITH of Florida. I thank the gentleman for his courtesy.

It is Government officials and concerned citizens at the local level who are continuing the local fight against crime. This admirable effort may be meaningless, however, if Federal funds for crime programs are decreased. As chairman of the Foreign Affairs Task Force on International Narcotics Control, I deal every day, as all of us do, with the consequences of drugs coming and going in this country, especially in the area of south Florida.

The drug growing in South and Central America is a major problem for all of us in this country, but I also deal with the great benefits, as you do, that we get from the involvement of the Federal Government. The DEA, the IRS, the Customs Service, the INS, BATF and all the other Federal agencies are on the front lines in the war against drugs.

Let us repeat the resolve that we showed 2 weeks ago and adopt the Coleman amendment to save law enforcement funds.

Finally, Mr. Chairman, I concur with the gentleman from Texas in his attempt to exempt the Postal Service revenue forgone from any further reductions.

The administration wants the American people to engage in more private giving to help the less fortunate, but a reduction in revenue forgone would hinder efforts by every private charitable organization in this country at the very time when we are trying to raise, through them, the funds needed to offset reductions in social programs.

I do not support the Frenzel amendment, but if there is going to be an attempt to vote on it, I support the Coleman amendment, which is infinitely better as it would be the substitute for Frenzel, and I would urge the adoption of the Coleman amendment on that basis.

Mr. CAMPBELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have been listening with great interest as we have debated the various enforcement agencies and whether they should or should not be funded. It has come into my mind that most of the people who are saying that we should cut are like I am in that they believe in a strong defense; a defense for the Nation externally, and I hope they believe in it internally. Because, the front line of defense that we have in many instances is an agency such as the Customs Service, an agency that does enforce laws, an agency that does intercept contraband coming into this country, an agency that does fight drugs, an agency that does attempt to maintain safe streets in this country by stopping things before they start.

But I would like to take a different approach to the discussion, if I might, Mr. Chairman, and that has to do with the trade issue. We have an imbalance in trade in this country which is the No. 1 problem facing America today. We are dealing with a deficit in trade that could go up to the $200 billion level if we let it keep going like it is.

Oh, yes, we have problems that we talk about that are related to the deficit and the strength of the dollar. We also have problems in trade with enforcing international agreements into which we have entered. Specifically in my area of the country, Mr. Chairman, if you came to South Carolina and you went through the small towns and you saw the textile plants closed, and you asked the people why they closed, they would say, "Because the imports came in." Then you look at the situation and question why when we have trade agreements this is happening, and you to to Customs and you say, "Why are we not enforcing the agreements we have," and they say, "We do not have the manpower to do it."

We are putting people in the street because we are not enforcing the law. Is there a person here who would say that it is more important not to enforce the law and throw someone out of work? Would you say that that is the way to save money?

No! That is not the way to save money. Who pays the unemployment? Who pays the Federal supplemental compensation after they have been out and their unemployment has expired? Who does it? The taxpayers do it. And when we have a return of $21 to $1 on expenditures going to a customs agent, how can we say that it is not fiscally responsible to fund those agents who enforce the laws of this country, to collect that which is coming in from foreign sources, to protect the jobs of this country, to protect the international agreements of this country.

No, ladies and gentlemen, it is not fiscal responsibility to abandon our duty. We are standing here once again saying let us abdicate; let us abdicate the responsibility of protecting the people of this country; let us abdicate the responsibility of protecting the jobs of this country; let us just leave it wide open and hope for the best.

That is what we are talking about if we are going to abandon the expenditure of these funds.

Mr. DORGAN of North Dakota. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will be brief. I rise in support of the Coleman amendment. Let me say that I have on occasion supported the gentleman from Minnesota in an across-the-board cut where I thought it was necessary and prudent to do so.

Having had some background in tax administration, I want for the record to illustrate what we are doing if we cut deeper into the Internal Revenue Service budget. The Frenzel amendment will save $100 million in IRS outlays, but lose $600 million in uncollected revenue's. That is no bargain. The reason I was prompted to speak again was that I heard someone on the floor say, "Look, the issue is do we get involved and address this Federal budget deficit or do we not? If you do not vote for this across-the-board cut, then you do not care about deficits."

I say if we are willing to cut the muscle out of our ability to enforce our tax laws, then we do not care about the deficit. If we really care about this country's fiscal policy, aside from correcting the structural imbalances in our fiscal policy, we also have to care, it seems to me, about preserving the ability to enforce our tax laws.

For purposes of this debate, I want to put in the record some of the numbers. There is about $90 billion that we ought to be collecting in Federal taxes that we are not now collecting, $90 billion in taxes that ought to be paid that are not being paid. This tax gap is expected to double in 5 years.

How do we get them paid? Through better and stronger tax enforcement.

We have about $30 billion in accounts receivable down at the IRS at the present time. Incidentally, accounts receivable is growing at a faster rate than tax collections in this country. We have cut by nearly one-half the percentage of examinations and audits because the manpower has diminished down at the IRS.

In 1976 we had 2.6 percent of the returns examined by the IRS. In 1986, it is estimated to be only 1.2 percent.

As I said earlier, the Grace Commission says we ought to have 7,500 more people to properly enforce the tax laws.

Criminal investigations, cuttng 74 positions. Staff for investigations and collections, 1,000 less positions in 1986 than in 1985. The IRS prepared its 1986 budget cutting resources for collections by 801 positions.

□ 1500

As I said, there is reported to be $8.5 billion in active delinquent accounts, but accounts receivable are nearly $30 billion down at the IRS. Now, again I am not very anxious or very interested to come down here and be a public relations person for the Internal Revenue system, and I cannot think of a position I would less rather be in than to come down here and push for the IRS. But it seems to me that those who talk about law and order and those who talk about the Federal deficit are not doing a great service to the fiscal policy of this country or helping to solve the terrible problems we have by suggesting that we have to cut more muscle out of our ability to enforce our tax laws.

Mr. PURSELL. Mr. Chairman, will the gentleman from North Dakota yield?

Mr. DORGAN of North Dakota. I am happy to yield to the gentleman from Michigan.

Mr. PURSELL. If I read my numbers correctly on the Frenzel amendment, he is making an increase with his amendment; if it is adopted, he increases Customs Service by 11.2 percent. And in respect to the gentleman's concern on IRS, he offers his amendment with a 2.3-percent increase. So I think our language gets a little loose here and we lose track of the discipline of appropriate language. We are not talking about cuts here at all. We are not talking about reductions. The debate here today should be on the degree of the Frenzel amendment in respect to how much more we reduce the budget in respect to what it is over 1985. It is not a cut, it is not a reduction, it is how much of an increase the Frenzel amendment will give us as compared to what the committee is recommending.

Mr. DORGAN of North Dakota. I understand what the gentleman was saying. I was standing here for about 4 minutes talking about specific numbers in the enforcement of our tax laws. We have cut the ability to enforce our tax laws dramatically in the examinations, the accounts receivable, criminal investigations, and dozens and dozens of areas. And I have said there is $90 billion out there that is not now being collected this year. We

have a budget deficit of $200 billion, and I hear someone come down to the well of this House and say if we do not vote to cut further the Internal Revenue Service budget, which will further diminish our ability to enforce our tax laws, that we do not care about the deficit.

That does not make any sense to me, that kind of a statement. By that logic, we save a penny and lose a nickel. If you care about the deficit, it seems to me you develop a revenue system and then develop the mechanism to enforce the collection of revenues in that system. We are not now doing that. The numbers are clear. The numbers on tax enforcement that I have used come from the GAO and other sources, including the IRS. There is not any dispute about those numbers at all. We have seen a substantial diminution of our ability to enforce our tax laws. If you care about that at all, it seems to me we ought to get involved not just this time but next year and follow the Grace Commission report that everybody around here says they agree with and do what we need to do to enforce these tax laws through a responsible Internal Revenue System.

Mr. DINGELL. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the Frenzel amendment.

Mr. Chairman, with all respect for my dear friend, the gentleman from Minnesota, I rise regretfully to oppose his amendment.

If you are opposed to the flood of narcotics coming into this country, cocaine, heroin, marijuana, and all of these other evil substances, then you must oppose the Frenzel amendment. If you want to increase Federal revenues, then you must oppose the Frenzel amendment.

Let us look at this matter. There are some 1,500 additional customs agents who will be put into the field by this amendment. They will bring into the Federal Treasury a total of $782 million in additional Federal revenues that otherwise would not be brought in.

With all respect for my dear friend, the gentleman from Minnesota, his amendment is penny-wise and pound-foolish. But let us look beyond that matter. Let us look at what is happening to America.

Last year we had a trade deficit of $123 billion. This year our trade deficit is going to go from $150 to $170 billion. Four billion dollars of that deficit is going to be due to counterfeit goods coming into this country including things like medicines, and like birth control pills, computer chips, computers, auto parts, textiles, aircraft parts, parts for the space shuttle, eyewear, agricultural chemicals, pesticides, pharmaceuticals, and medical devices, as well as sporting goods and a plethora of other manufactured goods. The entire gamut of industrial and commercial supplies into this country is being counterfeited, that is marked with the logo or trademark of respected U.S. manufacturers when in fact made by someone not entitled to do so.

The first line of defense against this is the Customs Service. Each and every one of those billions of dollars that we lose in foreign trade means 25,000 unemployed Americans who are on the streets. Counterfeits, customs frauds, mislabeling, misdirection, dumping, unfair subsidization, and quota violations are all protected against by the Customs Service, who regrettably are far too few and far too overworked to protect America's interests.

If you want to protect American jobs and American industry, then vote against the Frenzel amendment so we can get the Customs agents there to look after the protection of American jobs and American industry.

Remember that the Customs Service even looks at the smuggling of high-tech goods out of this country to the Communist bloc. If you want to make that easier, then by all means vote for the Frenzel amendment.

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

Mr. DINGELL. I will not yield right now.

What is at stake here is adequate enforcement of the trade and customs laws which protect the United States and its citizens, which bring in revenue, which protect American jobs. These laws prohibit counterfeits and illegal activities of that kind which cost America jobs and investments for the future. And remember counterfeits threaten the health and safety of consumers. Customs agents prevent unsafe counterfeit goods from coming in. That protection would be reduced by this amendment.

Mr. Chairman, this is an investment, not an expenditure.

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

Mr. DINGELL. I yield to the gentleman from Michigan.

Mr. PURSELL. Mr. Chairman, I would again have to suggest to the gentleman that the Frenzel amendment gives Customs an 11.2-percent increase.

Mr. DINGELL. Yes, I heard the gentleman make that point, and the difference between the figures in terms of revenue under the Frenzel amendment to the Customs Service is about $300 million that will not be collected and many jobs lost to American workers.

Now, I have not talked about the Intenal Revenue Service. I have not talked about the other revenue-producing agencies that are at stake here. The hard fact of the matter is that the Frenzel amendment, although it looks mighty good, is unfortunately simplistic and simply is going to cost the taxpayers money and is going to cost America jobs.

Mr. COLEMAN of Texas. Mr. Chairman, will the gentleman yield?

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

Mr. COLEMAN of Texas. Mr. Chairman, I thank the chairman of the Committee on Energy and Commerce for yielding.

I think it is important for the Members on the other side who may be thinking about supporting the Frenzel amendment and voting against my amendment to his amendment to understand, when we talk about additions to Customs, what we are talking about. You are right, instead of 1,687 with the Frenzel amendment, we will cut 540 from that number. That is the reality of it.

What we are trying to do is get to 1981 levels, and I would submit to the gentleman that, yes, when the committee did its work and made these increases—and, by the way, they did not meet all the increases that were requested by Members of this body—we knew we did not have the funds to do that, and that we had to make cuts in the appropriate places.

Mr. DINGELL. Mr. Chairman, if the gentleman will permit me to reclaim my time, each and every one of those dollars spent on the Customs Service brings in $21. There is not a business in this country that would not spend a huge sum of money to get back a 21-to-1 return.

So if you want to vote prudently, for efficient expenditure of public money, for fiscal good sense, vote against the Frenzel amendment and vote to bring in this additional money, to keep out illegal goods, and to protect American jobs.

Mr. FRENZEL. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the Coleman amendment.

Mr. Chairman, if I had known that my amendment would evoke such spirited oratory, I would have brought it up on Saturday night sometime when we could command a better audience.

Mr. Chairman, my amendment, I think, has been overdescribed, as have the abilities of some of the agencies which would be funded under this particular bill.

My amendment does not score anything against the President's budget. My amendment is scored against last year's discretionary spending.

□ 1510

One of the gentlemen said we are getting back to 1981 levels. I will accept a 1981 level of any function of Government spending at any time. I think the taxpayers would be very gratified.

But all I am trying to do now is to put the discretionary amount in total—not each one separately. Some will be a little up, some a little down—but the total of discretionary spending will remain at the 1985 level.

My amendment has been called today penny-wise and pound-foolish because I seek to save the taxpayers some money in spending. Under that definition, I suspect that any amendment that seeks to cut will strike at some vital Government service and therefore be pound foolish.

We have been told that Customs, which has mainly a commercial function, is the only thing between us and the ultimate destruction by cocaine. It is going to stop all the narcotics coming into the country. It is, in addition, going to stop terrorists and, even more wonderfully, it is going to put all the textile workers in the United States who have ever been out of work back to work.

The fact is there is no guarantee that Customs can do any of these things. As a matter of fact, it was last week when I introduced an amendment that would have made a slight reduction to another bill when those who are concerned about narcotics—and I share their deep concern—said that I was going to cut the DEA and the FBI and therefore are going to unleash a flood of terrorists and of illegal drugs upon the land. That was a red herring and so is this. I doubt that Customs will be undernourished with an 11-percent increase. I doubt it will happen as a result of this particular amendment.

With respect to the IRS, there have been complaints that if we take a certain amount of money away we will lose large amounts of revenue. May I say that after giving effect to my amendment, the IRS will still have an increase and that increase will be 2.3 percent.

After giving effect to my amendment, the Customs Service will have an 11-percent increase, which they probably cannot hire enough people to handle. An 11-percent increase is a big increase in any given year.

But an illusion persists that somehow these agencies bring in money by themselves. Members seem to believe they create money by the simple addition of personnel. The problem is the personnel have to be trained. It may be that somewhere down the line they are going to help bring in collections somewhere. But the blunt fact is that we do not know where the personnel are going, and we do not know who they are going to be, and we do not know how long it is going to take to train them, before they bring in the first dime that was not coming in anyway.

As far as I am concerned, and the taxpayers are concerned, one in the hand is worth a thousand in the bush. I think the taxpayers would rather see a reduction in spending than some fabled increase in tax revenues out in the never-never land of the future.

Mr. Chairman, this amendment does not deserve as much debate as it has gotten. It is a simple reduction of spending.

If the House does not want a freeze, if the House is afraid to vote against very large increases in spending, if the House does not think an 11-percent increase for a very important agency of Government is enough, then the House should forget about the Coleman amendment and simply vote against my amendment. That is a very easy way to do it.

The Coleman amendment reduces my amendment from about $190 million down to some $30 million. It would be I think easier to vote against my amendment. I do not disregard the strong concerns of all the people who participated in the debate and I do not mean to denigrate any of their arguments. I only say we have taken a lot of time talking about $192 million, and I think Members of the House know whether they want to vote yes or no.

There are some of those who have told their constituents at home that they want to reduce Federal spending, and I think they will want to vote for my amendment.

I think there are others who are less concerned and who are interested in departments of Government or specific concerns in their districts, and they will want to vote against it.

I hope there will be a majority on my side.

Mr. LOWERY of California. Mr. Chairman, I rise in opposition to the amendment offered by my good friend from Minnesota, Mr. FRENZEL. While I commend the gentleman for his responsible approach in attempting to reduce discretionary spending in this bill, I must object to the breadth of this amendment insofar as it negatively impacts our Customs Service.

As we all know, the U.S. Customs Service is a major source of revenue for the Federal Government, as well as a vital law enforcement agency. Indeed, during fiscal year 1984, Customs collected over $12.5 billion, representing a return of $21.06 for every dollar received in appropriations.

Besides collecting and protecting revenue, Customs is also involved in many other programs that protect U.S. technological materials and information from reaching unfriendly hands, trace the flow of crime-related money to help reduce organized crime, and protect U.S. industry from unfair foreign competition.

To be sure, Mr. Chairman, Customs' role some 196 years after its inception has been dramatically expanded. Unfortunately, its appropriation has not kept pace. Since 1980, the number of inspection staff has increased by only 2.4 percent and the number of import specialists has actually decreased by 8.5 percent. As a result, we have witnessed a significant increase in import fraud and evasion.

As a new member of the Treasury Appropriations Subcommittee, I listened intently to the testimony presented by Customs officials, by the Ports of Seattle, Los Angeles, and Baltimore, and by many of our colleagues representing major ports of entry. Indeed, today Customs supervises some 300 ports of entry across the country. The conclusion I reached is the unanimous conclusion of the subcommittee, and that is: The potential effect of improper staffing levels on our economy, Treasury revenues, and contraband export enforcement demands that we reassess current Customs Service employment levels.

One final point, Mr. Chairman. I am deeply concerned about the Federal budget deficit. However, budget constraints should not prevent an increase in Customs Service staff positions. It makes little sense to curtail staff of a revenue-raising agency like the Customs Service, when staff limits cause even greater losses to the Treasury.

In closing, I would like to commend the distinguished gentleman from California, Chairman ROYBAL, and the ranking member, my good friend from New Mexico, Mr. SKEEN, for their able leadership in bringing to this House a responsible bill.

I urge defeat of this amendment, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. COLEMAN] to the amendment offered by the gentleman from Minnesota [Mr. FRENZEL].

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

Mr. FRENZEL. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provisions of clause 2 of rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 267]

Ackerman	Andrews	Armey
Addabbo	Annunzio	Aspin
Akaka	Anthony	Atkins
Alexander	Applegate	AuCoin
Anderson	Archer	Badham

Barnard
Barnes
Bartlett
Bateman
Bates
Bedell
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Bilirakis
Bliley
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Breaux
Brooks
Broomfield
Brown (CA)
Brown (CO)
Broyhill
Bruce
Bryant
Burton (CA)
Burton (IN)
Bustamante
Byron
Callahan
Campbell
Carper
Carr
Chandler
Chappell
Chappie
Cheney
Clay
Clinger
Coats
Cobey
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Conte
Conyers
Cooper
Coughlin
Courter
Coyne
Craig
Crane
Crockett
Daniel
Dannemeyer
Darden
Daschle
Daub
Davis
de la Garza
DeLay
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dornan (CA)
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Eckert (NY)
Edgar
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Evans (IL)
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Franklin
Frenzel
Frost
Fuqua
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gradison
Gray (IL)
Gray (PA)
Green
Gregg
Grotberg
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hamilton
Hammerschmidt
Hansen
Hartnett
Hatcher
Hawkins
Hayes
Heftel
Hendon
Henry
Hertel
Hiler
Hillis
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kanjorski
Kaptur
Kasich
Kastenmeier
Kemp
Kennelly
Kildee
Kindness
Kleczka
Kolbe
Kolter
Kostmayer
Kramer
LaFalce
Lagomarsino
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lundine
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Matsui
Mavroules
Mazzoli
McCain
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McKernan
McKinney
McMillan
Meyers
Mica
Michel
Mikulski
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mitchell
Moakley
Molinari
Mollohan
Monson
Montgomery
Moody
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielson
Nowak
O'Brien
Oakar
Oberstar
Obey
Olin
Ortiz
Owens
Oxley
Packard
Panetta
Parris
Pashayan
Pease
Penny
Pepper
Perkins
Petri
Pickle
Porter
Price
Pursell
Quillen
Rahall
Rangel
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Rudd
Russo
Sabo
Savage
Saxton
Schaefer
Schneider
Schroeder
Schuette
Schulze
Schumer
Seiberling
Sensenbrenner
Sharp
Shaw
Shelby
Shumway
Shuster
Sikorski
Siljander
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NH)
Smith (NJ)
Smith, Denny
Smith, Robert
Snowe
Snyder
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stenholm
Stokes
Strang
Stratton
Studds
Stump
Sundquist
Sweeney
Swindall
Synar
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Torres
Towns
Traficant
Traxler
Udall
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Watkins
Waxman
Weaver
Weber
Weiss
Wheat
Whitehurst
Whitley
Whittaker
Whitten
Wilson
Wirth
Wise
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Young (MO)
Zschau

□ 1530

The CHAIRMAN. Four hundred eighteen members have answered to their names, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Minnesota [Mr. FRENZEL] for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. The Chair would remind Members that this is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 288, noes 133, not voting 12, as follows:

[Roll No. 268]

AYES—288

Ackerman
Addabbo
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Aspin
Atkins
Barnard
Barnes
Bartlett
Bateman
Bates
Bedell
Beilenson
Bennett
Bentley
Berman
Biaggi
Bilirakis
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Boucher
Boxer
Brooks
Broomfield
Broyhill
Bruce
Bryant
Burton (CA)
Bustamante
Byron
Callahan
Campbell
Carr
Chandler
Chappell
Clay
Clinger
Cobey
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Cooper
Coyne
Daniel
Darden
Daschle
Davis
de la Garza
Dellums
Derrick
Dickinson
Dicks
Dingell
DioGuardi
Donnelly
Dorgan (ND)
Dornan (CA)
Dowdy
Downey
Durbin
Dwyer
Dyson
Eckart (OH)
Edgar
Edwards (CA)
Emerson
English
Erdreich
Evans (IL)
Fascell
Fazio
Feighan
Fish
Flippo
Florio
Foglietta
Foley
Ford (TN)
Fowler
Frank
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gilman
Glickman
Gonzalez
Goodling
Gray (IL)
Gray (PA)
Green
Grotberg
Guarini
Hall (OH)
Hall, Ralph
Hammerschmidt
Hatcher
Hawkins
Hayes
Heftel
Hendon
Hertel
Hillis
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Ireland
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kanjorski
Kaptur
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lagomarsino
Lantos
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Lewis (CA)
Lewis (FL)
Lipinski
Lloyd
Long
Lowery (CA)
Lowry (WA)
Luken
Lundine
MacKay
Manton
Markey
Marlenee
Martin (NY)
Matsui
Mavroules
Mazzoli
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
Mica
Mikulski
Miller (CA)
Miller (WA)
Mineta
Mitchell
Moakley
Molinari
Mollohan
Montgomery
Moody
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Natcher
Neal
Nelson
Nichols
Nowak
Oakar
Oberstar
Obey
Ortiz
Owens
Panetta
Parris
Pashayan
Pease
Pepper
Perkins
Pickle
Price
Quillen
Rahall
Rangel
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Robinson
Rodino
Roe
Rogers
Rose
Rostenkowski
Roth
Rowland (CT)
Rowland (GA)
Rudd
Russo
Sabo
Savage
Scheuer
Schneider
Schroeder
Schuette
Schulze
Schumer
Seiberling
Shaw
Shelby
Sikorski
Sisisky
Skeen
Skelton
Slattery
Smith (FL)
Smith (IA)
Smith (NJ)
Solarz
Spence
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stokes
Stratton
Studds
Sundquist
Sweeney
Swift
Synar
Tallon
Thomas (GA)
Torres
Towns
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weaver
Weiss
Whitehurst
Whitley
Williams
Wilson
Wirth
Wise
Wolpe
Wortley
Wright
Wyden
Yates
Yatron
Young (FL)
Young (MO)

NOES—133

Akaka
Archer
Armey
Badham
Bereuter
Bevill
Bliley
Bosco
Breaux
Brown (CA)
Brown (CO)
Burton (IN)
Carper
Chappie
Cheney
Coats
Coble
Conte
Conyers
Coughlin
Courter
Craig
Crane
Crockett
Dannemeyer
Daub
DeLay
DeWine
Dixon
Dreier
Duncan
Dymally
Early
Eckert (NY)
Edwards (OK)
Evans (IA)
Fawell
Fields
Ford (MI)
Franklin
Frenzel
Gallo
Gingrich
Gradison
Gregg
Gunderson
Hamilton
Hansen
Hartnett
Henry
Hiler
Holt
Hopkins
Hyde
Jacobs
Kasich
Kastenmeier
Kemp
Kindness
Kolbe
Kramer
Latta
Leach (IA)
Lent
Levine (CA)
Lightfoot
Livingston
Lott
Lujan
Lungren
Mack
Madigan
Martin (IL)
McCain
McCandless
McKernan
McKinney
McMillan

Meyers	Roemer	Strang
Michel	Roukema	Stump
Miller (OH)	Roybal	Swindall
Monson	Saxton	Tauke
Moore	Schaefer	Taylor
Moorhead	Sensenbrenner	Thomas (CA)
Murtha	Sharp	Vander Jagt
Myers	Shumway	Vucanovich
Nielson	Shuster	Walker
O'Brien	Siljander	Weber
Olin	Slaughter	Wheat
Oxley	Smith (NE)	Whittaker
Packard	Smith (NH)	Whitten
Penny	Smith, Denny	Wolf
Petri	Smith, Robert	Wylie
Porter	Snowe	Young (AK)
Pursell	Snyder	Zschau
Ray	Solomon	
Roberts	Stangeland	

NOT VOTING—12

AuCoin	Fiedler	Loeffler
Barton	Gibbons	Martinez
Boulter	Gordon	Tauzin
Carney	Hefner	Torricelli

□ 1540

Mrs. SMITH of Nebraska and Mr. WHITTAKER changed their votes from "aye" to "no."

Mr. NATCHER, Mr. SPENCE, Mrs. BOGGS, and Mr. GOODLING changed their votes from "no" to "aye."

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. FRENZEL] as amended.

The amendment, as amended, was agreed to.

Mr. DAUB. Mr. Chairman, I rise in strong support of the "revenue foregone" subsidy which compensates the Postal Service for losses that result from the free delivery of mail to the blind and handicapped and for reductions in postage rates for nonprofit organizations.

First of all, let me state that I have received a great deal of mail from my district detailing the devastating effects of increased postal rates upon the blind and handicapped and nonprofit organizations.

Nonprofit organizations provide many of the services which we, in our attempts to reduce Government spending, are asking of the private sector—services which provide needed social services vital to our society.

Now is not the time to further burden these worthy organizations; already many such organizations have suffered under postal rate increases, and the viability of nonprofit organizations would be jeopardized if we were to cut the revenue foregone subsidies provided to the Postal Service.

I strongly support the revenue foregone subsidy at or near last year's level; however, H.R. 3036 contains far too many programs that are funded above last year's level. In light of the current budget deficit, I cannot support this bill because of this excessive funding.

The CHAIRMAN. Are there any further amendments to the bill?

Are there amendments in order under clause 2(c) of rule XXI?

Mr. COBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in a few minutes, the motion to rise will probably be made. I urge my colleagues to vote against the motion because we cannot, in good conscience, continue to allow the FEC to go unmonitored, without any congressional oversight.

If the motion to rise is defeated, I plan to offer an amendment which would prohibit the funds appropriated by this act to be used for the purpose of issuing any regulations which do not comply with the decision of the U.S. Supreme Court in Ellis versus the Brotherhood of Railroad and Airline Clerks.

Over a year ago, the Supreme Court ruled in the Ellis case that if union members objected to the use of compulsory union dues for purposes of political contributions, that union members were entitled to a reduction in their union dues. The FEC has not taken steps to enforce this decision.

It is important that we stand up for the rights of the working men and women of this country. My amendment would simply ensure that in the future, the FEC considers the first amendment rights of union members.

In front of me, I have affidavits and lists of names of thousands of individuals who have filed complaints against their unions, because their union dues were being used for political purposes. This is the stack before me, right here.

There is no doubt that many unions continue to use compulsory union dues to support a political cause or candidate.

Again, I urge you to defeat the motion to rise and to vote for my amendment because you believe that compulsory union dues should not be used for political purposes. But more importantly, lend your support if you believe that your responsibility is to ensure that the independent agencies that we fund, such as the FEC, do not work outside the law.

Today, I ask you to protect our system of government and the sanctity of American law. If you vote your conscience, I think that you will also vote against the motion to rise.

The CHAIRMAN. Are there amendments in order under clause 2(c) of rule XXI?

If not, the Chair recognizes the gentleman from California [Mr. ROYBAL].

Mr. ROYBAL. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation the amendments be agreed to and that the bill, as amended, do pass.

● Mr. RANGEL. Mr. Chairman, I rise to express my support for certain provisions of H.R. 3036, the Treasury, Postal Service, and general Government appropriations bill for fiscal year 1986. As chairman of the Select Committee on Narcotics Abuse and Control, I am specifically interested in and supportive of the funding provisions that will provide resources to attack the illicit drug problem that plagues our country. The ravages of drugs do not discriminate by color, age, sex, locale, physical handicap, or socioeconomic status. Our strategy against drug abuse and drug trafficking must include efforts to reduce both the demand for and the supply of drugs. This bill provides much needed funding for the drug law enforcement efforts of the Customs Service.

For salaries and expenses of the U.S. Customs Service, the bill provides $725 million for fiscal year 1986. This is an increase of nearly $86 million over the administration's request and $81.5 million more than the 1985 level.

Customs is one of our Nation's key drug suppression agencies with primary responsibility for detection and interdiction of illicit narcotics at our borders. Customs is also heavily involved in financial investigations of major drug traffickers. Because of Customs' important role in drug enforcement, I have been greatly distressed by the administration's attempts to significantly reduce Customs inspectors and other enforcement personnel during each of the last 5 years. The administration has said how supportive it is of drug law enforcement efforts. Yet, in every year, the budget has proposed that Customs be cut drastically in areas that impact directly on drug enforcement.

The Appropriations Committee has seen fit to restore 887 positions that the administration proposed to eliminate in 1986 including 206 inspectors. Moreover, H.R. 3036 provides funding for 800 additional Customs positions—650 new positions and full year funding for 150 positions added in the 1985 supplemental appropriations bill. These extra positions will significantly improve Customs narcotics interdiction capability. I commend the committee for its committed and strategic increase in Customs personnel. At a time when separate reports by the State Department, the United Nations International Narcotics Control Board, the House Foreign Affairs Committee and the Select Committee on Narcotics have all indicated increased narcotics production and trafficking worldwide, we can ill afford to cut our force of Customs inspectors and other enforcement personnel. The additional positions included in this bill will also generate substantial revenues which will help to reduce the deficit.

H.R. 3036 also provides $8 million for the Customs forfeiture fund, the

full amount requested in the budget. Amounts deposited in the fund include seized and forfeited currency and any proceeds beyond the expenses of seizures and forfeiture. Customs is permitted to use these funds for expenses related to seizure, awards to informants, purchase of evidence, and certain other purposes, subject to appropriations.

The Customs appropriation also includes $60,425,000 for the Customs Air Interdiction Program. This is the full amount of the 1986 budget request and a $16 million increase over the 1985 funding level.

I am happy to see that this increase for the Air Interdiction Program is included because it reflects continued support and recognition of the need to bolster this component of our Interdiction Program that has not received enough attention in the past. The use of aircraft to smuggle drugs, especially cocaine, across our southern border has been increasing. There can be no positive results in disrupting the operations of despicable drug smugglers unless resources, both financial and technical are provided. Programs such as Customs Air Interdiction effort, that stretches from Florida across the southwest and into California, are needed to address the serious threat of air trafficking. At this time, I also want to commend the marine component of Customs Interdiction Program for the fine work it has been doing in southern Florida under most difficult circumstances.

H.R. 3036 also includes funds for the Internal Revenue Service and the Bureau of Alcohol, Tobacco, and Firearms. Both of these agencies have become increasingly involved in narcotics enforcement in recent years. IRS has greatly expanded its financial investigations of suspected drug kingpins and is looking more closely at possible violations of currency reporting requirements that may be narcotics related. BATF has taken a more active role in narcotics case that also involve weapons violations. I support the funding levels provided for these two agencies.

There is no doubt in my mind that we must continue to effect legislation that sends a clear message to the American people, agency heads, and would-be smugglers, that we will continue to dedicate our efforts in Congress to address this problem of epidemic proportion. I am confident that the provisions mentioned earlier under H.R. 3036 will facilitate the mission of drug law enforcement and interdiction to be carried out by the Treasury Department.●

Mr. DYMALLY. Mr. Chairman, today we are considering the Department of the Treasury, Postal Service, and independent agencies appropriations bill, and I urge all my colleagues to support H.R. 3036. I am particularly concerned that Members of Congress support full funding for "Revenue Foregone" ensuring that the hundreds of worthy charitable organizations and our newspapers and magazines are allowed to continue to reach the public through use of preferred mail rates. Historically, the Congress in its wisdom has allowed private charitable organizations to use preferred mail rates in order for these groups to provide services and communications to its membership, including such organizations for the blind, handicapped, and other groups who depend upon these preferred mail rates to provide vitally needed services and to be able to solicit contributions from the public to support their program services. Additionally, thousands of rural Americans depend on their county or local newspapers as a vital link to their communities without which local communication would not be possible.

H.R. 3036 provides for $922 million to support the preferred mail rates offered by the U.S. Postal Service under Revenue Foregone, which will still require a minimal increase in the preferred rates even at this funding level. Nevertheless, without full funding of Revenue Foregone, many of these charitable organizations and newspapers could not survive because it would provide triple or drastically increase the postal rates for these groups. Additionally, it would not be cost-effective for newspapers and magazines to be forced to increase their subscription rates to meet the added cost of the increased rates which the Postal Service would have to automatically apply should this appropriation be reduced.

For these reasons, I urge all my colleagues to support continuity in voting for H.R. 3036 and the full funding of Revenue Foregone. I am convinced that this is an excellent investment by the American public in securing the services of many charitable organizations and in maintaining communications throughout our expansive country.

The CHAIRMAN. The question is on the motion offered by the gentleman from California [Mr. ROYBAL].

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

RECORDED VOTE

Mr. COBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 233, noes 186, not voting 14, as follows:

[Roll No. 269]

AYES—233

Ackerman
Addabbo
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnes
Bedell
Beilenson
Bennett
Berman
Bevill
Biaggi
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Breaux
Brooks
Brown (CA)
Bruce
Bryant
Burton (CA)
Bustamante
Byron
Carper
Carr
Clay
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Courter
Coyne
Crockett
Daschle
de la Garza
Dellums
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Edgar
Edwards (CA)
English
Erdreich
Evans (IL)
Fascell
Fazio
Feighan
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Fowler
Frank
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gibbons
Gilman
Glickman
Gonzalez
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes
Heftel
Hertel
Horton
Howard
Hoyer
Hubbard
Hughes
Jacobs
Jeffords
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kanjorski
Kaptur
Kastenmeier
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lipinski
Lloyd
Long
Lowry (WA)
Luken
Lundine
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
McCloskey
McCurdy
McDade
McHugh
Mica
Mikulski
Miller (CA)
Mineta
Mitchell
Moakley
Mollohan
Morrison (CT)
Mrazek
Murphy
Murtha
Natcher
Nowak
O'Brien
Oakar
Oberstar
Obey
Olin
Ortiz
Owens
Panetta
Pease
Penny
Pepper
Perkins
Pickle
Price
Rahall
Rangel
Reid
Richardson
Rinaldo
Ritter
Rodino
Roe
Rostenkowski
Roukema
Roybal
Russo
Sabo
Savage
Scheuer
Schneider
Schroeder
Schumer
Seiberling
Sharp
Sikorski
Sisisky
Skelton
Slattery
Smith (FL)
Smith (IA)
Smith (NJ)
Solarz
St Germain
Staggers
Stallings
Stark
Stokes
Stratton
Studds
Swift
Synar
Tallon
Torres
Towns
Traficant
Traxler
Udall
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weaver
Weiss
Wheat
Whitten
Williams
Wilson
Wirth
Wise
Wolpe
Wright
Wyden
Yates
Yatron
Young (MO)

NOES—186

Archer
Armey
Badham
Barnard
Bartlett
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Broomfield
Brown (CO)
Broyhill
Burton (IN)
Callahan
Campbell
Chandler
Chappell
Chappie
Cheney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Combest
Coughlin
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis
DeLay
Derrick
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Duncan
Eckert (NY)
Edwards (OK)
Emerson
Evans (IA)
Fawell
Fields
Franklin
Frenzel
Gallo
Gekas
Gingrich
Goodling
Gradison
Gregg
Grotberg
Gunderson
Hall, Ralph
Hammerschmidt
Hansen
Hartnett
Hendon

Henry
Hiler
Hillis
Holt
Hopkins
Huckaby
Hunter
Hutto
Hyde
Ireland
Jenkins
Kasich
Kemp
Kindness
Kolbe
Kramer
Lagomarsino
Latta
Leach (IA)
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lott
Lowery (CA)
Lujan
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
Mazzoli
McCain
McCandless
McCollum
McEwen
McGrath
McKernan
McKinney
McMillan
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Monson
Montgomery
Moore
Moorhead
Morrison (WA)
Myers
Neal
Nelson
Nichols
Nielson
Oxley
Packard
Parris
Pashayan
Petri
Porter
Pursell
Quillen
Ray
Regula
Ridge
Roberts
Robinson
Roemer
Rogers
Rose
Roth
Rowland (CT)
Rowland (GA)
Rudd
Saxton
Schuette
Schulze
Sensenbrenner
Shaw
Shelby
Shumway
Shuster
Siljander
Skeen
Slaughter
Smith (NE)
Smith (NH)
Smith, Denny
Smith, Robert
Snowe
Snyder
Solomon
Spence
Spratt
Stangeland
Stenholm
Strang
Stump
Sundquist
Sweeney
Swindall
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Valentine
Vander Jagt
Vucanovich
Walker
Weber
Whitehurst
Whitley
Whittaker
Wolf
Wortley
Wylie
Young (AK)
Young (FL)
Zschau

NOT VOTING—14

Barton
Bates
Boulter
Carney
Fiedler
Ford (TN)
Gephardt
Gordon
Hefner
Loeffler
Moody
Schaefer
Tauzin
Torricelli

□ 1600

Mr. SPRATT changed his vote from "aye" to "no."

So the motion was agreed to.

The result of the vote was announced as above recorded.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BEILENSON, 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. 3036) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1986, and for other purposes had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. 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.

The SPEAKER. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. FRENZEL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 249, noes 172, not voting 12, as follows:

[Roll No. 270]

AYES—249

Ackerman
Addabbo
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Aspin
Atkins
Barnard
Barnes
Bateman
Bates
Bedell
Beilenson
Bennett
Bentley
Berman
Bevill
Biaggi
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Brooks
Brown (CA)
Bruce
Bryant
Burton (CA)
Bustamante
Carr
Chandler
Chappell
Clay
Clinger
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coughlin
Courter
Coyne
Crockett
Darden
Daschle
Davis
de la Garza
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Dyson
Early
Edgar
Edwards (CA)
English
Evans (IL)
Fascell
Fazio
Feighan
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Frost
Fuqua
Gallo
Garcia
Gaydos
Gejdenson
Gibbons
Gilman
Gonzalez
Gray (IL)
Gray (PA)
Green
Guarini
Hall, Ralph
Hamilton
Hatcher
Hawkins
Hayes
Heftel
Horton
Howard
Hoyer
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (TN)
Kanjorski
Kaptur
Kastenmeier
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
Lantos
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lipinski
Lloyd
Long
Lowery (CA)
Lowry (WA)
Lundine
MacKay
Madigan
Manton
Markey
Marlenee
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDade
McGrath
McHugh
McKinney
Meyers
Mica
Mikulski
Miller (CA)
Miller (WA)
Mineta
Mitchell
Moakley
Mollohan
Moody
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Natcher
Nowak
O'Brien
Oakar
Oberstar
Obey
Ortiz
Owens
Parris
Pease
Pepper
Perkins
Pickle
Price
Rahall
Rangel
Regula
Reid
Richardson
Ridge
Rinaldo
Robinson
Rodino
Roe
Rogers
Rose
Rostenkowski
Rowland (CT)
Rowland (GA)
Roybal
Rudd
Russo
Sabo
Savage
Scheuer
Schumer
Seiberling
Sikorski
Sisisky
Skeen
Slattery
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stokes
Stratton
Studds
Swift
Synar
Tallon
Thomas (GA)
Torres
Towns
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Walgren
Watkins
Weiss
Wheat
Whitley
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wright
Wyden
Yates
Yatron
Young (AK)
Young (MO)

NOES—172

Applegate
Archer
Armey
AuCoin
Badham
Bartlett
Barton
Bereuter
Bilirakis
Bliley
Boxer
Breaux
Broomfield
Brown (CO)
Broyhill
Burton (IN)
Byron
Callahan
Campbell
Carper
Chappie
Cheney
Coats
Cobey
Coble
Coleman (MO)
Combest
Craig
Crane
Daniel
Dannemeyer
Daub
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Duncan
Eckart (OH)
Eckert (NY)
Edwards (OK)
Emerson
Erdreich
Evans (IA)
Fawell
Fields
Franklin
Frenzel
Gekas
Gingrich
Glickman
Goodling
Gradison
Gregg
Grotberg
Gunderson
Hall (OH)
Hammerschmidt
Hansen
Hartnett
Hendon
Henry
Hertel
Hiler
Hillis
Holt
Hopkins
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Kasich
Kemp
Kindness
Kolbe
Kramer
LaFalce
Lagomarsino
Latta
Leach (IA)
Leath (TX)
Lightfoot
Livingston
Lott
Lujan
Luken
Lungren
Mack
Martin (IL)
McCain
McCandless
McCollum
McEwen
McKernan
McMillan
Michel
Miller (OH)
Molinari
Monson
Montgomery
Moore
Moorhead
Myers
Neal
Nelson
Nichols
Nielson
Olin
Oxley
Packard
Panetta
Pashayan
Penny
Petri
Porter
Pursell
Quillen
Ray
Ritter
Roberts
Roemer
Roth
Roukema
Saxton
Schaefer
Schneider
Schroeder
Schuette
Schulze
Sensenbrenner
Sharp
Shaw
Shelby
Shumway
Shuster
Siljander
Skelton
Slaughter
Smith (NH)
Smith, Denny
Smith, Robert
Snowe
Snyder
Solomon
Spence
Stangeland
Stenholm
Strang
Stump
Sundquist
Sweeney
Swindall
Tauke
Taylor
Thomas (CA)
Vander Jagt
Volkmer
Vucanovich
Walker
Weaver
Weber
Whitehurst
Whittaker
Wirth
Wylie
Young (FL)
Zschau

NOT VOTING—12

Boulter
Carney
Fiedler
Gephardt
Gordon
Hefner
Jones (OK)
Loeffler
Tauzin
Torricelli
Waxman
Wortley

□ 1620

The Clerk announced the following pair:

On this vote:

Mr. Torricelli for, with Mr. Boulter against.

Mr. HALL of Ohio changed his vote from "aye" to "no."

Mr. MOODY changed his vote from "no" to "aye."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROYBAL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on the bill just passed.

The SPEAKER pro tempore (Mr. BONER of Tennessee). Is there objection to the request of the gentleman from California?

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Saunders, one of his secretaries, who also informed the House that on the following date, the President approved and signed a bill of the House of the following title:

On July 29, 1985:

H.R. 1617. An act to authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal year 1986, and for other purposes.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 960) "An act to amend the Foreign Assistance Act of 1961, the Arms Export Control Act, and other Acts to authorize appropriations for the fiscal year 1986 for international security and development assistance, the Peace Corps, the Inter-American Foundation, and the African Development Foundation, and for other purposes."

REPORT ON RESOLUTION WAIVING CERTAIN POINTS OF ORDER AGAINST CONSIDERATION OF H.R. 3011, DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATION ACT, 1986

Mr. HALL of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 99-238) on the resolution (H. Res. 240) waiving certain points of order against consideration of the bill (H.R. 3011) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1986, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3008, FEDERAL EQUITABLE PAY PRACTICES ACT OF 1985

Mr HALL of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 99-239) on the resolution (H. Res. 241) providing for the consideration of the bill (H.R. 3008) to promote equitable pay practices and to eliminate discrimination within the Federal Civil Service, which was referred to the House Calendar and ordered to be printed.

DISTRICT OF COLUMBIA APPROPRIATION ACT, 1986

Mr. DIXON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3067) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1986, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Pennsylvania [Mr. COUGHLIN] and myself.

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

There was no objection.

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

The motion was agreed to.

□ 1629

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3067, with Mr. HERTEL of Michigan in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous consent agreement, the gentleman from California [Mr. DIXON] will be recognized for 30 minutes and the gentleman from Pennsylvania [Mr. COUGHLIN] will be recognized for 30 minutes.

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

□ 1630

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

Mr. Chairman, this afternoon we bring to you the annual District of Columbia appropriation bill for fiscal year 1986. This, Mr. Chairman, is truly a bipartisan bill; it comes to you from the Committee on Appropriations with a written endorsement from Mr. David Stockman, Director of the Office of Management and Budget, who commends the committee for its "responsible action" in keeping with the administration's request.

The bill will provide a total of $2.7 billion in budget authority for the operation of the District of Columbia government during fiscal year 1986. This is $326 million above last year's level and consists of Federal funds of $532 million and local funds of $2.2 billion.

In Federal funds, Mr. Chairman, we recommend a virtual freeze at last year's level—in fact the $532 million we recommend is $1.2 million below last year's appropriation due to three nonrecurring items—the criminal justice initiative of $8.4 million; the education initiative of $1.5 million; and the Presidential inaugural expenses of $2.3 million.

These Federal funds which total $532 million consist of four items:

A Federal payment of $425 million which is at last year's level. For the first time in several years, there is no increase recommended in the Federal payment.

Our reimbursement to the District for water and sewer services furnished to Federal facilities is $30.1 million or $6 million above last year's level due to an increase in rates.

The Federal contribution to the police, fire, teachers, and judges retirement funds is $52 million and reflects no increase over the fiscal 1985 appropriation.

A Federal payment of $25 million for St. Elizabeths Hospital which is $5 million above last year's appropriation.

One of the crucial issues we have faced over the past few years is the financing of St. Elizabeths Hospital which is a Federal facility for the care and treatment of the mentally ill. The District reimbursed the Federal Government for the cost of care and treatment received by District residents. The administration 4 years ago embarked on a 10-year program to phase down Federal support. The Congress last year passed Public Law 98-621 which establishes the administrative and financial responsibilities of the Federal and District governments and provides for transitional payments to the District until 1991 when the city will assume full administrative and financial control of the institution.

Mr. Chairman, as I mentioned a moment ago, this bill reflects a reduction of $1.2 million in Federal funds below last year's level, and we are below the committee's tentative 302(b) budget resolution allocations by $8 million.

DISTRICT FUNDS

In District funds, the bill includes $2.7 billion of which $2.4 billion is for operating expenses and $249 million is for the capital outlay program.

At this point, Mr. Chairman, let me try to clarify what we mean when we refer to District funds. This $2.4 billion operating budget is financed with Federal funds of $532 million with the balance of $1.9 billion or almost 80 percent of the operating budget coming from the District's own locally raised revenues such as income and property taxes and various fines and fees. So I would ask the Members to keep that in mind as we consider this bill.

The capital outlay program of $249 million will be financed by issuing long-term bonds which the District has been able to do since last year at a lower rate than the rate it was paying to borrow from the Federal Treasury.

GOVERNMENTAL DIRECTION AND SUPPORT

For the 23 activities funded under the governmental direction and support appropriation, the committee recommends a total of $99,342,000 or an increase of $11,144,000 above last year's level. The bill includes the full budget request of $661,000 and 18 positions for the District of Columbia auditor. Included in our recommendation is an increase of $109,000 for three new positions to expand the office's audit capability. The committee's approval of three new positions rather than the transfer of filled positions from another agency will allow the auditor to select staff he feels is competent to carry out the required tasks. For the Department of Finance and Revenue, the committee recommends $19,034,000 and 553 positions, including an increase of $143,000 to fund three new revenue-generating initiatives: a homestead exemption audit; an increase in the audit level for sales and use taxes and unclaimed property; and a street vendor compliance program. These three new programs are expected to generate a total of $2.6 million in additional revenues.

We recommend $55,000 for the newly established D.C. Commission on Baseball which is responsible for assisting and advising the Mayor and council regarding the establishment of a professional baseball team in the District. The commission plans to raise $45,000 from private sources which will give it a total budget of $100,000. According to testimony we received, market analyses and demographic studies show that of the eight cities competing for what is believed to be two expansion teams, the Washington area has the highest per capita income as well as the sixth largest population market and the seventh largest media market. The commission has embarked on a campaign to sell 10,000 season tickets this summer to demonstrate area support for a major league baseball team which could be ready to play at RFK Stadium as soon as 1987. The announcement of the two winning cities is expected to be made by December 1985 when league owners meet to vote on recommendations of the baseball commissioner. Mr. Chairman, our committee congratulates the Mayor and the council for their leadership and foresight in creating the D.C. Baseball Commission and for the aggressive manner in which the District government is pursuing the acquisition of a major league team for the Nation's Capital. We believe that Washington, DC, is the ideal location for the next expansion major league baseball team.

ECONOMIC DEVELOPMENT AND REGULATION

The committee recommends a total of $99,525,000 for the 13 agencies and commissions responsible for economic development and regulation in the District. Our recommendation reflects an increase of $27,613,000 of which $25 million or 91 percent is for four agencies—the Departments of Housing and Community Development, Employment Services, and Consumer and Regulatory Affairs, and the Office of Business and Economic Development. We recommend increases of $7,845,000 for the Department of Housing and Community Development including $5 million for a new rent supplement program which will make payments on behalf of qualified low-income tenants to owners of private dwellings whose rent falls within certain standards. We also recommend an increase of $735,000 for this Department for a Citywide Home Purchase Assistance Program and $700,000 for low-rent housing support services. We recommend increases of $4,520,000 for the Department of Employment Services which provides opportunities for District residents to prepare for, find, and maintain gainful employment. Of this increase, $2,982,000 will be used for various jobs programs throughout the city and $1,130,000 will fund 48 current staff positions which were previously funded with Federal grants.

For the Department of Consumer and Regulatory Affairs, we recommend $28,063,000 or an increase of $5,178,000 which includes $2,041,000 for personnel and implementation costs for an automated data processing system in support of the One-Stop Business and Permit Center and other departmental operations. The committee has also approved increases of $80,000 and three positions for the Pesticide, Air Monitoring and Hazardous Waste Program, and $238,000 to carry out the Department's responsibilities under the Anacostia Tributary Restoration Agreement.

The largest increase percentagewise over last year's level is for the Office of Business and Economic Development whose budget totals $9,303,000 and reflects increases of $7,630,000 basically for three new programs designed to stimulate economic activity in the District. More than half of the increase or $4,048,000 is for the Economic Development Corporation whose objective is to help meet the needs of small and minority businesses and encourage private-sector participation. In addition, $3,332,000 is for the Business Purchase Assistance Program to provide down payments to help purchase existing businesses or storefronts and further the revitalization of commercial corridors in neighborhood shopping areas. The committee has also approved $250,000 for a new International Business Development Program to encourage businesses to establish an office in the District.

PUBLIC SAFETY AND JUSTICE

The committee recommends $535,416,000 or an increase of $33,133,000 for the city's various public safety activities. A total of $148,124,000 is included for the Metropolitan Police Department. The committee has retained language in last year's bill which requires the District to maintain an average strength of 3,880 uniformed officers for fiscal 1986. For the fire department, we recommend $59,863,000, an increase of $4,203,000 above the fiscal 1985 appropriation. Bill language is included requiring the District to pay employees who retired from the department prior to February 15, 1980, a one-time lump sum bonus of 3 percent of their annuity by September 30, 1985. This payment results from an agreement entered into on March 27, 1985, between District officials and the collective-bargaining unit for District firefighters. The committee has been advised that new 1-hour breathing masks are finally being purchased. The first order for 173 masks was placed on June 12, 1985, and the remaining 135 masks are to be ordered in July 1985. The initial appropriation for these masks was made 3 years ago in fiscal 1983.

Mr. Chairman, let me point out that one of the areas the committee is concerned about involves fire protection in ward 2. The committee has directed that Engine Company No. 3 located at 439 New Jersey Ave., NW., not be closed. If the District continues to feel there is a need to close the facility, evidence supporting that action is to be submitted to the committee for its approval at least 90 days prior to the city taking any action to close the station.

For the National Guard, Mr. Chairman, we recommend $710,000 including $10,000 which will be matched with Federal funds to provide partial scholarship assistance for officers to meet minimum educational requirements of an undergraduate degree.

The bill includes $59,714,000 for the operation of the District's courts in

fiscal 1986. We reviewed the court's request for judicial insurance coverage which was prompted by the liability exposure created by the Supreme Court decision in the case Pullian versus Allen. We also raised this issue with the corporation counsel who testified that the District is self-insured and the judges and court employees are included under this self-insurance umbrella even though the inclusion of the courts' employees is not codified in the D.C. Code. Rather than recommend an appropriation for judicial insurance coverage, the committee urges the Mayor and the council to pursue the expedited passage of legislation amending the D.C. Code to ensure appropriate coverage for the court's employees comparable to that provided for medical employees.

For the Department of Corrections, we recommend the full request of $124,602,000 which reflects a net increase of $2,238,000. Mr. Chairman, a recent court order limits the population at the D.C. jail to approximately 900 fewer inmates than are there now. This places the Mayor in an untenable position—he can't release them; yet if he does not reduce the population at that facility, he may be held in contempt of court. We have included report language asking District officials to consider all possible alternatives before moving inmates from the D.C. jail to the Lorton Reformatory. Construction of a new jail is being discussed, but for the present, the Mayor clearly needs some flexibility if he is to successfully resolve the problem. And it is not the committee's intention to restrict the Mayor's flexibility. We are simply asking him to consider all possible alternatives.

PUBLIC EDUCATION SYSTEM

We recommend a total of $515,005,000 for the six activities included under the public education system appropriation. This allowance is $25,050,000 above last year's appropriations.

Mr. Chairman, we believe the District's elected board and its appointed superintendent are doing an excellent job educating our young people. I know that most of you who have been here for any period of time realize that this board and superintendent place the interests of students foremost on their agenda. And there seems to be a feeling of cooperation between the Mayor, the council, and the school board as it relates to funding levels for the school system, and that same cooperation seems to be evident between the school board and the superintendent. All of this bodes well for the students. And for the first time in at least 16 years, the public school system is showing an increase in enrollments. While the increase is modest, it nonetheless reverses the trend which saw student enrollment drop from 145,584 in 1969 to 87,397 last year.

We have asked the board and the superintendent to study the student dropout rate, which is presently 16.9 percent, and submit a report to the committee prior to next year's hearing with a plan and recommendations on ways to reduce the rate. It is our feeling, Mr. Chairman, that many of our problems start with truancy and student dropouts, and the committee is ready to assist the board and the superintendent in whatever way we can to encourage students to stay in school and be graduated.

We recommend $15,002,000 for the public library in fiscal 1986. This allowance is $1,057,000 above last year's appropriation and includes increases for the book fund, for building repairs and service restoration in the original children's rooms in five libraries, and to improve technical support for the library's computer system. Mr. Chairman, the District has many outstanding employees, and the public library director, Dr. Hardy Franklin, is certainly one of those. He was named "Public Librarian of the Year" for 1984, and we want to congratulate him. He is certainly doing a fine job. For the Commission on the Arts and Humanities, the bill includes the full budget request of $1,673,000. This allowance reflects an increase of $546,000 and includes $500,000 for a new grants program to major institutions.

HUMAN SUPPORT SERVICES

The committee recommends $614,347,000 for human support services during fiscal 1986, an increase of $64,560,000 above last year's appropriation. There are 10 departments or activities funded under this appropriation heading with the largest by far being the Department of Human Services with a budget of $511,576,000 for fiscal 1986, an increase of $54,809,000 above the fiscal year 1985 level. This department provides social, economic, and health support systems to those who are unable to do so for themselves. Included in our recommendation is an increase of $2,161,000 to provide emergency shelter and support services through contractual arrangements. The bill includes an additional $1,164,000 to expand the District's Day Care Program and $384,000 for a new program to provide day care for 3- to 5-year-olds enrolled in nursery school programs in the public schools for part of the day. The committee recommends an increase of $2.4 million to cover inflationary costs and expand the Foster Care Program, and an additional $2,847,000 to increase the number of placements of developmentally disabled individuals. The largest increase in this department is $21,547,000 for the Medicaid/Medical Charities Program which will have a total of $153,450,000 in District funds for fiscal 1986. Over half of this increase consists of a transfer in of $13,848,000 from the St. Elizabeths Hospital account. We also recommend increases of $7,415,000 in skilled and intermediate nursing facilities.

Mr. Chairman, one of the major problems facing this country is drug abuse. In this bill we recommend an increase of $5 million to provide prevention, education, and detoxification programs to reduce the incidence of drug abuse and $1 million for the department to develop an action plan in conjunction with the public school system for drug abuse prevention.

For the Office on Aging, we recommend an increase of $1,537,000 which includes $200,000 for 10 new nutrition sites and $200,000 for social and supportive services at a new multipurpose senior center. We recommend an increase of $51,000 and two positions for the Commission for Women.

PUBLIC WORKS

We recommend $193,741,000 for the four activities in this appropriation title. This is $9,522,000 above last year's appropriation. We recommend the full budget request of $96.5 million for the District's share of operating expenses and debt service for metrorail and metrobus operations in fiscal year 1986. For the Department of Public Works, we recommend $93,151,000, an increase of $9,519,000 above the fiscal 1985 level. This department, Mr. Chairman, is responsible for maintaining the District's physical infrastructure, collecting and disposing of solid waste, administering motor vehicle regulations, and maintaining most of the District's vehicles. We recommend increases of $275,000 for 1,000 new parking meters and $35,000 for an additional 100 vehicle boots. As hard as it may be to believe, Mr. Chairman, there are occasions, although rare, when parking meters and vehicle boots are actually stolen. We also recommend an increase of $1,657,000 to repair sidewalks, streets, and bridges, and $160,000 to purchase a multipurpose emergency vehicle which the department testified will provide the most economical and efficient means for handling emergencies and public hazards.

WASHINGTON CONVENTION CENTER FUND

The bill includes $8,371,000 for the fiscal year 1986 general fund contribution to the Washington Convention Center. Our recommendation reflects a net increase of $1,632,000 and includes $2,130,000 to purchase the food service equipment. Convention center officials testified that the purchase of this equipment will increase concession revenue earned by the center by 100 percent.

REPAYMENT OF LOANS AND INTEREST

We recommend $198,409,000 to repay loans and interest on the District's $2 billion in outstanding loans borrowed over the years to finance its construction projects. This allowance

includes $1.2 million for interest on advances to the Unemployment Compensation Trust Fund.

REPAYMENT OF GENERAL FUND DEFICIT

Mr. Chairman, once again we recommend that $20 million be applied toward reducing the District's accumulated general fund deficit which stood at $269,860,000 as of September 30, 1984, down one-third from its peak of $387.5 million in 1980. The budget included $5 million for this purpose. The additional $15 million recommended by the committee is to be identified by the Mayor and made available through reductions in amounts included in the bill or from additional revenues. Mr. Chairman, we do not believe the deficit problem should be resolved by selling bonds and saddling District taxpayers with additional interest costs for the next several years. Selling bonds would simply exchange the deficit for a long-term liability, and the additional interest costs could very well exceed the amount the committee has asked the city to set aside each year for deficit reduction purposes. Instead, we plan to recommend a standard reduction of $20 million each year to be used exclusively to reduce the deficit.

SHORT-TERM BORROWINGS

The bill includes $3,750,000 for interest on short-term borrowings which the District uses to meet its seasonal cash-flow financing needs. This allowance is $1,250,000 below last year's appropriation and reflects the District's actual experience in the bond market.

CAPITAL OUTLAY

The committee recommends $248,783,000 for 89 projects for the District's Construction Program in fiscal year 1986. These projects will be financed with long-term borrowings on the bond market.

A total of $157,606,000 is recommended for public building construction and includes $10 million for asbestos abatement in the public schools, $12.7 million to complete the renovation of the Washington Center for Aging Services, and $15.1 million to renovate two public housing projects—Carrollsburg Dwellings and James Apartments. It also includes $23,667,000 for the Office of Business and Economic Development to construct an employment center revitalization project and a commercial center revitalization project. A total of $50,124,000 is recommended for 13 highway and bridge projects including $16,926,000 for the reconstruction of the Whitehurst Freeway and $9,265,000 for the Barney Circle-Anacostia Freeway connection. The bill includes $19,635,000 for water and sewer projects and includes $8 million as the District's share of costs to complete the Blue Plains Regional Wastewater Treatment Plant.

Mr. Chairman, the committee is concerned about the delay in repairing and resurfacing the Southeast-Southwest Freeway. Part of the District's share of construction funds was appropriated as far back as 1980. The committee was advised that sections of the freeway have been designed three times because of Federal Highway Administration requirements. The complaints we receive concern not only the deteriorated condition of the roadway, but they also involve the underside of the bridges from which chunks of concrete continue to fall onto vehicles parked in lots under the bridges.

Mr. Chairman, the time to make these repairs and do the reconstruction work required is long overdue, and we urge District and Federal Highway officials to resolve whatever problems there are and get on with the task at hand.

PAY-AS-YOU-GO CAPITAL PROJECTS

Mr. Chairman, in last year's bill the appropriation for "capital outlay" included $8,916,000 requested by the District for so-called pay-as-you-go capital projects to be financed with current operating revenues. The rationale used by the District to justify this request was that these projects were either maintenance-type projects or capital projects that had total costs of $1 million or less, and by funding them with current operating revenues, the debt service on long-term borrowings would be minimized. The Congress concurred in the city's request and included statutory language expressly requiring that "$5,087,000 for fiscal year 1985, $3,531,000 for 1986, and $298,000 for fiscal year 1987 shall be financed from general fund operating revenues". That provision, Mr. Chairman, is a mandate binding on the District, and it provides no legal authority for the use of long-term borrowings for these projects as proposed in the District's fiscal year 1986 budget and financial plans. The District's proposal is contrary to existing law and therefore cannot be accepted by the committee. We have also been advised that such a proposal creates a legal cloud as to all of the capital projects approved in last year's act.

Accordingly, the committee has adjusted the District's fiscal year 1986 financial plan and included the $3,531,000 from general fund operating revenues to fund the fiscal 1986 requirements for pay-as-you-go capital projects as mandated in last year's appropriations act. The committee expects the District government to fully abide by the law.

ENTERPRISE FUNDS

The bill includes $167,388,000 for the four activities funded with enterprise funds. A total of $148,083,000 is included for the Utility Administration of the Department of Public Works. This allowance is $23,973,000 above last year's appropriation and includes increases of $3,373,000 for debt service costs, $5,034,000 for sludge disposal, and $3,793,000 to hire additional personnel and purchase spare parts in order to comply with a consent decree entered into with the Environmental Protection Agency on the operation of the Blue Plains Wastewater Treatment Plant.

The bill includes the budget request of $14,904,000 for the Washington Aqueduct which collects, purifies and pumps potable water. This allowance is $904,000 above the fiscal year 1985 appropriation and includes an increase of $587,000 to cover two rate increases for energy costs.

The committee recommends $4,151,000 in District funds for the Lottery and Charitable Games Control Board which is responsible for regulating charitable games and conducting legalized lotteries in the District. The board testified that the increase of $620,000 and 15 positions above the fiscal year 1985 allowance will be used to increase sales which will ultimately result in additional operating revenues for the District. The board expects to transfer $34.8 million to the District's general fund during fiscal year 1986.

For the Office of Cable Television, we recommend $250,000 for fiscal year 1986. This office will oversee the day-to-day construction and operations of the District's cable television system. Construction is anticipated to start some time in early 1986 with cable service expected in late 1986.

GENERAL PROVISIONS

Mr. Chairman, the bill carries a number of general provisions on pages 15 through 26. However, only four of them are new and I will cover them briefly.

Language under section 130 authorizes and ratifies action taken by the Public Service Commission in July 1984 to deregulate streetlighting. Funds in the amount of $14,850,000 are included in the Supplemental Appropriations Act for 1985 (H.R. 2577) to purchase the streetlight plant from manhole to light from the Potomac Electric Power Co. The price was determined in the course of a depreciation study conducted by a national accounting firm.

The second language item under section 131 is the one you probably have read about in the newspapers.

It exempts Members of Congress who live in a State solely for the purpose of attending sessions of Congress from personal property taxes on one motor vehicle used for purposes of attending sessions of Congress. Several members have talked with me about the fact that they pay some form of tax on their vehicles in their home States—it may be called a registration fee or a vehicle tax, but the fee or tax is based on the value of the vehicle, and to be subject to a personal property tax by a jurisdiction where they are residing solely for the purpose of at-

tending sessions of Congress results in double taxation.

This exemption is similar to the income tax exemption for Members which was provided under Public Law 95-67, approved July 19, 1977, which was held constitutional in United States versus Maryland. That decision relied in substantial measure on the Supreme Court's decision in Dameron versus Broadhead where the Court upheld the power of Congress to prohibit the State of Colorado from applying a personal property tax to a Louisiana domiciliary who was a member of the U.S. Air Force stationed at Lowry Air Force Base in Colorado.

Mr. Chairman, our only interest here is to prevent a State or jurisdiction from imposing an ad valorem tax on a vehicle registered by the Member or his spouse in his home State and used by the Member to attend sessions of Congress.

The third language item is under section 132 and designates part of 15th Street, SW, between Independence Avenue and Maine Avenue as "Raoul Wallenberg Place" in honor of the Swedish diplomat who saved the lives of some 100,000 Hungarian Jews during World War II. The one-block section is the site of the future National Holocaust Memorial Museum. We expect appropriate street signs to be erected on each end of the street as soon as possible after this bill is signed into law.

The fourth language item is under section 133 and requires that contracts issued by the District government be awarded on a competitive basis. It is not our intent, Mr. Chairman, to eliminate the city's minority set-aside program which requires each agency to spend at least 35 percent of its contracting dollars with certified minority business enterprises. Rather, our efforts are to retain the set-aside program and encourage competition among minority contractors. Frankly, we are not sure how far this language goes and we are looking into it further.

Mr. Chairman, the members who serve on our subcommittee are to be commended for their dedication and for their sensitivity to the delicate balance between home rule issues and the Federal interest. I want to express my appreciation to each of them for their assistance: the gentleman from Kentucky [Mr. NATCHER] who has been a member of this subcommittee for over 30 years and served as chairman for 17 years; the gentleman from Ohio [Mr. STOKES]; the gentleman from Texas [Mr. WILSON]; the gentleman from Minnesota [Mr. SABO]; the gentleman from Maryland [Mr. HOYER] who is one of our two new members this year; the gentleman from New York [Mr. GREEN]; and the gentleman from Virginia [Mr. WOLF] who is the second of our two new members.

Mr. Chairman, the gentleman from Pennsylvania [Mr. COUGHLIN], serves as the ranking Republican on our subcommittee, and I must say that if there is any one member who makes the difference on our subcommittee, it is the gentleman from Pennsylvania. He serves as the ranking member on a second subcommittee and he also serves on a third subcommittee; yet he comes to all of our hearings and asks probing and information-providing questions. He certainly does a yeoman's job and I would be remiss if I did not say that his hard work and cooperation are the main reasons we are able to bring to the floor this afternoon a bipartisan bill.

CONCLUSION

Mr. Chairman, this is a good bill—the committee has left the District's budget virtually untouched. We have expressed our concern in those few areas where we felt it was necessary. The District is making very good progress in establishing itself in the financial markets, and in providing services to local residents in a timely manner. The city is on the move with an aggressive economic development program.

We are optimistic about the District, and the bill we bring to you this afternoon is a good bill and I recommend that it be approved.

Mr. COUGHLIN. Mr. Chairman, I yield myself such time as I may consume. I rise in strong support of H.R. 3067, the fiscal year 1986 District of Columbia appropriations bill. Article I, section 8, of the U.S. Constitution gives Congress power "To exercise exclusive Legislation in all Cases whatsoever, over such District * * * as may * * * become the Seat of the Government of the United States * * *." Although Congress delegated broad home rule powers to the District of Columbia in 1973, Congress retained the power of the purse. It is that power which we exercise, today.

This appropriations bill does two things. First, it provides a Federal payment from the United States to the District of Columbia. Second, it sets the entire D.C. budget, made up of Federal payment, property tax, income tax, sales tax, estate and gift tax, fees, and any other income.

Under the distinguished leadership of subcommittee Chairman JULIAN DIXON, the subcommittee has adopted a policy of letting the District make its own choices unless what is proposed: (1) is unconstitutional, (2) violates the Home Rule Act, or (3) raises a "Federal question." I note that, although he is an able Representative of the 28th District of California, Chairman DIXON is a native Washingtonian and descended from one of this area's oldest and most distinguished families. He carries on the tradition of civic leadership in Washington set by his forebearers.

Assisting in the preparation of this bill were staff members Migo Miconi, Mary Porter, and Kenny Kraft from appropriations, and Wilhelmina Marshall, liaison from the D.C. Budget Office..

The bill provides $2,689,077,000. Out of this $532,170,000 are Federal funds. This includes a Federal payment of $425 million, which is the same amount as appropriated last year, and as requested this year by the Office of Management and Budget. The balance of the Federal money goes to reimbursement for water and sewer service; retirement for teachers, police, firefighters, and judges; and St. Elizabeths Hospital.

The increase in this bill over last year's version is due to increased tax revenues which the District has raised, itself. OMB supports this bill. I received a "Dear Larry" letter from my good friend Dave (Stockman) who said "I want to commend the subcommittee for its responsible action * * *." It is the subcommittee's recommendations which the full committee brings to the House floor, today.

Mr. DIXON has already done a good job of explaining what is in H.R. 3067 so I will not repeat it. We recommend virtually the entire D.C. request. However, we do insist that an additional $15 million be used to retire the debt. This would be combined with the $5 million requested by the city council for a total amount of $20 million in fiscal year 1986. Since fiscal year 1980, the city's accumulated deficit of $387.5 million has been reduced by $130 million or one-third.

My compliments to the chairman and the subcommittee on a job well done.

Mr. DIXON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from the District of Columbia [Mr. FAUNTROY].

Mr. FAUNTROY. Mr. Chairman, I rise with deep concerns about H.R. 3067, the District of Columbia appropriations bill for fiscal year 1986.

In December 1973, this Congress reestablished the concept of home rule for the District of Columbia through enactment of the District of Columbia Self-Government and Governmental Reorganization Act (Public Law 93-198). Since enactment of home rule for the District, each Congress has approved legislation which sought to improve and enhance D.C. home rule. Those improvements were accomplished through the legislative process.

Mr. Chairman, H.R. 3067, unfortunately, is attempting to use the appropriations process to enact substantive legislation which is antihome rule. I would like to speak to two of these.

First, the bill includes language under section 132 designating part of 15th Street Southwest, between Independence Avenue and Maine Avenue, as "Raoul Wallenberg Place." H.R. 2119, which was introduced in April, seeks the same objective and is before my Subcommittee on Fiscal Affairs and Health as well as the Subcommittee on Government Operations and Metropolitan Affairs of the Committee on the District of Columbia.

Raoul Wallenberg was one of the truly great heroes of World War II. He saved many Jews from the Nazi concentration camps and he deserved recognition. However, the naming of streets is purely a home rule matter.

Mr. Chairman, as many of my colleagues know, I have been in the forefront of the struggle to end apartheid in South Africa through legislation in the Congress and demonstrations at the South African Embassy. The Mayor of the District of Columbia has expressed his desire to rename that portion of Massachusetts Avenue, Northwest, in front of the embassy as "Nelson and Winnie Mandela Avenue." I would be more than willing to speak with him regarding "Raoul Wallenberg Place."

Second, H.R. 3067 includes language under section 133 which states, "The expenditure of any appropriation under this act for any contract shall be limited to those contracts awarded on a competitive basis." This language could be interpreted to mean termination of the District's Minority Contract Set-Aside Program.

I would like to ask the distinguished gentleman from California whether the contracting language is intended to change or jeopardize the District's Minority Set-Aside Program. If not, will the language be clarified to make this clear during conference?

□ 1640

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

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

Mr. DIXON. Mr. Chairman, this language was offered by the gentleman from Ohio [Mr. REGULA]. I do not know what his intent was, but I made it clear when the amendment was offered in committee that I thought it would have a serious impact on the minority set-aside program. I received assurances from the gentleman from Ohio [Mr. REGULA] that he would work with me to ensure that his language does not in any way jeopardize the District's Minority Set-Aside Program.

Mr. FAUNTROY. Mr. Chairman, I am certainly relieved to know that, and I am confident that both of the gentlemen who have been supportive of the principle of home rule through the years will protect our Minority Contracts Set-Aside Program.

Mr. Chairman, I insert in the RECORD at this point a Washington Post editorial, dated July 27, 1985. I would like to emphasize from the editorial:

> The House Appropriations Committee has voted to attach a significant requirement to the District's fiscal 1986 appropriations bill. It would force the District government to award all of its contract through competitive bidding.
>
> This is a serious slap at home rule for the District. Congress has gone beyond legitimate expressions of concern and decided to make its own policy. The decision may impair the District's effort to give minority firms a better chance to win contracts.
>
> The same congressional committee decided to make another addition to the appropriations bill by voting to rename a city street after the World War II Swedish hero, Raoul Wallenberg. The desire to honor Mr. Wallenberg, who is credited with saving thousands of Jews and others from Nazi concentration camps, is admirable and well-intentioned, but it does not belong in the District's appropriations bill. Should Congress arbitrarily rename the District's thoroughfares whenever it desires?

Mr. Chairman, this is the heart of the matter. How many of my colleagues would be willing to vote for legislation which would infringe upon cities and counties in their districts? Why do it to the District of Columbia?

I strongly appeal to the members of the Appropriations Committee to think about home rule and its meaning, during the conference with the other body. The true meaning and intent of home rule must be not only confirmed, but enhanced.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. I thank the gentleman for yielding this time and appreciate the comments of the gentleman from the District of Columbia. I would just point out in response to that, as you know, we have had discussions with the Mayor on the concern about this, and hopefully can arrive at something that will result in competitive bidding without impinging on any of the present standards, and certainly on the minority set-aside.

There is no reason at all that that cannot, in fact, it would continue. All the language says is the the 35-percent minority set-aside would be subjected to competitive bidding. I think the gentleman would agree with that, because it would allow all of the minority bidders to have an opportunity for a piece of the business.

But in the act creating home rule for the District of Columbia, and I quote directly from section 501, it says—

> Such Federal payment should operate to encourage efforts on the part of the government of the District to maintain and increase its level of revenues and to seek such efficiencies and economies in the management of its programs as are possible.

All we are suggesting here is that competitive bidding with the minority set-aside will result in achieving economies and efficiencies in management. So that is the objective of this language.

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

Mr. REGULA. I yield to the gentleman from the District of Columbia.

Mr. FAUNTROY. I certainly agree with that objective and I am pleased to know that the gentleman will be protecting the Minority Set-Aside Program in the conference on this matter.

Mr. REGULA. I just wanted to add one thing. The gentleman quoted a part of the editorial from the Washington Post, but I want to read the last paragraph.

> Congress should give the city the fullest opportunity to eliminate any favoritism and wasteful spending. But the argument for home rule is strongest when city officials take action to deal with their own problems. It is weakest, as now, when nothing is done.

So I think you are suggesting, and I am likewise, that we try to get language that protects minority set-asides, and yet will achieve the economies and efficiencies that were spelled out in the original act establishing home rule.

Mr. FAUNTROY. If the gentleman would yield, I would like to thank him for that colloquy.

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

Mr. COUGHLIN. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. RUDD].

Mr. RUDD. Mr. Chairman, I would like to commend the chairman of the committee and the ranking member of the committee for the effort that they have put forth in the production of this bill. They have worked long and hard. I served on this committee for a term, and I know that it is a difficult committee from time to time because of the political conceptions and misconceptions on it.

But, Mr. Chairman, I oppose this legislation, particularly the allocation of funds for the D.C. Statehood Commission and the Statehood Compact Commission.

In drafting the Constitution, our Founding Fathers, in article I, section 7, gave Congress the power "to exercise exclusive legislation in all cases whatsoever, over such District * * * as may * * * become the seat of the Government of the United States." They did not intend that the District become a State. The intent of our Founding Fathers in the Constitution is very clear.

While the District enjoys substantial home rule prerogatives, the Congress still retains the ultimate responsibility for this appropriation and we ought to exercise those responsibilities. If statehood is appropriate for the District of Columbia, a city of 630,000 people, then it should be appropriate for

every other city in the country including the ninth largest city in the Nation, which is practically my hometown, Phoenix, AZ. Can you imagine every city of this size having two Senators and a number of Members of Congress?

The legislation, while prohibiting the use of Federal funds for abortions except in cases of rape, incest, or when the life of the mother is in danger, is silent with respect to use of other funds appropriated in the bill for abortions. The American public does not want taxpayer funding of abortions, and again we ought to use our authority to address that concern.

If the District of Columbia is serious about statehood, we ought to drastically reduce the Federal payment in this bill, which represents an astonishing 23.5 percent of the anticipated general revenue local collections. If no drastic reduction is made, we ought to retain the control that our Founding Fathers intended.

□ 1650

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Connecticut [Mr. McKINNEY], a member of the authorizing committee.

Mr. McKINNEY. Mr. Chairman, I rise in strong support of H.R. 3067, and wish to compliment the members of the Appropriation Committee and especially the gentleman from California [Mr. DIXON], chairman of the District of Columbia Subcommittee, and the gentleman from Pennsylvania [Mr. COUGHLIN], ranking member of that subcommittee, for their wisdom and leadership in crafting this bill.

There are a few specific items I wish to highlight, but before I do so, I want to note that my compliments to the members of the Committee on Appropriations are more than courteous rhetoric. As some of my colleagues may recall, at the beginning of this session of Congress I suggested that the budget for the Committee on the District of Columbia, of which I am the ranking member, be substantially reduced and that the House pave the way for elimination of the committee by the 100th Congress. It was, and remains my opinion that the issues remaining before the Committee on the District of Columbia in our efforts to achieve the maximum possible level of home rule for the residents of the District of Columbia would be more properly and efficiently handled by either a new or existing subcommittee on one of the current standing committees of the House.

I want to make it very clear that I would not be able to make such a statement and believe it to be true were it not for the leadership which has been evident for some years in the Appropriations Committee, and more specifically, in the Appropriations Subcommittee on the District of Columbia. There has been an evolutionary process taking place in which the annual appropriations bill for the District addresses certain legislative matters which would, in a perfect world, be considered by the authorizing committee. I mention this not to protect turf, or in any way to criticize the efforts of our colleagues on the Appropriations Committee. Rather, I note this as a change for the better. It has been particularly heartening to this Member to note that when the D.C. appropriations bill does have some legislative provisions in the bill, they are valid and fully justifiable actions which painstakingly preserve the delicate balance of home rule. It is my sincere hope that the Appropriations Committee will continue to exhibit the restraint that has been evident in the past, and at the same time take the necessary action when warranted.

With regard to the specifics of the bill, I would echo the comments already heard with regard to the overall funding levels in this bill. The Federal funds provided include the full $425 million authorized as the Federal payment to the city, $30.1 million in reimbursement for water and sewer services provided to Federal buildings in the city, $52 million as the Federal contribution to the police, firefighters', teachers', and judges' retirement systems, and $25 million as the second of six annual payments authorized by Public Law 98-621 to assist the District in the establishment of a comprehensive mental health system which includes St. Elizabeths Hospital being taken over by the local government. This brings the total amount of direct Federal funding in this bill to $532.2 million, exactly the amount recommended by the President in his budget request to Congress for fiscal year 1986.

Also included in this bill, but having no impact on the Federal budget, is approval for the appropriation of $2.7 billion as the city's operating and capital budget for fiscal year 1986. It is worth nothing that the committee has made changes in the allocation of this $2.7 billion budget of $10,000. I would like to repeat that, because I believe it says a great deal about the committee's respect for the city's financial abilities and it's respect for the principle of home rule. In approving a total budget of $2.7 billion, the committee has recommended changes of only $10,000.

On a subject which is near and dear to the heart of this Member, I would note the committee report language concerning the city's efforts to eliminate the accumulated operating fund deficit. On page 51 of the committee report, there are two statements which I hope the Mayor and the city's financial advisers will note. First, the committee indicates that it "does not believe that the deficit problem should be resolved by selling bonds." I could not agree more, and I have opposed the recurring efforts on the part of the city to achieve authorization to issue such bonds. The report goes on to explain that the issuance of bonds would strap the residents of the city with a long-term liability which would continue for a period of time in excess of the time required to eliminate the deficit by biting the bullet and budgeting incremental amounts for this purpose. Finally, I am pleased to note the statement in the report which makes it clear that the committee intends to recommend a standard reduction of $20 million each year to be used exclusively to eliminate the operating fund deficit. I sincerely hope these statements will put to rest the city's efforts to seek authorization for the issuance of bonds to finance the deficit, an idea which I join my colleagues on the Appropriations Committee in opposing.

In closing, Mr. Chairman, I wish to reiterate my support for this bill and express in the most sincere manner possible, my heartfelt thanks to the chairman and ranking member of the Subcommittee on the District of Columbia for their efforts in bringing this measure to the floor. It is a bill which is identical to what the President recommended with respect to Federal funds, it is virtually identical to what the city requested in terms of allocating $2.7 billion, and it is wholly consistent with the spirit of home rule for the residents of the Capital City.

Mr. COUGHLIN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Virginia [Mr. WOLF].

Mr. WOLF. I thank the gentleman for yielding.

Mr. Chairman, as a new member of the House Appropriations Committee, on the District of Columbia Subcommittee, I recognize the diligent work that the chairman, the gentleman from California [Mr. DIXON] subcommittee members and staff put into the fiscal year 1986 D.C. appropriations bill. On the whole it is a very good bill, which is why I support it.

However, as a Member of Congress representing the 10th District of Virginia, I was very disappointed that an amendment was added to the bill at the very last minute with no hearings or discussions which would exempt Members of Congress who live in northern Virginia from paying a personal property tax on their automobile. I am particularly disappointed in the process that permitted this to happen without notifying northern Virginia officials in advance and giving them an opportunity to testify on the effects of this legislation.

While I am unhappy that the personal property tax amendment is part of the overall D.C. appropriation bill, there are many other provisions in the

bill which I believe are worthy of support which will ultimately benefit northern Virginia residents. These provisions deal with issues such as the District's legal drinking age and we are hopeful, Mr. Chairman, that the message will be sent to the District of Columbia that the Congress is on record as supporting raising the drinking age in the District of Columbia from 18 to 21. We now have the 18-year-old drinking age in the District of Columbia, 21 years in the State of Maryland and 21 years in the State of Virginia. As a result of that, you are developing a blood border around the District of Columbia. So we hope that the message will be delivered to the District that it is important that they raise their drinking age to 21 so that there will be uniform drinking age across the board.

Also, in the legislation there are restrictions on the expansion of Lorton Reformatory.

Last, it has a requirement that my colleague from Maryland, Congressman STENY HOYER, added for immediate aid to disabled vehicles on District of Columbia area bridges during rush hour, and efforts to bring major league baseball to the District of Columbia.

So I am supporting the D.C. fiscal year 1986 appropriations bill, but must voice my deep disappointment that the personal property tax exemption for Members of Congress was added to the bill without considering the localities involved.

Mr. DIXON. Mr. Chairman, I inadvertently yielded back the balance of my time.

Mr. Chairman, I would ask unanimous consent that I may reclaim my time.

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

There was no objection.

Mr. DIXON. Mr. Chairman, I reserve the balance of my time.

Mr. COUGHLIN. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. PARRIS].

Mr. PARRIS. Mr. Chairman, I rise in support of the provision of this bill that was inserted by the gentleman from Ohio [Mr. REGULA], and I do so with the clear understanding of the suggestions, or allegations, most of which I think are unfounded, as to the adverse effect of that provision on the existing minority contracting practices of the District of Columbia.

Mr. Chairman, I rise to put into the RECORD for the benefit of my colleagues a portion of the existing Federal law under the Home Rule Act. Section 501, title V, of that act reads in part as follows: "Such Federal payment", meaning the annual contribution by the Federal Government to the District of Columbia, "such Federal payments should operate to encourage efforts on the part of the government of the District to maintain and increase its level of revenues and to seek such efficiencies and economies in the management of its programs as are possible."

What that means, Mr. Chairman, is that it is a legitimate interest and an obligation of this Congress in the use and appropriation of the taxpayers' funds to help, to assist, to establish the opportunity for the District of Columbia to provide with the Federal payment the best and most efficient government that this city can possibly have. That is all of our function, it is consistent with all of our earnest desire. I think, Mr. Chairman, that the provision inserted by the gentleman from Ohio [Mr. REGULA] in requiring competitive contracting for public contracts and services, is a step in that and the right direction and therefore totally consistent with the provisions of the Home Rule Act. It would be my hope that this bill would be adopted with that provision intact and that the conference will see fit to sustain it in the final conference version of this legislation.

I thank the gentleman for yielding.

Mr. LOWERY of California. Mr. Chairman, this year is the 40th anniversary of the disappearance of Raoul Wallenberg, one of the greatest heroes of our age, as well as the liberation of the Nazi death camps. As a way of remembering this tragic period in human history and as a way of honoring one of the greatest heroes of the Holocaust, the Appropriations Committee has included in the general provisions part of the bill, section 132, designating a block of 15th Street between Maine Street and Independence Avenue as "Raoul Wallenberg Place."

The portion of 15th Street, Southwest, which would be renamed by this bill is the site of the future U.S. Holocaust Memorial Museum. It is bordered entirely by Federal property, and there are no residences on the street. The Bureau of Engraving is located on the street, but its mailing address is on 14th Street. Therefore, no addresses on the street would be affected except that of the the National Holocaust Memorial Museum.

Mr. Chairman, Raoul Wallenberg was born in 1912 to a distinguished Swedish family. In July 1944, in response to a request of the World Jewish Congress following deportation of nearly half a million Hungarian Jews to the death camps of Auschwitz and Birkenau, he was secretly sent by the American Government's War Refugee Board to Budapest as a Swedish diplomat. At that time there were still 250,000 Jews living in the Budapest ghetto, and Wallenberg undertook the impossible task of slowing down their deportation.

Working from the Swedish Embassy, he organized a rescue staff of several hundred Jewish volunteers and declared 32 apartment buildings housing 20,000 Jews to be shelters under the protection of the Swedish flag. He issued protective Swedish passports to approximately 30,000 Jews, providing them a degree of immunity from persecution. He organized the most daring and audacious methods for saving the lives of Jews—turning up at railway stations that served as assembly points for transporting the victims to death camps and, using his diplomatic privileges, snatching dozens of victims from the trains on the grounds that they were under Swedish protection.

Through his fearless actions, imagination and self-sacrifice, Wallenberg and his helpers were able to save the lives of 25,000 Jews during the period from July 1944 until the middle of January 1945. And by inspiring and cajoling others to play their part in this humanitarian work, he was able to save about 100,000 Jews from the death camps.

On January 17, 1945, the Soviet Army reached the outskirts of Budapest, and Raoul Wallenberg was taken into Soviet protective custody. He was never released. In fact, in 1957 the Soviets announced that Wallenberg had died while in a Soviet prison in Moscow. The U.S. State Department has raised the issue of Wallenberg's fate with the Soviets many times, but no satisfactory answer has been given.

Raoul Wallenberg, the "Lost Hero of the Holocaust," has become a legend to people all over the world. He has been nominated for a Nobel Peace Prize. Many of you joined our distinguished colleague, TOM LANTOS, in supporting legislation in the 97th Congress which made him an honorary U.S. citizen, thereby allowing the United States to petition the Soviet Union for a full accounting of his fate. Wallenberg is only the second person to be awarded this great honor.

Wallenberg was also named an honorary citizen of the District of Columbia on October 6, 1981. Mayor Marion Barry presided over the ceremony, which was attended by Wallenberg's sister and others.

Congressman LANTOS, the only survivor of the Holocaust to be elected to Congress, was born in Budapest, Hungary. He was twice sent to Nazi work camps during 1944, but escaped and survived in Wallenberg's safe houses. He worked with Wallenberg and was active in the anti-Nazi underground.

"In History," Congressman LANTOS has said, "One can find many men who have killed 100,000 people. But how many have saved 100,000? Renaming a portion of 15th Street in honor of Wallenberg is a small—but appropriate—gesture to one of the genuine heroes of our age."

Mr. Chairman, this measure, is not a violation of the concept of home rule. First, I must repeat that the street in question, which runs along the Washington Tidal Basin Park, is part of the Mall and its environs. Not one resident of the District of Columbia would be directly affected by this change. The committee has not somehow arbitrarily selected some random street in the District—15th Street SW., in front of the National Holocaust Museum, was carefully selected because it is only one block long and consists entirely of Federal property.

Second, there is a clear and obvious precedent for this change. Last year the District of Columbia appropriations bill included language which named the area in front of the Soviet Embassy as "Andrei Sakharov Plaza."

In sum, Mr. Chairman, because Raoul Wallenberg gave a whole new universe of meaning to the word "hero" by saving lives of 100,000 Hungarian Jews, I hope my colleagues will support Raoul Wallenberg Place and that none of you will seek to delete this section of the appropriations bill. I firmly believe that it would be an appropriate gesture to name the street in front of the Holocaust Memorial Museum in honor of this great American hero.

● Mr. LANTOS. Mr. Chairman, I rise in strong support of the provision in the District of Columbia appropriations bill naming the section of 15th Street in front of the Holocaust Memorial Museum "Raoul Wallenberg Place."

The Holocaust Memorial Museum will remind us and future generations of the horrors of the Holocaust. But the museum is not intended only to make us despair at the depths to which mankind can sink; it should also force us to examine the question of how we can prevent future holocausts, how we can protect human rights, and how we should fight against racism and persecution. it is appropriate that Raoul Wallenberg be part of this memory, because he represents the ultimate symbol of hope and courage.

Born to a wealthy Swedish family, Wallenberg left the safety of his home to go to Budapest, Hungary, in the summer of 1944 on a high-risk mission from the American War Refugee Board to save tens of thousands of innocent children, women, and older men. Displaying remarkable courage, Wallenberg printed Swedish passports and passed them out to thousands of Jews. Single-handedly he approached deportation trains and literally pulled people out of the cattle cars destined for extermination camps. He purchased or rented dozens of buildings, which he then designated Swedish territory, and filled them with the persecuted to protect them from Fascist round-up squads. Through his efforts, Wallenberg saved an estimated 100,000 Hungarian Jews from the "final solution."

Neither I, nor my wife, nor our children, nor our grandchildren would be here today if it were not for Raoul Wallenberg. During that whole dark nightmare, no one else directly confronted Nazi cruelty. No one else had the audacity to follow the death marches, to jump in front of guns leveled at jews, to pull people off deportation trains. Raoul Wallenberg not only saved 100,000 lives, he saved our faith in humanity.

In retrospect, perhaps Wallenberg's greatest contribution is his reminder to us of the human dimension of human rights. We usually define human rights by international treaty: the right to emigrate guaranteed by the Helsinki Final Act, for example. In the best of worlds, international agreements alone would ensure all peoples' basic human rights. But time and again, we are reminded that our world is not an ideal one and that the promise of international law must be realized through individual action. Thus, what we most need are women and men motivated by a sense of justice, who are willing to risk and to fight in order to uphold dignity and respect for human life.

Unfortunately, the violation of human rights did not end with the crushing of Hitler in 1945. We need a Wallenberg today to speak out forcefully on behalf of Soviet refuseniks, individuals persecuted by the Soviet Government solely because of their religious faith and their desire to emigrate. We need a Wallenberg to confront apartheid in South Africa, to stand with the black demonstrators, to call for Nelson Mandela's release. We need a Wallenberg to seek the release of peaceful Baha'i prisoners in Iranian jails. We need a Wallenberg to secure the release of political prisoners—Andrei Sakharov in internal exile in the Soviet Union, opponents of the military regime in Chile, those who in far too many places around the globe suffer isolation, loss of liberty, and torture for their convictions.

Wallenberg is the archtype of the defender of human rights. His story shows that mankind can do more than simply survive, that it can nurture and protect the weak. He is a model of selfless behavior which few attain. The knowledge that one man so firmly embraced human rights as a guiding principle, however, should encourage us to continue in our fight for this goal.

In history, one can find examples of many who have killed 100,000 people. But how many have saved 100,000? Wallenberg has shown us that one individual—motivated by a genuine and personal concern for human rights—can face evil and triumph; that one person alone can make a difference.

Renaming a section of a street is a small honor to such a man. Nevertheless, it is an important symbolic gesture, and we must not forget the power of symbols.●

● Mr. CONTE. Mr. Chairman, I rise in support of H.R. 3067, the District of Columbia appropriations bill for fiscal year 1986.

At the outset, I want to commend the chairman of the subcommittee, JULIAN DIXON and the ranking minority member, LARRY COUGHLIN, for their hard work and dedication. Without the usual benefits, Congressmen DIXON and COUGHLIN have taken the responsibility to the District our Federal seat of Government, very seriously. With the home rule principle as a guide, the subcommittee has effectively addressed the special needs of the District of Columbia. District residents are fortunate to have these gentlemen in leadership positions on this subcommittee.

Mr. Chairman, the bill includes Federal funds totaling $532,170,000 for fiscal year 1986 which is $1,173,000 below the fiscal year 1985 level. Included in this amount is a Federal payment of $425 million for fiscal year 1986 which represents 23.5 percent of the anticipated general revenue generated by local collections next year. This payment is the same amount as appropriated last year.

In addition to the lump sum Federal payment, Federal funds appropriated in this bill include $30.1 million for water and sewer services furnished to the Federal Government, $52 million for the Federal contribution to the city's three retirement funds, and $25 million for St. Elizabeths Hospital.

The payment to the retirement fund is the seventh of 25 annual Federal payments which will total $1.3 billion and will cover a portion of the unfunded liability attributed to former District employees who retired before home rule took effect. As authorized by Public Law 98-621, the payment for St. Elizabeths Hospital is part of a 6-year place to transfer administrative and financial responsibility from the Federal Government to the District of Columbia by 1991.

Mr. Chairman, I am pleased to report that the administration fully endorses the recommendations in this bill. In a letter the committee, the Young Slasher, signing in black ink, clearly stated that "this bill * * * is consistent with the Administration's request" and urged approval of the legislation in its present form. For the RECORD, I will include a copy of the OMB letter and the "Statement of administration Policy" on H.R. 3067.

I urge my colleagues to support H.R. 3067.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., July 24, 1985.

Hon. SILVIO CONTE,
Committee on Appropriations, U.S. House of Representatives, Washington, D.C.

DEAR SIL: As the House Appropriations Committee prepares to mark up the 1986 District of Columbia Appropriation bill, I want to commend the subcommittee for its responsible action in keeping with the Administration's request.

I hope that when the District of Columbia appropriation bill is considered by the full committee you will use your influence and leadership to help ensure the passage of the bill as recommended by the subcommittee.

Sincerely,

DAVID A. STOCKMAN,
Director.

STATEMENT OF ADMINISTRATION POLICY

JULY 23, 1985.

District of Columbia Appropriation Bill, 1986.

(Sponsor: Dixon (D), California.)

This bill as approved by the House Subcommittee is consistent with the Administration's request. The Administration urges the full Appropriations Committee to take the Subcommittee recommendations and report the bill in its present form.

STATEMENT OF ADMINISTRATION POLICY

JULY 29, 1985.

District of Columbia Appropriation Bill, 1986.

(Sponsor: Whitten (D), Mississippi.)

This bill as reported by the House Appropriations Committee is consistent with the administration's request. The administration supports floor action to accept the committee recommendations and pass the bill in its present form.●

● Mrs. VUCANOVICH. Mr. Chairman, today, I rise in support of the amendment which will be offered by the gentleman from New Jersey [Mr. SMITH], to ensure that section 118 of H.R. 3067 provide that no public funds may be used to kill unborn children in our Nation's Capital, and that funds shall be used to provide equal care for both the mother and her unborn child.

Some say this is an issue of "home rule" where the Congress should only be responsible for the use of "Federal" funds for abortions in the District and the District of Columbia government has the prerogative of using "its own funds" as it chooses for killing unborn children. On the contrary, Pub. L. 93-198 specifically designates the Congress, and each one of its Members with the responsibility for the full appropriation of all funds for our Nation's Capital.

Section 118 demands revision so that taxpayers' money is not used to fund the killing of unborn children, and it is the special responsibility of this body to recognize that fact. If this appropriations bill passes without amending section 118 we provide the District with a "blank check" with which to fund abortions. One abortion is as tragic as 100, and the some 4,393 abortions paid by the District from funds appropriated by Congress in the District of Columbia Appropriations Act (as cited from the District of Columbia government statistics note 67 of July 1984) denies us all any semblance of humanity.●

● Mr. WEISS. Mr. Chairman, I am in strong opposition to H.R. 3067, the District of Columbia appropriations for fiscal year 1986.

I do not oppose this bill because of any provision recommended by the Appropriations Subcommittee on the District of Columbia, which carefully crafted a bipartisan bill that meets the needs of the District of Columbia without exceeding the President's funding request. In fact, the subcommittee was specifically commended by outgoing Budget Director David Stockman for its "responsible action" in drafting this bill.

Rather, I am opposed to the bill because of the adoption of a grossly irresponsible amendment which would prohibit the use of any public funds for abortions in the District.

This amendment is both wrong in substance and wrong in procedure. It is a further attack on the fundamental right of women to control their own bodies. But, unlike many other such attacks which have been undertaken in the House of Representatives, it is an underhanded attack that exploits the continued power of the House over the District of Columbia's purse to achieve highly objectionable goals.

The sponsor of this amendment was apologetic about offering yet another amendment on a subject with which many Members are weary. He was referring to the floor fights that have surrounded the attachment of anti-abortion riders to a variety of Federal health care programs and benefits packages. As a result of these amendments, congressional opponents of abortion rights have limited access to legal abortion services for those who receive health care services or health insurance benefits through the Federal Government.

Abortion is legal, and the vast majority of Americans want it kept that way. But those who approved these limiting amendments ignore the national mandate for safe and accessible abortion services. As a result of their repeated attacks, D.C. residents, along with Medicaid recipients, native Americans, Peace Corps volunteers, military employees, and Federal employees are already subject to significant restrictions on their right to have an abortion.

The current amendment goes even further, however. Not content to restrict the use of Federal funds for abortions, the amendment would restrict the use of all public funds for this purpose. This means that the District, which has courageously committed a portion of the funds that it raises independently of the Federal Government to poor women who are seeking abortions, will no longer be able to do so. Moreover, this will apply to all abortions performed in the District, with no exception for cases of rape, incest, or life endangerment.

Not only does this amendment fly in the face of public opinion, not only does it deny a fundamental right to a class of American citizens who are in most cases incapable of fighting back for financial or other reasons, but it would prohibit a jurisdiction of this Nation from employing its own funds for the purposes which it sees fit. It represents an unwarranted and indefensible Federal intrusion both into the local affairs of our Capital City and into the private lives of American citizens.

The District of Columbia deserves to be reimbursed for the responsibilities it assumes for the revenue losses and costs associated with the District's role as the Nation's Capital. The bill prepared by the subcommittee would have accomplished this in a rational and appropriate manner. But the restrictions on the fundamental right to safe and legal abortions that were added to this bill go far beyond any such restrictions adopted in the past. They are wrong and they must be rejected. I urge my colleagues to join me in defeating this bill.●

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

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

The CHAIRMAN. All time has expired.

Mr. DIXON. Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the bill H.R. 3067, is as follows:

H.R. 3067

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 1986, and for other purposes, namely:

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

For payment to the District of Columbia for the fiscal year ending September 30, 1986, $425,000,000, as authorized by the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, as amended (D.C. Code, sec. 47-3406): *Provided,* That none of these funds shall be made available to the District of Columbia until the number of full-time uniformed officers in permanent positions in the Metropolitan Police Department is at

least 3,880, excluding any such officer appointed after August 19, 1982, under qualification standards other than those in effect on such date.

For payment to the District of Columbia for the fiscal year ending September 30, 1986, in lieu of reimbursement for charges for water and water services and sanitary sewer services furnished to facilities of the United States Government, $30,100,000, as authorized by the Act of May 18, 1954, as amended (D.C. Code, secs. 43-1552 and 43-1612).

For the Federal contribution to the Police Officers and Fire Fighters', Teachers' and Judges' Retirement Funds as authorized by the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; Public Law 96-122), $52,070,000.

TRANSITIONAL PAYMENT FOR SAINT ELIZABETHS HOSPITAL

For a Federal contribution to the District of Columbia, as authorized by the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act, approved November 8, 1984 (98 Stat. 3369; Public Law 98-621), $25,000,000.

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $99,342,000: *Provided*, That not to exceed $2,500 for the Mayor, $2,500 for the Chairman of the Council of the District of Columbia, and $2,500 for the City Administrator shall be available from this appropriation for expenditures for official purposes: *Provided further*, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further*, That not less than $320,000 shall be used by the Office of Personnel exclusively for the administration of programs for the training of District of Columbia government employees: *Provided further*, That notwithstanding any other provision of law, there is hereby appropriated $3,480,000 to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board, of which $700,000 shall be derived from the general fund and not to exceed $2,780,000 shall be derived from the earnings of the applicable retirement funds: *Provided further*, That the District of Columbia Retirement Board shall provide to the Congress and the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further*, That the District of Columbia Retirement Board shall provide the Mayor for transmittal to the Council of the District of Columbia an item accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report: *Provided further*, That of the $100,000 appropriated for fiscal year 1986 for Admission to Statehood, $50,000 shall be for the Statehood Commission and $50,000 shall be for the Statehood Compact Commission.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $99,525,000: *Provided*, That the District of Columbia Housing Finance Agency, established by section 201 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Code, sec. 45-2111), based upon its capability of repayments as determined each year by the Council of the District of Columbia from the Agency's annual audited financial statements to the Council of the District of Columbia, shall repay to the general fund an amount equal to the appropriated administrative costs plus interest at a rate of four percent per annum for a term of 15 years, with a deferral of payments for the first three years: *Provided further*, That notwithstanding the foregoing provision, the obligation to repay all or part of the amounts due shall be subject to the rights of the holders of any bonds or notes issued by the Agency and shall be repaid to the District of Columbia only from available operating revenues of the Agency that are in excess of the amounts required for debt service, reserve funds, and operating expenses: *Provided further*, That upon commencement of the debt service payments, such payments shall be deposited into the general fund of the District of Columbia: *Provided further*, That the Director of the Department of Housing and Community Development shall report every six months to the Council of the District of Columbia on collections of rent from public housing stock.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, including purchase of not to exceed 135 passenger-carrying vehicles for replacement only (including 130 for police-type use and five for fire-type use) and four additional passenger-carrying vehicles for fire-type use without regard to the general purchase price limitation for the current fiscal year, $535,416,000, of which $3,339,000 shall be payable from the revenue sharing trust fund: *Provided*, That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger-carrying vehicles, and the Fire Department is authorized to replace not to exceed five passenger-carrying vehicles, annually whenever the cost of repair to any damaged vehicle exceeds three-fourths of the cost of the replacement: *Provided further*, That not to exceed $320,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further*, That notwithstanding any other provisions of law, in the case of each employee who retired from the Fire Department of the District of Columbia before February 15, 1980, and who is receiving on the date of the enactment of this Act an annuity based on service in the Fire Department, the District of Columbia Retirement Board shall cause to be paid not later than September 30, 1985, to each such employee a lump-sum payment equal to three percent of his or her annuity: *Provided further*, That funds appropriated for expenses under the District of Columbia Criminal Justice Act, approved September 3, 1974 (88 Stat. 1090; Public Law 93-412; D.C. Code, sec. 11-2601 et seq.), for the fiscal year ending September 30, 1986, shall be available for obligations incurred under that Act in each fiscal year since inception in fiscal year 1975: *Provided further*, That funds appropriated for expenses under the District of Columbia Neglect Representation Equity Act of 1984, effective March 13, 1985 (D.C. Law 5-129; D.C. Code, sec. 16-2304), for the fiscal year ending September 30, 1986, shall be available for obligations incurred under that Act in each fiscal year since inception in fiscal year 1985: *Provided further*, That $50,000 of any appropriation available to the District of Columbia may be used to match financial contributions from the Department of Defense to the District of Columbia Office of Emergency Preparedness for the purchase of civil defense equipment and supplies approved by the Department of Defense, when authorized by the Mayor: *Provided further*, That not to exceed $1,500 for the Chief Judge of the District of Columbia Court of Appeals, $1,500 for the Chief Judge of the Superior Court of the District of Columbia, and $1,500 for the Executive Officer of the District of Columbia Courts shall be available from this appropriation for official purposes: *Provided further*, That D.C. Code, sec. 11-1732(d), is amended by striking out "1985" and inserting in lieu thereof "1986".

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, $515,005,000, of which $6,000,000 shall be payable from the revenue sharing trust fund, to be allocated as follows: $359,500,000 for the public schools of the District of Columbia; $70,905,000 for the District of Columbia Teachers' Retirement Fund; $67,715,000 for the University of the District of Columbia; $15,002,000 for the Public Library; $1,673,000 for the Commission on the Arts and Humanities; and $210,000 for the Educational Institution Licensure Commission: *Provided*, That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: *Provided further*, That not to exceed $2,500 for the Superintendent of Schools, $2,500 for the President of the University of the District of Columbia, and $2,000 for the Public Librarian shall be available from this appropriation for expenditures for official purposes: *Provided further*, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 1986, a tuition rate schedule which will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area.

HUMAN SUPPORT SERVICES

Human support services, $614,347,000, of which $5,857,000 shall be payable from the revenue sharing trust fund: *Provided*, That the inpatient rate (excluding the proportionate share for repairs and construction) for services rendered by Saint Elizabeths Hospital for patient care shall be at the per diem rate established pursuant to section 2 of an Act to authorize certain expenditures from the appropriation of Saint Elizabeths Hospital, and for other purposes, approved August 4, 1947 (61 Stat. 751; Public Law 80-353; 24 U.S.C. 168(a)): *Provided further*, That total funds paid by the District of Columbia as reimbursements for operating costs of Saint Elizabeths Hospital, including any District of Columbia payments (but excluding the Federal matching share of payments) associated with title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; Public Law 89-97; 42 U.S.C. 1396 et seq.), shall not exceed $62,970,000: *Provided further*, That $11,000,000 of this appropriation, to remain available until expended, shall be available solely for District

of Columbia employees' disability compensation.

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and purchase of passenger-carrying vehicles for replacement only, $193,741,000, of which $2,500,000 shall be payable from the revenue sharing trust fund and not to exceed $4,000,000 shall be available for the School Transit Subsidy: *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses with four or more apartments, or from any building or connected group of buildings operating as a rooming or boarding house as defined in the housing regulations of the District of Columbia.

WASHINGTON CONVENTION CENTER FUND

For the Washington Convention Center Fund, $8,371,000: *Provided*, That the Convention Center Board of Directors, established by section 3 of the Washington Convention Center Management Act of 1979, effective November 3, 1979 (D.C. Law 3-36; D.C. Code, sec. 9-602), shall reimburse the Auditor of the District of Columbia for all reasonable costs for performance of the annual convention center audit.

REPAYMENT OF LOANS AND INTEREST

For reimbursement to the United States of funds loaned in compliance with an Act to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, approved August 7, 1946 (60 Stat. 896; Public Law 79-648); the Departments of Labor, and Health, Education and Welfare Appropriation Act of 1955, approved July 2, 1954 (68 Stat. 443; Public Law 83-472); section 1 of an Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85-451; D.C. Code, sec. 9-219); section 4 of an Act to authorize the Commissioners of the District of Columbia to plan, construct, operate, and maintain a sanitary sewer to connect the Dulles International Airport with the District of Columbia system, approved June 12, 1960 (74 Stat. 211; Public Law 86-515); and section 723 of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 821; Public Law 93-198; D.C. Code, sec. 47-321, note); and section 743(f) of the District of Columbia Self-Government and Governmental Reorganization Act, approved October 13, 1977 (91 Stat. 1156; Public Law 95-131; D.C. Code, sec. 9-219, note), including interest as required thereby, $198,409,000.

REPAYMENT OF GENERAL FUND DEFICIT

For the purpose of eliminating the cash portion of the $269,860,000 general fund accumulated deficit as of September 30, 1984, $20,000,000, of which not less than $15,000,000 shall be funded and apportioned by the Mayor from amounts otherwise available to the District of Columbia government (including amounts appropriated by this Act or revenues otherwise available, or both).

SHORT-TERM BORROWINGS

For the purpose of funding interest related to borrowing funds for short-term cash needs, $3,750,000.

CAPITAL OUTLAY

For construction projects, $229,148,000, as authorized by an Act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, approved April 22, 1904 (33 Stat. 244; Public Law 58-140; D.C. Code, secs. 43-1512 to 43-1519); the District of Columbia Public Works Act of 1954, approved May 18, 1954 (68 Stat. 101; Public Law 83-364); an Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85-451; D.C. Code, secs. 9-219 and 47-3402); section 3(g) of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved August 20, 1958 (72 Stat. 686; Public Law 85-692; D.C. Code, sec. 40-805(7)); and the National Capital Transportation Act of 1969, approved December 9, 1969 (83 Stat. 320; Public Law 91-143; D.C. Code, secs. 1-2451, 1-2452, 1-2454, 1-2456, and 1-2457); including acquisition of sites, preparation of plans and specifications, conducting preliminary surveys, erection of structures, including building improvement and alteration and treatment of grounds, to remain available until expended: *Provided*, That $14,591,000 shall be available for project management and $11,239,000 for design by the Director of the Department of Public Works or by contract for architectural engineering services, as may be determined by the Mayor, and that the funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *Provided further*, That all such funds shall be available only for the specific projects and purposes intended: *Provided further*, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968, approved August 23, 1968 (82 Stat. 827; Public Law 90-495; D.C. Code, sec. 7-134, note), for which funds are provided by this appropriation title, shall expire on September 30, 1987, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 1987: *Provided further*, That upon expiration of any such project authorization the funds provided herein for the project shall lapse.

WATER AND SEWER ENTERPRISE FUND

For the Water and Sewer Enterprise Fund, $162,987,000, of which $31,065,000 shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects.

For construction projects, $19,635,000, as authorized by an Act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, approved April 22, 1904 (33 Stat. 244; D.C. Code, sec. 43-1512 et seq.): *Provided*, That the requirements and restrictions which are applicable to general fund capital improvement projects and which are set forth in this Act under the Capital Outlay appropriation title shall apply to projects approved under this appropriation title.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund established by the District of Columbia Appropriation Act for fiscal year 1982, approved December 4, 1981 (95 Stat. 1174, 1175, Public Law 97-91, as amended), for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Code, secs. 2-2501 et seq. and 22-1516 et seq.), $4,151,000, to be derived from non-Federal District of Columbia revenues: *Provided*, That the District of Columbia shall identify the sources of funding for this appropriation title from its own locally-generated revenues: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

CABLE TELEVISION ENTERPRISE FUND

For the Cable Television Enterprise Fund established by the Cable Television Communications Act of 1981, effective October 22, 1983 (D.C. Law 5-36; D.C. Code, sec. 43-1801 et seq.), $250,000.

GENERAL PROVISIONS

SEC. 101. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 102. Except as otherwise provided in this Act, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by the designated certifying official and the vouchers as approved shall be paid by checks issued by the designated disbursing official.

SEC. 103. Whenever in this Act an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount which may be expended for said purpose or object rather than an amount set apart exclusively therefor, except for those funds and programs for the Metropolitan Police Department under the heading "Public Safety and Justice" which shall be considered as the amounts set apart exclusively for and shall be expended solely by that Department; and the appropriation under the heading "Repayment of General Fund Deficit" which shall be considered as the amount set apart exclusively for and shall be expended solely for that purpose.

SEC. 104. Appropriations in this Act shall be available, when authorized by the Mayor, for allowances for privately owned automobiles and motorcycles used for the performance of official duties at rates established by the Mayor: *Provided*, That such rates shall not exceed the maximum prevailing rates for such vehicles as prescribed in the Federal Property Management Regulations 101-7 (Federal Travel Regulations).

SEC. 105. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the

Mayor: *Provided*, That the Council of the District of Columbia and the District of Columbia Courts may expend such funds without authorization by the Mayor.

SEC. 106. Appropriations in this Act shall not be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Service Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Service Commission.

SEC. 107. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government: *Provided*, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947, approved March 31, 1956 (70 Stat. 78; Public Law 84-460; D.C. Code, sec. 47-1812.11(c)(3)).

SEC. 108. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of section 544 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C Code, sec. 3-205(b)), and for the non-Federal share of funds necessary to qualify for Federal assistance under the Juvenile Delinquency Prevention and Control Act of 1968, approved July 31, 1968 (82 Stat. 462; Public Law 90-445; 42 U.S.C. 3801 et seq.).

SEC. 109. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 110. Not to exceed 4½ per centum of the total of all funds appropriated by this Act for personal compensation may be used to pay the cost of overtime or temporary positions.

SEC. 111. Appropriations in this Act shall not be available, during the fiscal year ending September 30, 1986, for the compensation of any person appointed to a permanent position in the District of Columbia government during any month in which the number of employees exceeds 32,082, the number of positions authorized by this Act.

SEC. 112. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during nonschool hours.

SEC. 113. The annual budget for the District of Columbia government for the fiscal year ending September 30, 1987, shall be transmitted to the Congress by no later than April 15, 1986.

SEC. 114. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees on Appropriations, the House Committee on the District of Columbia, the Subcommittee on Governmental Efficiency and the District of Columbia of the Senate Committee on Governmental Affairs and the Council of the District of Columbia or their duly authorized representative.

SEC. 115. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977, effective September 23, 1977 (D.C. Law 2-20; D.C. Code, sec. 47-421 et seq.).

SEC. 116. None of the funds contained in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name and salary are not available for public inspection.

SEC. 117. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 118. None of the Federal funds provided in this Act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term; or except for such medical procedures necessary for the victims of rape or incest, when such rape or incest has been reported promptly to a law enforcement agency or public health service. Nor are payments prohibited for drugs or devices to prevent implantation of the fertilized ovum, or for medical procedures necessary for the termination of an ectopic pregnancy.

SEC. 119. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: *Provided*, That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the actual borrowing and spending progress compared with projections.

SEC. 120. The Mayor shall not borrow any funds for capital projects unless he has obtained prior approval from the Council of the District of Columbia, by resolution, identifying the projects and amounts to be financed with such borrowings.

SEC. 121. The Mayor shall not expend any moneys borrowed for capital projects for the operating expenses of the District of Columbia government.

SEC. 122. None of the funds appropriated in this Act may be used for the implementation of a personnel lottery with respect to the hiring of fire fighters or police officers.

SEC. 123. None of the funds appropriated by this Act may be obligated or expended by reprogramming except pursuant to advance approval of the reprogramming granted according to the procedure set forth in the Joint Explanatory Statement of the Committee of Conference (House Report No. 96-443) which accompanied the District of Columbia Appropriation Act, 1980, approved October 30, 1979 (93 Stat. 713; Public Law 96-93), as modified in House Report No. 98-265, and in accordance with the Reprogramming Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Code, sec. 47-361 et seq.).

SEC. 124. None of the Federal funds provided in this Act shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the District of Columbia.

SEC. 125. None of the Federal funds provided in this Act shall be obligated or expended to procure passenger automobiles as defined in the Automobile Fuel Efficiency Act of 1980, approved October 10, 1980 (94 Stat. 1824; Public Law 96-425; 15 U.S.C. 2001(2)), with an Environmental Protection Agency estimated miles per gallon average of less than 22 miles per gallon: *Provided*, That this section shall not apply to security, emergency rescue, or armored vehicles.

SEC. 126. (a) Notwithstanding section 422(7) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(7)), the City Administrator shall be paid, during any fiscal year, a salary at a rate established by the Mayor, not to exceed the rate established for level IV of the Executive Schedule under 5 U.S.C. 5315.

(b) For purposes of applying any provision of law limiting the availability of funds for payment of salary or pay in any fiscal year, the highest rate of pay established by the Mayor under subsection (a) for any position for any period during the last quarter of calendar year 1985 shall be deemed to be the rate of pay payable for that position for September 30, 1985.

(c) Notwithstanding section 4(a) of the District of Columbia Redevelopment Act of 1945, approved August 2, 1946 (60 Stat. 793; Public Law 79-592; D.C. Code, sec. 5-803(a)), the Board of Directors of the District of Columbia Redevelopment Land Agency shall be paid, during any fiscal year, a per diem compensation at a rate established by the Mayor.

SEC. 127. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.), enacted pursuant to section 422(3) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(3)), shall apply with respect to the compensation of District of Columbia employees: *Provided*, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5 of the United States Code.

SEC. 128. None of the funds appropriated by this Act may be used to transport any output of the municipal waste system of the District of Columbia for disposal at any public or private landfill located in any State, excepting currently utilized landfills in Maryland and Virginia, until the appropriate State agency has issued the required permits.

SEC. 129. The Director of the Department of Administrative Services may pay rentals and repair, alter, and improve rented premises, without regard to the provisions of section 322 of the Economy Act of 1932 (Public Law 72-212; 40 U.S.C. 278a), upon a determination by the Director, that by reason of circumstances set forth in such determination, the payment of these rents and the execution of this work, without reference to the limitations of section 322, is advantageous to the District in terms of economy, efficiency and the District's best interest.

SEC. 130. The Public Service Commission is hereby authorized to order and to approve the deregulation of streetlighting service to the District of Columbia as provided in its opinion and order in Formal Case No. 813, dated July 12, 1984 (Order No. 8056), notwithstanding the provisions of section 493(a) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 811; Public Law 93-198; D.C. Code, sec. 43-402), section 8, paragraph 2 of an Act

making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 977; Public Law 67-435; D.C. Code, sec. 43-501), and section 1 of an Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes, approved March 3, 1899 (30 Stat. 1053; D.C. Code, sec. 43-1207): *Provided*, That the provisions of this opinion and order regarding deregulation of streetlighting service are hereby ratified and declared to be in effect as of July 12, 1984, and shall continue to be in effect until revoked or rescinded.

SEC. 131. (a) No State, or political subdivision thereof, in which a Member of Congress maintains a place of abode for purposes of attending sessions of Congress may impose a personal property tax with respect to the motor vehicle owned by such Member (or by the spouse of such Member) that is used for purposes of attending sessions of Congress unless such Member represents such State or a district in such State.

(b) For purposes of this section—

(1) the term "Member of Congress" includes the delegates from the District of Columbia, Guam, and the Virgin Islands, and the Resident Commissioner from Puerto Rico;

(2) the term "State" includes the District of Columbia; and

(3) the term "personal property tax" means any tax imposed on an annual basis and levied on, with respect to, or measured by, the market value or assessed value of an item of personal property.

(c) This section shall apply to all taxable periods beginning on or after January 1, 1985.

SEC. 132. The portion of 15th Street, Southwest, Washington, District of Columbia, located between Maine and Independence Avenues shall hereafter be known and designated as "Raoul Wallenberg Place". Any law, regulation, map, document, or other record of the United States and the District of Columbia which refers to that portion of such street shall be deemed to refer to "Raoul Wallenberg Place".

SEC. 133. The expenditure of any appropriation under this Act for any contract shall be limited to those contracts awarded on a competitive basis.

This Act may be cited as the "District of Columbia Appropriation Act, 1986".

The CHAIRMAN. Are there any points of order against the bill?

Are there any amendments to the bill?

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey: Page 20, line 9, strike out "Federal".

Page 20, line 12, strike out the semicolon and all that follows through line 18 before the period.

Mr. SMITH of New Jersey (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman and Members of this body——

Mr. DIXON. Mr. Chairman, I want to reserve a point of order on the amendment.

The CHAIRMAN. The gentleman's point of order is reserved.

Mr. SMITH of New Jersey. Mr. Chairman, I had already begun speaking on the amendment so I would suggest——

Mr. DIXON. Mr. Chairman, I was on my feet. My mike was not on. I indicated that I wanted to reserve a point of order. I interrupted because I did not know whether the Chair had heard me or not.

The CHAIRMAN. The gentleman from California [Mr. DIXON] was on his feet. The Chair agrees with the gentleman. The point of order is reserved.

The gentleman from New Jersey [Mr. SMITH] is recognized for 5 minutes in support of the amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I know that many Members of this body are growing weary of abortion floor fights. But I would suggest that what we do here today may indeed result in some now nameless, voiceless child—perhaps many children—being given a chance to live.

That, in and of itself, makes any inconvenience wholly worthwhile.

I would point out to members of the committee that in 1983 there were 11,775 abortions for D.C. residents. Of that number, approximately 40 percent were paid for with Government funds—with funds appropriated by this Congress in the D.C. Appropriations Act. In other words, in 1983, 4,393 lives were snuffed out with public funding right here in the District. My amendment would bar abortion payments except to save the life of the mother.

I know the prochoice lobby here on the Hill gets mighty uncomfortable when faced with the horror of abortion, or with the humanity of the child in the womb, or with the increasingly apparent fact that abortion exploits women. But reality isn't changed or altered one iota because someone wishes it away or refuses to face it.

Mr. Chairman, abortion methods are gruesome and ugly to consider. Yet it is a sad fact, that there are some in this Chamber who have yet to carefully examine and scrutinize the methods of abortion. If we are being asked to pay for it, is it too much to ask what we are paying for?

Mr. Chairman, the carnage unleashed on American society by the 1973 Supreme Court abortion decisions is unparalleled in U.S. history.

Every 20 seconds of every day, little children at 8 weeks, 12 weeks, 16 weeks, 24 weeks gestation and beyond, right up until birth, are savagely decimated by the abortionist. The modern day abortionist has several highly efficient abortion methods at his disposal. The horror of the deed, however, has been mitigated by the clean, antiseptic environs in which abortions are procured.

For some, abortion is merely another medical procedure. But is it?

I suggest my colleagues look closer at just a few of these procedures. In many early abortions, a loop-shaped knife attached to a high powered suction device rips and shreds the unsuspecting child to pieces. The body parts are then vacuumed into a bottle and disposed of. This is euphemistically referred to as vacuum aspiration.

In the dilation and curatage and dilation and evacuation abortion, the child is cut, sliced and carved by a surgeon's scalpel without even the benefit of anesthesia. One of the most frightening jobs required of assisting nurses is to make a full and thorough accounting of all body parts in a D&C and D&E abortion. I have seen documented pictures of children who have been killed this way—decapitated, ribcages split open, arms and legs a pathetic jumble—and I came away sick to my stomach. And believe me, I marveled then and now that some Members of this body could deny the homicidal nature of abortion and go on to even assert that the extermination of the unborn can somehow be portrayed and construed to be enlightened, progressive policy?

In saline abortions, Mr. Chairman, usually done in the second trimester, the unborn baby has his or her life purposely snuffed out by an overdose of injected saltwater.

A baby terminated this way dies a very slow, excruciating painful death. After the salt is injected by a hypodermic needle into the infant's amniotic sac, the child breaths in the fluid and gets sick. The salt burns the outer layer of skin on the child. Internally, the baby's bloodstream carries the poison to his or her brain, nervous system and vital organs. After a 1½- to 2-hour futile struggle, the baby usually dies. A day or two later, the mother goes into labor and gives birth to a baby whose appearance resembles a first degree burn victim.

Are saline abortions enlightened social policy that a prudent Congress wishes to fund? Hardly. Hardly, I say to my colleagues.

Still another method of abortion, Mr. Chairman, is the so-called hysterotomy abortion—a method not unlike a C-section. As a matter of fact the only difference between the hysterotomy and C-section is the fate of the child. In a C-section, the child is cared

for, nurtured, fed, kept warm and, hopefully, loved. In a hysterotomy abortion, after the umbilical cord is cut, the baby is tossed in a bucket or pan—like garbage—let to die. There have been literally thousands of these abortions in the United States. A significant number of children who survive abortion were the results of this method.

Mr. Chairman, it seems increasingly absurd to this Member that Members of this body can unashamedly embrace and champion the right to multilate and kill unborn children like this—and then demand that we pay for it.

It seems increasingly absurd to this Member that the opposition utterly fails to appreciate the marvelous breakthroughs in the diagnosis and treatment of the unborn. In every pregnancy, there are two patients to be cared for, mother and child. I prefer to think, Mr. Chairman, that it is out of ignorance of the facts rather than by design.

Mr. Chairman, there are some Members who may argue here today that this Congress should look the other way—let the Congress continue to authorize payment for the killing of unborn children in the District of Columbia. It's an issue of "home rule" they say. That's baloney.

When I offered my amendment to proscribe abortion coverage 2 years ago to Federal employees under the FEHB, the argument advanced against my amendment was that this is an employee benefit issue—not an abortion funding issue. The Congress wisely saw through that smokescreen and adopted my amendment which is current law and was again adopted earlier today as part of the Treasury Postal appropriations bill.

When Mr. HYDE of Illinois offered the Hyde amendment, critics charged that this was an issue of benefits for the poor—not an abortion funding issue. The Congress wisely saw through that smokescreen and adopted the Hyde amendment.

Today, we are again being told that this is not an abortion funding issue, but now the excuse is, that the issue is home rule.

Mr. Chairman and members of the committee, even on its face, home rule is not absolute. In years past, certain States and locales have argued home rule or States rights to defend slavery, and when slavery was outlawed, home rule was advanced to defend segregation and other forms of racism. Other countries use home rule to defend apartheid, discrimination against Soviet Jews, or forced abortion in the People's Republic of China. Home rule is clearly not persuasive as an argument to defend these human rights abuses nor is it persuasive in defending abortion funding.

Moreover, I would submit to my colleagues that in numerous other aspects of public policy, Congress conditions or limits funding to include some activity or to exclude others. We do it in environmental policy, we do it in our efforts to end race discrimination, we do it to end sex discrimination, we even do it to pressure States to raise their drinking age to 21.

Even H.R. 3067, the bill before us today, limits the D.C. Government in making its own decisions under "home rule" in matters relating to overtime, temporary position, ceilings on salaries, lobbying, the borrowing of funds, and the hiring and firing of fire and police officers. Earlier in the debate, Mr. FAUNTROY objected to other violations of home rule including the designation of a part of 15th Street as Raoul Wallenberg Place and the awarding of contracts by competitive bidding.

So the argument that the issue before us today is not abortion but "home rule" is weak. It is misleading and is clearly not persuasive.

I strongly urge passage of my amendment.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from California insist on his point of order?

Mr. DIXON. Yes, Mr. Chairman.

Mr. Chairman, I make a point of order against the amendment. The amendment is a nonlegislative limitation to a general appropriation bill. Under the revised clause 2, rule XXI, such amendments are not in order during the reading of a general appropriation bill.

The chairman is advised that the rule states: "Except as provided in paragraph (d), no amendment shall be in order during consideration of a general appropriation bill proposing a limitation not specifically contained or authorized in existing law for that period of the limitation."

Mr. Chairman, the gentleman's amendment is a limitation and is not specifically contained or authorized in existing law, and therefore is in violation of clause 2 of rule XXI.

What the gentleman is trying to do is, by striking the word "federal," he in fact broadens the limitation.

Mr. SMITH of New Jersey. Mr. Chairman, if I may be heard on the point of order, if the gentleman does insist on his point of order, I plan on offering another amendment, which would be a straight limitation that would say no funds provided by this act or appropriated by this act shall be used to pay for abortions, period. And I certainly hope, since the amendment I offer contains the life of the mother exception, that the chairman will not go forward with his point of order.

Mr. DIXON. Mr. Chairman, I insist on my point of order.

The CHAIRMAN (Mr. HERTEL of Michigan). The Chair is prepared to rule.

The Chair must rule that the amendment in effect constitutes or creates a new limitation and therefore can only be offered if the House defeats the motion to rise.

Are there any amendments in order under——

Mr. SMITH of New Jersey. Mr. Chairman, may I be recognized?

Mr. DIXON. Mr. Chairman, may I be recognized?

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. DIXON].

Mr. DIXON. Mr. Chairman, I move——

Mr. SMITH of New Jersey. Mr. Chairman, I was on my feet. I have an amendment.

The CHAIRMAN. The gentleman from California [Mr. DIXON] has been recognized.

Mr. DIXON. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

Mr. SMITH of New Jersey. Mr. Chairman, I am on my feet.

The CHAIRMAN. Does the gentleman offer an amendment at this time?

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey: On page 20 strike out line 9 through line 18 and insert in lieu thereof the following:

"SEC. 118. None of the funds provided in this Act shall be used to perform abortions."

Mr. DIXON. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from California [Mr. DIXON] reserves a point of order on the amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield back the balance of my time and urge adoption of the amendment.

The CHAIRMAN. Does the gentleman from California [Mr. DIXON] insist on his point of order?

Mr. DIXON. Yes, Mr. Chairman, I insist on my point of order.

The CHAIRMAN. The gentleman from California is recognized on his point of order.

POINT OF ORDER

Mr. DIXON. Mr. Chairman, I make the point of order against the amendment that the amendment is a nonlegislative limitation to a general appropriation bill, and under the revised clause 2, rule XXI, such amendments are not in order during the reading of a general bill.

Mr. Chairman, the revised rule states in part, and I have indicated before: "Except as provided in paragraph (d), no amendment shall be in order during consideration of a gener-

al appropriation bill proposing a limitation not specifically contained or authorized in existing law for the period of the limitation."

Once, again, Mr. Chairman, the gentleman's amendment is a limitation and is not specifically contained or authorized in existing law, and therefore is in violation of clause 2(c) of rule XXI.

I ask for the ruling of the Chair.

The CHAIRMAN. The gentleman from New Jersey [Mr. SMITH] is recognized.

Mr. SMITH of New Jersey. Mr. Chairman, I believe this is just a straight, no-limitation amendment and I do hope it is in keeping with previous amendments offered on this floor, including the Hyde amendment, including the amendments of the Federal Employees Health Benefits Program.

When an objection was raised to language in the bill, it had no life-of-the-mother exception unfortunately, which I will seek to put back in; but I urge that the rule will sustain my position.

The CHAIRMAN. (Mr. HERTEL of Michigan). The Chair rules that the motion to rise takes precedence over the amendment.

Mr. DIXON. Mr. Chairman, I move that the committee do now rise and report the bill back to the House, with the recommendation that the bill do pass.

The CHAIRMAN. The question is on the motion offered by the gentleman from California [Mr. DIXON].

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

Mr. SMITH of New Jersey. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provision of clause 2 of rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 271]

Ackerman
Addabbo
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Archer
Armey
Atkins
AuCoin
Badham
Barnard
Barnes
Bartlett
Barton
Bateman
Bates
Bedell
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Bilirakis
Bliley
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Breaux
Brooks
Broomfield
Brown (CA)
Brown (CO)
Broyhill
Bruce
Bryant
Burton (CA)
Burton (IN)
Bustamante
Byron
Callahan
Campbell
Carper
Carr
Chandler
Chappell
Chappie
Cheney
Clay
Clinger
Coats
Cobey
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Conte
Conyers
Cooper
Coughlin
Courter
Coyne
Craig
Crane
Crockett
Daniel
Dannemeyer
Darden
Daschle
Daub
Davis
de la Garza
DeLay
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Eckert (NY)
Edgar
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Evans (IL)
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Franklin
Frenzel
Frost
Fuqua
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gradison
Gray (IL)
Green
Gregg
Grotberg
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hamilton
Hammerschmidt
Hansen
Hartnett
Hatcher
Hawkins
Hayes
Heftel
Hendon
Henry
Hertel
Hiler
Hillis
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jeffords
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kanjorski
Kaptur
Kasich
Kastenmeier
Kennelly
Kildee
Kindness
Kleczka
Kolbe
Kolter
Kostmayer
Kramer
LaFalce
Lagomarsino
Lantos
Latta
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martinez
Matsui
Mavroules
Mazzoli
McCain
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McKernan
McKinney
McMillan
Meyers
Mica
Michel
Mikulski
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mitchell
Moakley
Molinari
Mollohan
Monson
Montgomery
Moody
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielson
Nowak
O'Brien
Oakar
Oberstar
Obey
Olin
Ortiz
Owens
Oxley
Packard
Panetta
Parris
Pashayan
Pease
Penny
Pepper
Perkins
Petri
Pickle
Porter
Price
Pursell
Quillen
Rahall
Rangel
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Rudd
Russo
Sabo
Savage
Saxton
Schaefer
Scheuer
Schneider
Schroeder
Schuette
Schulze
Schumer
Seiberling
Sensenbrenner
Sharp
Shaw
Shelby
Shumway
Shuster
Sikorski
Siljander
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NH)
Smith (NJ)
Smith, Denny
Smith, Robert
Snowe
Snyder
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stark
Stenholm
Stokes
Strang
Stratton
Studds
Stump
Sundquist
Swift
Swindall
Synar
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Torres
Towns
Traficant
Traxler
Udall
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Watkins
Waxman
Weaver
Weber
Weiss
Wheat
Whitehurst
Whitley
Whittaker
Whitten
Wilson
Wirth
Wise
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Young (MO)
Zschau

□ 1720

The CHAIRMAN. Four hundred thirteen Members have answered to their names, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from New Jersey [Mr. SMITH] for a recorded vote on the motion to rise.

A recorded vote was ordered.

The vote was taken by electronic device, and there—ayes 172, noes 244, not voting 17 as follows:

[Roll No. 272]

AYES—172

Ackerman
Addabbo
Akaka
Alexander
Anderson
Andrews
Anthony
Atkins
AuCoin
Barnes
Bates
Bedell
Beilenson
Bennett
Berman
Boehlert
Bonker
Bosco
Boucher
Boxer
Brooks
Brown (CA)
Bryant
Burton (CA)
Bustamante
Carper
Carr
Chandler
Clay
Coleman (TX)
Collins
Conyers
Cooper
Coyne
Crockett
Daschle
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Downey
Dwyer
Dymally
Early
Eckart (OH)
Edgar
Edwards (CA)
Erdreich
Evans (IL)
Fascell
Fawell
Fazio
Feighan
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Frenzel
Frost
Gallo
Garcia
Gejdenson
Gekas
Gibbons
Gilman
Glickman
Gonzalez
Green
Guarini
Hatcher
Hawkins
Hayes
Heftel
Horton
Howard
Hoyer
Hughes
Jacobs
Jeffords
Johnson
Jones (NC)
Jones (OK)
Kastenmeier
Kennelly
Kostmayer
Lantos
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lowry (WA)
MacKay
Markey
Martin (IL)
Martinez
Matsui
McCurdy
McHugh
McKernan
McKinney
Meyers
Mikulski
Miller (CA)
Miller (WA)
Mineta
Mitchell
Moody
Morrison (CT)
Morrison (WA)
Mrazek
Neal
Oakar
Obey
Olin
Owens
Panetta
Pease
Pickle
Pursell
Rangel
Richardson
Rodino
Roe
Rose
Roukema
Rowland (GA)

Roybal
Sabo
Savage
Scheuer
Schneider
Schroeder
Schumer
Seiberling
Sharp
Sisisky
Smith (FL)
Smith (IA)
Snowe
Solarz
Spratt
Staggers
Stark
Stokes
Studds
Swift
Synar
Thomas (GA)
Torres
Towns
Traficant
Udall
Visclosky
Walgren
Watkins
Waxman
Weaver
Weiss
Wheat
Whitley
Wilson
Wirth
Wise
Wolpe
Wyden
Yates

NOES—244

Annunzio
Applegate
Archer
Armey
Aspin
Badham
Barnard
Bartlett
Barton
Bateman
Bentley
Bereuter
Bevill
Biaggi
Bilirakis
Bliley
Boggs
Boland
Boner (TN)
Bonior (MI)
Borski
Breaux
Broomfield
Brown (CO)
Broyhill
Bruce
Burton (IN)
Byron
Callahan
Campbell
Chappell
Chappie
Cheney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Combest
Conte
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis
de la Garza
DeLay
DeWine
DioGuardi
Donnelly
Dorgan (ND)
Dornan (CA)
Dowdy
Dreier
Duncan
Durbin
Dyson
Eckert (NY)
Edwards (OK)
Emerson
English
Evans (IA)
Fields
Fish
Flippo
Franklin
Fuqua
Gaydos
Gephardt
Gingrich
Goodling
Gradison
Gray (IL)
Gregg
Grotberg
Gunderson
Hall (OH)
Hall, Ralph
Hamilton
Hansen
Hartnett
Hendon
Henry
Hertel
Hiler
Hillis
Holt
Hopkins
Hubbard
Huckaby
Hunter
Hutto
Hyde
Ireland
Jones (TN)
Kanjorski
Kaptur
Kasich
Kemp
Kildee
Kindness
Kleczka
Kolbe
Kolter
Kramer
LaFalce
Lagomarsino
Latta
Leach (IA)
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lott
Lowery (CA)
Lujan
Luken
Lungren
Mack
Madigan
Manton
Marlenee
Mavroules
Mazzoli
McCain
McCandless
McCloskey
McCollum
McDade
McEwen
McGrath
McMillan
Mica
Michel
Miller (OH)
Moakley
Molinari
Mollohan
Monson
Montgomery
Moore
Moorhead
Murphy
Murtha
Myers
Natcher
Nelson
Nichols
Nielson
Nowak
O'Brien
Oberstar
Ortiz
Oxley
Packard
Parris
Pashayan
Penny
Pepper
Perkins
Petri
Porter
Price
Quillen
Rahall
Ray
Regula
Reid
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roemer
Rogers
Rostenkowski
Roth
Rowland (CT)
Rudd
Russo
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shelby
Shumway
Shuster
Sikorski
Siljander
Skeen
Skelton
Slattery
Slaughter
Smith (NE)
Smith (NH)
Smith (NJ)
Smith, Denny
Smith, Robert
Snyder
Solomon
Spence
St Germain
Stallings
Stangeland
Stenholm
Strang
Stratton
Stump
Sundquist
Swindall
Tallon
Tauke
Taylor
Thomas (CA)
Traxler
Valentine
Vander Jagt
Vento
Volkmer
Vucanovich
Walker
Weber
Whitehurst
Whittaker
Whitten
Wolf
Wortley
Wylie
Yatron
Young (AK)
Young (FL)
Young (MO)
Zschau

NOT VOTING—17

Boulter
Carney
Coelho
Fiedler
Gordon
Gray (PA)
Hammerschmidt
Hefner
Jenkins
Loeffler
Lundine
Martin (NY)
Sweeney
Tauzin
Torricelli
Williams
Wright

□ 1730

Mr. TALLON changed his vote from "aye" to "no."

Mr. MILLER of Washington changed his vote from "no" to "aye."

So the motion was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Pending is an amendment offered by the gentleman from New Jersey [Mr. SMITH].

The Clerk will reread the amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey: On page 20 strike out line 9 through line 18 and insert in lieu thereof the following:

"SEC. 118. None of the funds provided in this act shall be used to perform abortions."

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. DIXON].

PARLIAMENTARY INQUIRY

Mr. DIXON. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DIXON. Mr. Chairman, should not the maker of the amendment be recognized first on his amendment?

The CHAIRMAN. The maker of the amendment yielded back the balance of his time.

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

Mr. Chairman, let me first point out where we are parliamentarywise.

The gentleman from New Jersey offered two amendments to the bill which would restrict the right of the District government to use its own locally generated revenues to pay for abortions. Under the House rules, I offered a motion that the committee rise. The House has obviously defeated that motion and now we are considering the amendment itself.

Let me read to you, first of all, the amendment offered by the gentleman from New Jersey. I want everyone to hear this amendment. We, as a House, faced an identical amendment in September 1980, and defeated the amendment. The gentleman's amendment reads:

None of the funds provided in this act shall be used to perform abortions.

□ 1740

Whose funds are in this act? There are $2.2 billion of District funds. What are District funds? They are funds raised from sales taxes, property taxes, and other taxes and fines and fees raised and collected in the District of Columbia.

Then there are Federal funds. Basically, there are four categories of Federal funds. The largest is the Federal payment which totals $425 million.

Most of you would ask, what is the state of the law at the present time as it relates to abortions in the District of Columbia? The law in the District of Columbia, which has been in effect since 1980, states that "none of the Federal funds"—let me say that again—"none of the Federal funds provided in this act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term"; that is one exception.

The second exception applies to victims of rape or incest when such rape or incest has been reported promptly to a law enforcement agency or the Public Health Service. And there is also an exception for ectopic pregnancies, which are generally known as tubal pregnancies, and one would argue that such pregnancies endanger the life of the mother.

What the gentleman from New Jersey [Mr. SMITH] has offered here is an amendment that under the circumstances could not be offered in any of your cities or any of your States because it would prohibit people from using their own State or local revenues, or whatever revenues would be available to them, for abortions. It is a unique situation that the District of Columbia must come to this House in order to spend its own local revenues, and be told how to spend those revenues.

This amendment would say that "you the people of the District of Columbia, cannot even use your own money, if you so desire, for abortion purposes." This has nothing to do with the religious or moral feelings of people about abortion. This does have something to do with telling District residents that they cannot use the funds they raise from taxes and fees, for abortions of any kind, not if a woman has been raped, not if there is a case of incest, not for an ectopic pregnancy, not even to save the life of a mother. We in this House are saying "under no circumstances can you use any money."

Now, think about that. The gentleman from New Jersey [Mr. SMITH] could not do this in the New Jersey State Legislature. My good colleague, the gentleman from California [Mr. DORNAN], could not do this in the State of California.

As I mentioned a moment ago, this House faced this same issue in 1980, and we had the courage, notwithstanding the political momentum on this issue, to say that this is not an abortion issue; this is an issue dealing with the right of the citizens of the District of Columbia to take their own money—and let me emphasize this is

their own locally raised revenues—and make some judgments on it. We are not the city council. And we are not the mayor. If we could do this across the board, for all cities, all States, and all municipalities, then there might—there just might—be some justification for it.

So we should not feel good going home tonight knowing that we are doing to the District of Columbia something we could not do to any other city, State, or municipality in the country, and that is to disallow the people of the District to use their own tax dollars for an abortion to save the life of a mother, or where some young lady has been raped, or where there is a case of incest, or where the pregnancy does not lie in the womb but lies in the tube.

So no matter how you feel about abortion, have the courage at least to allow the people of the District of Columbia to make the decision for themselves. The Supreme Court has already ruled on abortion. Now let us have the courage and dignity to allow the people here in this District of Columbia to make their own decision as to what they do with their money.

Mr. DORNAN of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I appreciate the case that my good friend from California [Mr. DIXON] has made for home rule, but there is a paramount issue here that transcends any legal niceties over how the District of Columbia spends those Federal dollars that we appropriate for them in this House.

In 1976, when I had won a primary in California, I came back to one of the seminars that both of our parties give to primary victors, and as I was driving to National Airport—and I remember the exact spot where I passed the Washington Monument—I had the news on the radio and I heard the following announcement: That for the first time in the history of this city or any major American city there were more abortions than there were live births. And this has persisted. This death toll has continued for the last 8 years, and I am sure it will be the same this year.

With our Federal dollars appropriated out of this House and with the last vote confirming that most of our Members identify with the prolife position, not the right-to-abortion position, we funded—just with our Federal dollars—4,393 abortions of the over 11,000 that took place; there were barely over 9,000 live births.

Now, when the number of abortions in the Nation's Capital exceeds the number of live births, this does become the business of this House. I was hissed in this Chamber by a very few Members when I merely restated what the leader of one of the world's great religions had said on our Mall on October 7, 1979. The next day we were in session this issue came up. And I merely said that Pope John Paul II had asked people throughout the world to stand up for life.

On June 21 of this year, right here on Capitol Hill in the Hyatt Regency, at the prolife meeting of groups from all around the country, a Nobel Prize winner, Mother Teresa, spoke, and she pleaded very poignantly—and please understand how these words hit some Members—that what we do to the unborn we do to Jesus Christ himself.

Many Members in this House feel this issue so deeply that we feel we are taking unborn, preborn, human life with an immortal soul deigned into existence by God.

Now, I respect those Members who feel, for scientific reasons or their own philosophical reasons—I assume that many of them also believe in God—that there is not life until either quickening or until some moment when a doctor pats the behind of a little child and the lungs first aspirate. I respect that belief. There are some Members that I have trouble respecting their positions, where they slide back and forth—and there are many of them—or they will take a position consistent with what is being said in their districts or they will take a poll to make up their minds. But I respect the position of those of you who feel very strongly about the right of women to control their own bodies, even if there is a separate life with a separate IQ, either higher or lower, even a different racial orientation, which can be possible, different hair, different sex, and different blood.

In Lyons, France, last year, all of the blood was removed from a fetus even before quickening and replaced with different blood. What medical science is doing is precisely what the President told us on the Ellipse on January 22 of this year, that medical science is racing ahead.

I noticed, when our Vice President, whose position is evolving—that is his word—pointed out that over 15 million children, what some of us believe are preborn human beings, have been killed in their mothers' wombs, that this is calling to the attention of this Nation the need to rethink this issue, and we have to do just that.

We debate in the well of this House that moneys are not going to China, the People's Republic of China, Communist China, because of rumors we are hearing—not rumors, but things we see on PBS—about their enforced abortion policy, and that this House should not appropriate money for that, and it passes overwhelmingly, so how, even on a principle such as home rule, can we do less in our own Federal City than we will do with the nation of Communist China?

I think that the Members who disagree with those of us who call ourselves prolife, in all due respect, should maybe in the future—because things are so tense in this House anyway that we have got enough tension to last us for three more Congresses—and today on this issue, try to limit debate.

□ 1750

On this issue we should try to limit debate, because God knows it has been debated to death and in some cases debated to life, that we will try to limit the debate, vote our consciences and try to have respect for one another's positions.

I am just happy that my position seems to be the one that is prevailing. It was not when I arrived in this body.

Mr. MRAZEK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I certainly do not plan to take 5 minutes to discuss this and I certainly do not want to discuss the whole question of when life actually begins. I know there are a lot of deeply held feelings in this Chamber on this subject on both sides of the issue, but I think it is important to recognize in addition to the question of home rule, that there is one fundamental change that we are making in regard to policy, national policy, as it relates to the District of Columbia, and that policy has existed since 1980. In 1980, a determination was made that no Federal funds provided in this act shall be used to perform abortions except where the life of the mother would be in danger if the fetus were carried to term, or except for such medical procedures necessary for the victims of rape or incest when such rape or incest has been reported promptly to a law enforcement agency or public health service.

I think it is important to recognize that this language stipulates that there will be no exceptions, absolutely no exceptions, that the language reads that none of the funds provided in this act shall be used to perform abortions. It is an important difference in language. It is an important change in policy.

For people who might believe, or for people who might not be sure when life begins, who are aware of the fact that medical technology as it advances is making a fetus more viable earlier and earlier during the gestation period, for people who do not necessarily believe that life begins at the moment of conception, I think it is important for those of us who might not believe that life begins at the moment of conception to consider the life of the mother, to consider the life of a mother if it is a young woman in particular who has been raped and who under this language will be forced in the District of Columbia to carry that

baby to term, because there are absolutely no exceptions under the law.

Mr. LUNGREN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not wish to prolong this debate, but the rules are such that they need to be explained. I understand what the gentleman said, but that was not the intent of the author nor is the intent of those who support this to change the substance of the exceptions. It happens to be that under the rules that prevail in this House if we were to put those exceptions in the amendment, we would be met with a point of order.

What we have to do is pass this. True, this is different. The question is whether it extends merely to those funds you can identify as Federal funds or to all funds, those funds that the District of Columbia can get when they do not have to use them for other purposes because we have the Federal funds.

In order to even get this to conference, we have to use this language. That is how we got the language that we presently call the Hyde amendment.

We are caught betwixt and between. If we bring up an amendment, we are criticized because we have changed the exceptions. We have eliminated the exceptions. If we bring the amendment up and it has the exceptions in it, we are subject to a point of order, so we are proceeding in the same manner as we have in the past when we identified the Hyde amendment as language in previous bills where we are required under the rules that we did not present, but the rules that have been adopted.

So the question really is not do you want to eliminate the exceptions. That is not our intention. The question is do you want this particular amendment that would extend the reach in terms of the dollars considered.

I have every expectation what will happen now is what has happened in the past. At conference time the exceptions are put in because the Senate insists on them as they have in the past; but please, some of us who feel very deeply about this issue, and everyone feels deeply about this issue in this Chamber, no matter on what side they might find themselves, some of us feel it is unfair to require us under the rules to present an amendment in a certain form and then be criticized because we are attempting to change the substance of the law, when if we attempt to use the language that the gentleman identified earlier, we would be subject to a point of order and not allowed to discuss it.

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

Mr. LUNGREN. I am happy to yield.

Mr. MRAZEK. Would the gentleman accept a unanimous-consent request to utilize the language that presently exists in section 118?

Mr. LUNGREN. I am not the author, but I will be happy to yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, the gentleman from New York is probably not aware, but when I first offered the amendment several moments ago, it had a life of the mother exception, but it was objected to by the gentleman from California [Mr. DIXON], and that objection was sustained by the Chair.

I would hope if this amendment does prevail, I will offer a unanimous-consent request that the life of the mother exception be reinserted into the bill, so I will do it myself. I did that 2 years ago when the Treasury-Postal bill was up and likewise offered it. It was not objected to and that exception went back into the bill.

Mr. MRAZEK. Mr. Chairman, if the gentleman will yield further, would it be in order to make a unanimous-consent request now to change the language? I am asking if it would be appropriate now for me to make that request.

Mr. SMITH of New Jersey. The life of the mother exception?

Mr. MRAZEK. No; to utilize exactly the same language in section 118 that has existed since 1980.

Mr. SMITH of New Jersey. No; I would not consent to that.

Mr. MRAZEK. Would it be appropriate for me to make that unanimous-consent request?

The CHAIRMAN. The gentleman is talking about the exact language that is in the current act?

Mr. MRAZEK. The language that exists in section 118 which the gentleman from New Jersey [Mr. SMITH] has sought to change by way of this language. I read it a few minutes ago and it simply stipulates that none of the Federal funds provided in this act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term, or except for such medical procedures necessary for the victims of rape or incest when such rape or incest has been reported promptly to a law enforcement agency or public health service.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman from California yield further?

Mr. LUNGREN. I am happy to yield.

Mr. MRAZEK. I have not received a response.

The CHAIRMAN. Does the request also include the last part of that paragraph the gentleman was reading? Is the gentleman talking about the gentleman's earlier amendment that was offered? The Chair is in doubt because there is one more sentence the gentleman did not read.

Mr. MRAZEK. The additional clause is "nor are payments prohibited for drugs or devices to prevent implantation of the fertilize ovum or for medical procedures necessary for termination of an ectopic pregnancy."

The CHAIRMAN. The gentleman is requesting that also as part of the modification, whether that is in order?

Mr. MRAZEK. That is the exact language that exists now in the Federal law, that says no Federal funds shall be used for abortion except with those exceptions.

The CHAIRMAN. Is there objection to that modification?

Mr. VOLKMER. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The time of the gentleman from California [Mr. LUNGREN] has expired.

(By unanimous consent, Mr. LUNGREN was allowed to proceed for one additional minute.)

Mr. LUNGREN. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent to add to the language of the amendment, "except where the life of the mother would be endangered if the fetus were carried to term."

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey [Mr. SMITH]?

Mr. DIXON. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. COUGHLIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, just let there be no mistake about it, based on what the distinguished chairman has said earlier, what we are doing here is dead wrong. No matter how you feel and where you draw the line on the question of abortion, what we are doing here is dead wrong because it affects not only the Federal funds, but the District of Columbia's own funds, their own payment.

Let us be very clear that what the amendment does is it removes the existing restriction that is already in the bill that prohibits the expenditure of Federal funds for abortions except in the case of the life of the mother, rape, incest, or ectopic pregnancy. That is already in the bill.

What this does is remove that and then say that none of the Federal funds or the District's own funds will be used for any kind of abortion, and, my colleagues, that is wrong. That is the wrong way to legislate. It is the wrong way to treat this issue.

We should leave the language in there that we have now that was carried in this bill for time after time, leave that alone. We have a restriction on the use of Federal funds for abortion, and we should not take this further step that further applies to Dis-

trict funds and applies to all kinds of abortions. It is wrong.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SMITH of New Jersey. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electonic device, and there were—ayes 221, noes 199, not voting 13, as follows:

[Roll No. 273]

AYES—221

Annunzio
Applegate
Archer
Armey
Badham
Barnard
Bartlett
Barton
Bentley
Bereuter
Bevill
Biliraki
Bliley
Boggs
Boland
Boner (TN)
Bonior (MI)
Borski
Breaux
Broomfield
Bruce
Burton (IN)
Byron
Callahan
Campbell
Chappie
Cheney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Combest
Conte
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis
de la Garza
DeLay
DeWine
DioGuardi
Donnelly
Dorgan (ND)
Dornan (CA)
Dowdy
Dreier
Duncan
Durbin
Dyson
Early
Eckert (NY)
Edwards (OK)
Emerson
English
Fields
Franklin
Fuqua
Gaydos
Gephardt
Gibbons
Gingrich
Goodling
Gradison
Gray (IL)
Gregg
Gunderson
Hall (OH)
Hall, Ralph
Hammerschmidt
Hansen
Hartnett
Hendon
Henry
Hertel
Hiler
Hillis
Holt
Hopkins
Hubbard
Hunter
Hutto
Hyde
Ireland
Jones (TN)
Kanjorski
Kasich
Kemp
Kildee
Kindness
Kolbe
Kolter
LaFalce
Lagomarsino
Latta
Leach (IA)
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lott
Lowery (CA)
Lujan
Luken
Lungren
Mack
Madigan
Manton
Marlenee
Martin (NY)
Mavroules
Mazzoli
McCain
McCollum
McDade
McEwen
McGrath
McMillan
Michel
Miller (OH)
Moakley
Molinari
Mollohan
Monson
Montgomery
Moore
Moorhead
Murphy
Murtha
Myers
Natcher
Nelson
Nichols
Nielson
Nowak
O'Brien
Oakar
Oberstar
Ortiz
Oxley
Packard
Parris
Pashayan
Penny
Perkins
Petri
Porter
Price
Quillen
Ray
Regula
Reid
Rinaldo
Ritter
Roberts
Robinson
Roe
Rogers
Rostenkowski
Roth
Rowland (CT)
Rudd
Russo
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shelby
Shumway
Shuster
Sikorski
Siljander
Skeen
Skelton
Slaughter
Smith (NE)
Smith (NH)
Smith (NJ)
Smith, Denny
Smith, Robert
Snyder
Solomon
Spence
St Germain
Staggers
Stallings
Stangeland
Stenholm
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Taylor
Thomas (CA)
Traxler
Vander Jagt
Volkmer
Vucanovich
Walker
Weber
Whitten
Wolf
Wortley
Wylie
Yatron
Young (AK)
Young (FL)
Young (MO)

NOES—199

Ackerman
Addabbo
Akaka
Alexander
Anderson
Andrews
Anthony
Aspin
Atkins
AuCoin
Barnes
Bateman
Bates
Bedell
Beilenson
Bennett
Berman
Biaggi
Boehlert
Bonker
Bosco
Boucher
Boxer
Brooks
Brown (CA)
Brown (CO)
Broyhill
Bryant
Burton (CA)
Bustamante
Carper
Carr
Chandler
Chappell
Clay
Coelho
Coleman (TX)
Collins
Conyers
Cooper
Coughlin
Coyne
Crockett
Daschle
Dellums
Derrick
Dicks
Dingell
Dixon
Downey
Dwyer
Dymally
Eckart (OH)
Edgar
Edwards (CA)
Erdreich
Evans (IA)
Evans (IL)
Fascell
Fawell
Fazio
Feighan
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Frenzel
Frost
Gallo
Garcia
Gejdenson
Gekas
Gilman
Glickman
Gonzalez
Gray (PA)
Green
Grotberg
Guarini
Hamilton
Hatcher
Hawkins
Hayes
Heftel
Horton
Howard
Hoyer
Huckaby
Hughes
Jacobs
Jeffords
Johnson
Jones (NC)
Jones (OK)
Kaptur
Kastenmeier
Kennelly
Kleczka
Kostmayer
Kramer
Lantos
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lowry (WA)
MacKay
Markey
Martin (IL)
Martinez
Matsui
McCandless
McCloskey
McCurdy
McHugh
McKernan
McKinney
Meyers
Mica
Mikulski
Miller (CA)
Miller (WA)
Mineta
Mitchell
Moody
Morrison (CT)
Morrison (WA)
Mrazek
Neal
Obey
Olin
Owens
Panetta
Pease
Pepper
Pickle
Pursell
Rahall
Rangel
Richardson
Ridge
Rodino
Roemer
Rose
Roukema
Rowland (GA)
Roybal
Sabo
Savage
Scheuer
Schneider
Schroeder
Schumer
Seiberling
Sharp
Sisisky
Slattery
Smith (FL)
Smith (IA)
Snowe
Solarz
Spratt
Stark
Stokes
Strang
Studds
Swift
Synar
Thomas (GA)
Torres
Towns
Traficant
Udall
Valentine
Vento
Visclosky
Walgren
Watkins
Waxman
Weaver
Weiss
Wheat
Whitehurst
Whitley
Whittaker
Williams
Wilson
Wirth
Wise
Wolpe
Wyden
Yates
Zschau

NOT VOTING—13

Boulter
Carney
Dickinson
Fiedler
Gordon
Hefner
Jenkins
Loeffler
Lundine
Stratton
Tauzin
Torricelli
Wright

□ 1810

The Clerk announced the following pair:

On this vote:

Mr. Carney for, with Mr. Torricelli against.

Messrs. HENDON, MOORE, and KOLBE changed their votes from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there any further amendments?

Mr. DIXON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose and the Speaker pro tempore [Mr. MURTHA], having assumed the chair, Mr. HERTEL of Michigan, 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. 3067), making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for fiscal year ending September 30, 1986, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was 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.

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. FRENZEL. 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 242, nays 173, not voting 18, as follows:

[Roll No. 274]

YEAS—242

Addabbo
Akaka
Alexander
Andrews
Annunzio
Applegate
Aspin
Atkins
Barnes
Bateman
Bedell
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Bliley
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Boucher
Breaux
Brooks
Brown (CA)
Bruce
Bryant
Burton (CA)
Bustamante
Byron
Carper
Carr
Chandler
Chappell
Clay
Coelho
Collins
Conte
Cooper
Coughlin
Coyne
Crockett
Daniel
Darden
Daschle
Davis
de la Garza
Derrick
DeWine
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Dyson
Early
Eckert (NY)
Edgar
Erdreich
Evans (IL)
Fascell
Fawell
Fazio
Fish
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Frost
Fuqua
Garcia
Gephardt

Gibbons
Gonzalez
Goodling
Gradison
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes
Henry
Hillis
Holt
Horton
Howard
Hoyer
Hutto
Hyde
Jacobs
Johnson
Jones (NC)
Jones (TN)
Kaptur
Kastenmeier
Kildee
Kleczka
Kolbe
Kostmayer
LaFalce
Lantos
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lipinski
Livingston
Long
Lowery (CA)
Lowry (WA)
MacKay
Manton
Markey
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McDade
McGrath
McHugh
McKinney
Meyers
Michel
Mikulski
Miller (WA)
Mitchell
Moakley
Molinari
Mollohan
Moore
Murtha
Myers
Natcher
Neal
Nelson
Nielson
Nowak
O'Brien
Oakar
Oberstar
Obey
Olin
Ortiz
Owens
Packard
Parris
Pashayan
Pease
Pepper
Perkins
Pickle
Porter
Price
Pursell
Rahall
Rangel
Regula
Reid
Richardson
Ridge
Rinaldo
Robinson
Rodino
Roe
Rogers
Rose
Rostenkowski
Roukema
Rowland (GA)
Russo
Sabo
Savage
Schneider
Schumer
Seiberling
Sharp
Sikorski
Sisisky
Skelton
Slaughter
Smith (IA)
Smith (NJ)
Smith, Robert
Solarz
Spratt
Staggers
Stallings
Stokes
Studds
Sundquist
Swift
Synar
Tallon
Tauzin
Thomas (CA)
Thomas (GA)
Torres
Towns
Traxler
Udall
Valentine
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Waxman
Wheat
Whitehurst
Whitley
Whitten
Wilson
Wise
Wolf
Wolpe
Wortley
Wright
Yates
Yatron
Young (AK)
Young (MO)

NAYS—173

Ackerman
Anderson
Anthony
Archer
Armey
AuCoin
Badham
Barnard
Bartlett
Barton
Bates
Beilenson
Bilirakis
Bosco
Boxer
Broomfield
Brown (CO)
Broyhill
Burton (IN)
Callahan
Campbell
Chappie
Cheney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Coleman (TX)
Combest
Conyers
Courter
Craig
Crane
Dannemeyer
Daub
DeLay
Dellums
Dicks
Dornan (CA)
Dreier
Duncan
Eckart (OH)
Edwards (CA)
Edwards (OK)
Emerson
English
Evans (IA)
Fields
Franklin
Frenzel
Gallo
Gaydos
Gejdenson
Gekas
Gilman
Gingrich
Glickman
Gregg
Grotberg
Gunderson
Hall, Ralph
Hammerschmidt
Hansen
Hartnett
Heftel
Hendon
Hertel
Hiler
Hopkins
Hubbard
Huckaby
Hughes
Hunter
Ireland
Jeffords
Jones (OK)
Kanjorski
Kasich
Kennelly
Kindness
Kolter
Kramer
Lagomarsino
Latta
Leach (IA)
Leath (TX)
Lewis (FL)
Lightfoot
Lloyd
Lott
Lujan
Lungren
Mack
Madigan
Marlenee
Martin (IL)
McCain
McCandless
McCollum
McCurdy
McEwen
McKernan
McMillan
Mica
Miller (CA)
Miller (OH)
Mineta
Monson
Montgomery
Moody
Moorhead
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Nichols
Oxley
Panetta
Penny
Petri
Quillen
Ray
Ritter
Roberts
Roemer
Roth
Rowland (CT)
Roybal
Rudd
Saxton
Schaefer
Scheuer
Schroeder
Schuette
Schulze
Sensenbrenner
Shaw
Shelby
Shumway
Shuster
Siljander
Skeen
Slattery
Smith (NE)
Smith (NH)
Smith, Denny
Snowe
Snyder
Solomon
Spence
Stark
Stenholm
Strang
Stump
Sweeney
Swindall
Tauke
Taylor
Traficant
Vander Jagt
Walker
Watkins
Weaver
Weber
Weiss
Whittaker
Williams
Wirth
Wyden
Wylie
Young (FL)
Zschau

NOT VOTING—18

Boulter
Carney
Dickinson
Feighan
Fiedler
Flippo
Gordon
Hefner
Jenkins
Kemp
Loeffler
Luken
Lundine
Smith (FL)
St Germain
Stangeland
Stratton
Torricelli

□ 1810

Mr. COYNE and Mr. BRYANT changed their votes 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.

GENERAL LEAVE

Mr. DIXON. 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 extraneous matter, on the bill just passed.

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

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON PUBLIC BUILDINGS AND GROUNDS OF COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO SIT ON THURSDAY, AUGUST 1, 1985, DURING 5-MINUTE RULE

Mr. YOUNG of Missouri. Mr. Speaker, I ask unanimous consent that the Subcommittee on Public Buildings and Grounds of the Committee on Public Works and Transportation be permitted to sit while the House is under the 5-minute rule on Thursday, August 1, 1985.

This has been cleared with the minority, Mr. Speaker.

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

There was no objection.

PERSONAL EXPLANATION

Mr. ST GERMAIN. Mr. Speaker, concerning the vote just taken, there were a group of us on the elevator—there is something wrong with the elevator or the clocks, or something—and we were here very, very briefly after the gavel banged. I hope that in the future maybe the gavel will go down a little slower so we will not miss votes when we are indeed working in our offices with our staffs.

The SPEAKER pro tempore. The Chair apologizes to the gentleman and will try to accommodate the Members.

Mr. ST GERMAIN. I thank the Chair.

COASTAL ZONE MANAGEMENT REAUTHORIZATION ACT OF 1985

The SPEAKER pro tempore. Pursuant to House Resolution 214 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2121.

□ 1828

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2121) to provide for the reauthorization of the Coastal Zone Management Act of 1972, and for other purposes, with Mr. BONER of Tennessee in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from North Carolina [Mr. JONES] will be recognized for 30 minutes and the gentleman from California [Mr. SHUMWAY] will be recognized for 30 minutes.

The Chair recognizes the gentleman from North Carolina [Mr. JONES].

Mr. JONES of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to urge my colleagues to support H.R. 2121, a bill to reauthorize the Coastal Zone Management Act of 1972—the "CZMA." The Committee on Merchant Marine and Fisheries has considered this legislation during 2 days of intensive hearings conducted by the Subcommittee on Oceanography, chaired by our distinguished colleague, Ms. MIKULSKI. We are convinced by the testimony, as well as our 13-year oversight of the CZMA, that important national interests are being well served by this program.

Twenty-three States and five territories have developed impressive CZM programs with the encouragement of Congress and the help of some Federal funding. These States have voluntarily assumed the primary responsibility for managing their shorelines. The program's voluntary nature demonstrates respect for the tradition in the United States of local and State responsibility for land use planning. Rather than

overriding local and State authority for this important task, Congress has encouraged coastal States to utilize their full authority. Furthermore, through the CZMA, Congress has provided a constant reminder to coastal States of their vital role in promoting common interests shared by all States, whether coastal or landlocked.

Because the CZMA has been so successful and because pressures on the coast are constantly increasing, the committee recognizes the need to enhance the total level of support for this program. However, we are not recommending increased Federal support; rather, increases would come from greater coastal State matching contributions. Beginning in fiscal year 1989 and beyond, there would be a 50/50, rather than 80/20, Federal/State partnership.

By reducing the share of Federal involvement in CZM, we do not want to give the misimpression that this program is not serving national interests. On the contrary, our Nation will always need to play an active role in overseeing the wise management of our coastal areas because important national concerns are being served. The increasing State share reflects the fact that State programs are beginning to mature. Further implementation should be accomplished on the basis of an equal partnership.

H.R. 2121 does more than equalize the Federal/State partnership in Coastal Zone Management. Other important provisions are contained in the bill. It requires States to promptly submit for Federal review and approval any program changes they may have. Furthermore, it allows the Secretary of Commerce to reduce funding for programs which are not making satisfactory progress in identifying and protecting coastal resources of national significance. Also, some dormant provisions of the act are repealed. And, the National Estuarine Sanctuary Program is strengthened to reflect an emphasis on research, so that our knowledge and awareness of estuaries will be improved, and we can better provide for their continued health.

Finally, Mr. Chairman, H.R. 2121 is a carefully balanced bill which enjoys bipartisan support. In this regard, I would like to acknowledge the thoughtful contributions of Congressmen NORM LENT, our full committee ranking member, and NORM SHUMWAY, ranking member on the Oceanography Subcommittee, as well as my colleague, subcommittee Chairwoman BARBARA MIKULSKI. With their assistance, you have before you a bill which continues the important work of managing our Nation's coastal zone and reduces the need for additional spending over the next several years.

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

□ 1840

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

Mr. Chairman, I rise in support of H.R. 2121, legislation to reauthorize the Coastal Zone Management Act, which Chairman JONES has ably described.

The Merchant Marine and Fisheries Subcommittee on Oceanography held 2 days of hearings on this program with a diversified list of witnesses testifying on its many aspects; virtually all of the testimony supported reauthorization of the program and documented the CZMA's many successes. However, Mr. Chairman, the hearings also indicated that the Coastal Zone Management Program is presently in a transition period where, since 28 of 35 U.S. coastal States or territories have approved CZM programs, the Federal role no longer needs to financially entice coastal States into the program to accomplish the national objectives of the act. As a result, I am pleased to say that the bill before us today was amended in committee to phase down the Federal share of State management grants, over a period of 4 years, from the current 80 percent Federal/20 percent State ratio to a more realistic and appropriate 50/50 ratio. Correspondingly, coastal States will have to phase up their grant match required to receive their Federal funding.

This change in the CZMA funding formula simultaneously accomplishes two imortant objectives. First, it properly decreases the Federal role in the overall program; and, secondly, it allows the overall program to grow by requiring States, according to a gradual and rasonable timetable, to increase their own financial commitment to wisely manage their respective coastal areas.

I am also pleased to be able to support an amendment which our distinguished chairman, Mr. JONES from North Carolina, will be offering to essentially freeze the authorization levels in H.R. 2121 at the fiscal year 1985 appropriation levels. Our committee, during its consideration prior to reporting H.R. 2121, recognized the need for fiscal restraint and adopted an amendment to save $99 million over the next 6 years, as compared with current authorization levels. The Jones amendment, however, will achieve $193 million savings over the next 5 years. Mr. Chairman, given our Federal deficit, this is a most responsible amendment and is consistent with the recognition that the Federal role in coastal management can be reduced at this point in the program's development so that the States can more appropriately increase their contributions.

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

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

Mr. Chairman, I rise to support, wholeheartedly, H.R. 2121, the Coastal Zone Management Reauthorization Act of 1985. I believe that the State Coastal Zone Management plans developed under the Coastal Zone Management Act of 1972, and the National Estuarine Sanctuary Program established under the Coastal Zone Management Act, are notable achievements. They are excellent examples of State/Federal partnership and cooperation. The federally approved Coastal Zone Management plans balance local, regional, and national needs for the wise use, protection, and development of our Nation's coastal areas.

One of the witnesses who appeared before the Oceanography Subcommittee in support of this reauthorization was New York's secretary of state, Gail Shaffer. Her excellent testimony documented the successful implementation of New York State's Coastal Zone Management Program from the time Federal approval was received in September 1982. I believe that New York's Coastal Zone Management plan is a success, and I believe that similar successes are found in the great majority of the States which have implemented Coastal Zone Management programs.

Some of my colleagues may be concerned because this reauthorization does not reduce Federal support for the Coastal Zone Management Program as far as the administration might wish. However, H.R. 2121 as reported makes substantial reductions in the authorized level of funding for the Coastal Zone Management Act, especially for sections 306 and 306A of the act. A committee amendment which will be offered on the floor today reduces those authorizations even further. Also, H.R. 2121 contains a provision which will reduce the Federal percentage of grants under sections 306 and 306A from the current 80 percent Federal/20 percent State ratio to a 50-50 Federal/State ratio, which would be achieved for fiscal year 1989 and thereafter.

Therefore, I believe that the Merchant Marine and Fisheries Committee has taken a fiscally responsible approach toward this reauthorization. This bill provides a reasonable reassessment of the appropriate levels of Federal and State financial participation in the Coastal Zone Management Act Grant Program. I want to compliment the chairman of the Merchant Marine and Fisheries Committee, the distinguished gentleman from North Carolina [Mr. JONES], the chairwoman of the Oceanography Subcommittee, the gentlelady from Maryland [Ms. MIKULSKI] and the ranking Republican member of the subcommittee, the gentleman from California [Mr. SHUM-

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WAY] for their leadership in producing a bill which preserves the essential features of this program yet also recognizes the need to cut Federal spending.

I urge all my colleagues, on both sides of the aisle, to support reauthorization of the Coastal Zone Management Act and vote in favor of H.R. 2121.

Mr. JONES of North Carolina. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Maryland [Ms. MIKULSKI].

Ms. MIKULSKI. I thank the gentleman for yielding to me.

Mr. Chairman, I rise to urge my colleagues to support H.R. 2121, a bill to reauthorize the Coastal Zone Management Act of 1972.

My colleagues and I on the Oceanography Subcommittee held 2 days of hearings on the Coastal Zone Management Program. We heard witnesses from the administration, the Coastal States, environmental organizations, and industry. We also heard from residents of coastal communities. These witnesses told us that State Coastal Zone Mangement programs are effective and are meeting the national goals of the Coastal Zone Management Act.

This Nation's vast coastal waters, lands, and resources are better managed and protected today because of the work done by the 28 State and territory coastal zone management programs approved by the Federal Government under the Coastal Zone Management Act.

These programs cover more than 90 percent of our shoreline, or 95,000 miles of our beaches, bays, estuaries, and harbors. More than 50 percent of our people live and work in these coastal areas, and this figure will grow to nearly 80 percent by the year 2000. Their health and livelihood depend on how well we manage and develop our coastal resources. I believe that the Coastal Zone Management Act has been an effective tool in achieving these goals.

The Coastal Zone Management Act is often described as an environmental law, and this is correct. But I would like to stress that the Coastal Zone Management Act has other national goals. Among other goals, the Coastal Zone Management Act seeks to streamline the State, local, and Federal permitting process and to foster balanced economic growth in coastal areas.

The Subcommittee on Oceanography has documented the achievements of State coastal programs. Coastal States have consolidated and simplified State and local permitting procedures and significantly reduced the permit review time. This has saved money for businesses and developers by creating a more efficient regulatory process.

Coastal States also have used Federal funds to help revitalize urban waterfronts, to retain fishing facilities, and to restore recreational areas.

They have used coastal zone management planning funds to produce environmentally sensitive development plans resulting in substantial private investment in coastal areas. This is balanced economic growth, and it is possible because of the Coastal Zone Management Act and the work of local and State coastal management programs.

Mr. Chairman, H.R. 2121 also amends the National Estuarine Reserve Program to clarify and strengthens its estuarine research functions, and to provide for a system of estuarine reserves that will be fully representative of the range and diversity of the estuarine areas of this Nation.

Finally, I want to emphasize that H.R. 2121 and the National Coastal Zone Management Program enjoys strong bipartisan support. I want particularly to thank Congressman NORM SHUMWAY, the ranking member on the Oceanography Subcommittee, for his many contributions to this bill. On my side of the aisle I would like to thank Congressmen STUDDS and TAUZIN for their important role in resolving the conflict.

Mr. Chairman, the Committee on Merchant Marine and Fisheries unanimously reported H.R. 2121 to this House, and I strongly recommend my colleagues to give their support to this vital and successful program of coastal zone management.

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Mr. JONES of North Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from Delaware [Mr. CARPER].

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

Mr. Chairman, I rise today as a strong supporter of the Coastal Zone Management Act, and I support this legislation to continue the Federal Coastal Zone Program.

I represent a State that has long recognized the value of its coastal resources. Indeed, the State of Delaware passed its coastal zone law in 1971, a year before the passage of the Federal Coastal Zone Management Act whose reauthorization we are considering today. Delawareans are proud of their act which is, arguably, the most protective coastal zone law of any State in the country.

Part of the strength of the Delaware Coastal Zone Program is its close working relationship with the Federal Coastal Zone Management Program. This legislation will allow that cooperative effort to continue by providing financial and technical assistance for the continuing management of coastal development.

I commend the chairman of the committee, Mr. JONES, and the chairwoman of the Oceanography Subcommittee, Ms. MIKULSKI, and the ranking members for bringing to the floor a responsible bill which will bring the Federal/State funding ratio down from the current 80-20 to 50-50. I also understand the Merchant Marine and Fisheries Committee chairman will be offering an amendment to reduce the authorization levels for fiscal year 1986 to this year's appropriation levels. I feel these actions are a reasonable compromise between the unquestioned need for this program and budget pressures which cannot be ignored.

In 1972, the Congress of the United States stated, through the Coastal Zone Management Act, its intent to protect our invaluable coastal zone. It is time for us to reaffirm that commitment. I urge my colleagues to support this bill.

Mr. JONES of North Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. STUDDS].

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

Mr. Chairman, I rise in strong support of H.R. 2121, legislation to reauthorize Federal support for State coastal zone management programs through the end of 1991. I believe coastal zone management has worked well; it has served the interests of our Nation in the balanced and prudent use of our limited coastal resources; and it has established a useful and durable partnership between the Federal Government and State governments on issues affecting the coasts.

Five years ago, I authored the Coastal Zone Management Act Amendments of 1980. As chairman of the House Subcommittee on Oceanography at the time, I conducted a comprehensive series of hearings throughout the country on coastal zone management. Those hearings established a record that demonstrated clearly the value that this program has had for the country, as well as the difficulty of planning for the balanced use of coastal resources in the face of ever-increasing economc, environmental, and recreational pressures. The events of the past 5 years have not altered the fundamental importance of this program to the well-being of our coastal areas, nor have they diminished the value of the Federal-State cooperative mechanisms that are part of the law.

Although continuing a program of proven value to our country, the legislation before us today does reflect the changing times. The bill calls for a smaller, more focused coastal zone management law with State government responsible for an increasingly large share of the financial cost of the program. The bill will guarantee the

continuation of coastal zone management, emphasizing those parts of the program, such as estuarine sanctuaries and basic management grants, that have proven to be of greatest value in recent years.

During the hearings before the Oceanography Subcommittee this spring, we heard virtually unanimous support for the continuation of this program from representatives of the States and from coastal and environmental groups. But I was especially pleased by the testimony of Mr. Edwin Sidman, president of the Beacon companies, a Boston real estate development firm that is currently involved in Rowes Wharf, a massive multiuse development project on the last piece of undeveloped downtown waterfront in Boston. This developer praised the CZM Program for "Establishing a policymaking forum that facilitates consistency in the application of Federal and State policies as to the development, use, and conservation of our precious coastal zone areas." The only dissenting voice at our hearings came, unfortunately, from the administration. The only reason given for opposition was that the program was working so well that it should be financed entirely by the States. Only in this administration could a program's success be used as the justification for its termination.

Although I have no hesitation in supporting H.R. 2121, I do note with disappointment our failure in this bill to address satisfactorily the Supreme Court discision of January 1984 regarding the question of OCS lease sales and consistency with the CZM Program.

The Court decision to the contrary, the fact is that OCS lease sales do "directly affect" the coastal zone. For this reason, they should be subject to the consistency requirements of section 307(c) of this act. I continue to believe that Congress has a responsibility to deal with this issue, but I am willing to concede that this is not the ideal time, nor the ideal legislation, in which to confront this question.

Coastal zone management embodies a partnership between the Federal Government and State governments that has worked well. It is a model of that most conservative of doctrines—federalism, for it reflects interests responsive not simply to the narrow concerns of the Federal Government or particular State governments. On the contrary, coastal zone management has furthered the truly broad and national interest in policies that strike a balance between economic development and environmental protection in the coastal zone. Support for this legislation is not a partisan issue; it is not a regional issue; it is a question of common sense and support for a program that has worked in the past, that is working today, and that has much more to contribute to the economy and ecology of our country in the years ahead.

I want to congratulate the distinguished chairwoman of the Oceanography Subcommittee, Ms. MIKULSKI, for her leadership in this issue, and I urge approval of the bill.

Mr. JONES of North Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. PANETTA].

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

Mr. Chairman, as many know, I had intended to offer an amendment on the issue of Federal consistency. I feel very strongly about this issue in terms of the State and communities ability to be heard on issues that impact on the coast.

In January 1984, the Supreme Court found that because OCS oil and gas lease sales occur outside the coastal zone, it cannot directly affect the coastal zone and, therefore, are not subject to the consistency provision of the CZMA. I think that is contrary to the basic intent of Congress in the provisions that were contained in CZMA initially.

The amendment I would have offered would have asserted congressional intent that Federal activities on OCS, including lease sales, should be subject to the consistency provision. My goal is to return to the States the authority they had before the Supreme Court and to give them a say in the major activities which affect their coastlines.

This amendment, it seems to me, would have represented a return to cooperative federalism, which is the basis for CZMA. I understand the concerns about reauthorization and it is my view that having a bill, a reauthorization of CZMA, is much more important, obviously, than having no bill at all, and I do not want to jeopardize the opportunity for this legislation to be adopted.

For that reason, I do not intend to offer such an amendment, but I want it conditioned on a commitment from the committee to address the consistency issue. I would expect the committee, the subcommittee, to hold hearings when and if decisions of the courts or actions of the administration occur which would erode the intent of Congress on this issue of consistency.

Ms. MIKULSKI. Mr. Chairman, will the gentleman yield?

Mr. PANETTA. I yield to the gentlewoman from Maryland for a response on that.

Ms. MIKULSKI. I thank the gentleman for yielding.

Mr. Chairman, I rise to give the gentleman those assurances. I want to thank him for his remarks and his cooperation in reauthorizing the CZMA. My colleague and I are interested in the issues raised by my friend, the gentleman from California, and the Subcommittee on Oceanography will continue to study them and to take whatever action is necessary and appropriate to improve the consistency review procedures.

If there is any serious threat that these procedures will be weakened, I can assure my colleague that the Subcommittee on Oceanography will hold such oversight hearings. I thank the gentleman for his cooperation, gallantry, and common sense.

Mr. PANETTA. I thank the gentlewoman for her comments, and also for her leadership on this issue as she brings it to the floor. I look forward to working with her and working with the minority side on ensuring that the State's voices and the communities' voices are heard on an issue that can surely impact on the people in those areas.

Mr. JONES of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from New york [Mr. MANTON].

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

Mr. Chairman, rise to give my full support to H.R. 2121, the reauthorization of the Coastal Zone Management Act of 1985. I wholeheartedly commend the chairwoman and the members of the Subcommittee on Oceanography, and the chairman and the members of the Committee on Merchant Marine and Fisheries for presenting the House with a compromise which strikes a fair balance between oil and gas development on the Outer Continental Shelf and the rational use of our coastal resources for tourists, recreation and commercial fishing.

Since 1972, when the Coastal Zone Management Act was first enacted, Congress has recognized the important national interests which are achieved by effective coastal zone management. With this legislature foresight our country has benefited from the resurgence of an economic and environmental vitality in our Nation's coastal areas. The extraordinary success in applying Federal coastal zone management funds to economic development projects, in managing the Nation's coastal resources, and streamlining administrative decisionmaking, may all be attributed to the reauthorization of this law and continued Federal involvement with program oversight and funding.

I am particularly pleased to support a new measure in the Coastal Zone Management Act which provides for the national estuarine sanctuary research system. We now have designated 15 national estuarine sanctuaries, therefore, it is most appropriate to specifically identify nationally significant estuaries which are threatened by pollution, development, overuse or depletion of their natural resources.

Through their designation as national estuarine research sanctuaries, they will be utilized for the orderly intergovernmental planning processes provided for within the act.

Although my colleagues on the committee would prefer greater funding levels than are provided for in the current reauthorization all of us on the committee are aware of the need to respect budget constraints and the limitations set by this body on all authorizations. Despite the reduced authorization in this bill this legislation is still an important step in providing States with a strong incentive to serve local and national interests by developing and implementing coastal programs.

Again, I commend the gentlewoman from Maryland and the gentleman from North Carolina for their excellent work and urge passage of H.R. 2121.

Mr. LOWRY of Washington. Mr. Chairman, I rise in strong support of H.R. 2121, a bill to provide for the authorization of the Coastal Zone Management Act of 1972.

I would first like to thank my colleagues on the Oceanography Subcommittee, Chairwoman MIKULSKI and ranking minority member, Mr. SHUMWAY, for their leadership in bringing this bill to the floor today. Both have done an outstanding job in developing a bill to reauthorize this vital coastal program.

H.R. 2121 provides for the continued distribution of Federal financial assistance to the coastal States for the development and implementation of State coastal zone management programs. The proportion of Federal funding will gradually be phased down from the current 80 percent to 50 percent in 1989. This Federal financial assistance has been extremely beneficial to the State of Washington in the past, and is essential to the continued vitality of the coastal programs in many coastal States.

In 1976, Washington became the first State to gain Federal approval for its Coastal Zone Management Program. Since then, numerous projects have been initiated with CZM funds to improve the Washington coastline. For example, Tacoma, WA, applied a $25,000 CZM grant to upgrade its Ruston Way waterfront. This seed money attracted $10 million in private investment and another $9 million in State and local funds for park acquisition and development.

H.R. 2121 also amends section 315 of the CZMA by renaming the existing estuarine sanctuaries as national estuarine reserves and providing further guidance to NOAA and the coastal States regarding the research purposes of the estuarine reserves.

Mr. Chairman, the Coastal Zone Management Act has been extremely important to the people of the coastal States and the Nation in providing for the preservation, protection, development, restoration, and enhancement of the resources of the coastal zone. I strongly support H.R. 2121, and urge its passage today.

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

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

The CHAIRMAN. Pursuant to the rule, the committee amendment in the nature of a substitute now reported in the committee bill shall be considered as an original bill for the purpose of amendment, and each section shall be considered as having been read.

The Clerk will designate section 1.

The text of section 1 is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Coastal Zone Management Reauthorization Act of 1985".

Mr. JONES of North Carolina. Mr. Chairman, I ask unanimous consent that the remainder of the committee amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

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

There was no objection.

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

REFERENCE

SEC. 2. Whenever in this Act an amendment or repeal is expressed in terms of an amendment, or repeal, of a section, subsection, paragraph, or other provision, the reference is to be considered to be made to a section, subsection, paragraph, or other provision of the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) unless otherwise specified.

REDUCTION OF ADMINISTRATIVE GRANTS

SEC. 3. (a) Section 312(c) (16 U.S.C. 1458(c)) is amended by striking "if the Secretary determines" and all that follows thereafter and inserting in lieu thereof the following: "if the Secretary determines that the coastal state—

"(1) is failing to make significant improvement in achieving the coastal management objectives specified in section 303(2) (A) through (I); or

"(2) is failing to make satisfactory progress in providing in its management program for the matters referred to in section 306(i) (A) and (B).".

(b)(1) Subsection (a) of section 306 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1455) is amended by striking, "The Secretary may" and all that follows through "if the Secretary—" and substituting in lieu thereof the following: "The Secretary may make grants to any coastal state for the purpose of administering that state's management program, if the state provides for the applicable fiscal year: 20 per centum of the grant for fiscal year 1986; 30 per centum of the grant for fiscal year 1987; 40 per centum of the grant for fiscal year 1988; and 50 per centum of the grant for each fiscal year thereafter. The Secretary may make the grant only if the Secretary—".

(2) Section 306A is amended by striking section (d)(1) and substituting in lieu thereof the following:

"(d)(1) The Secretary may make grants to any coastal state for the purpose of carrying out the project or purpose for which such grants are awarded, if the state provides for the applicable fiscal year: 20 per centum of the grant for fiscal year 1986; 30 per centum of the grant for fiscal year 1987; 40 per centum of the grant for fiscal year 1988; and 50 per centum of the grant for each fiscal year thereafter.".

(c) Section 306(g) (16 U.S.C. 1455) is amended by deleting the second sentence, and inserting in lieu thereof the following: "The state shall promptly notify the Secretary of any amendment or modification and submit it for Secretarial approval. The Secretary may suspend all or part of any grant made under this section pending state submission of the amendment or modification.".

NATIONAL ESTUARINE RESERVE RESEARCH SYSTEM

SEC. 4. Section 315 (16 U.S.C. 1461) is amended to read as follows:

"NATIONAL ESTUARINE RESERVE RESEARCH SYSTEM

"(a) ESTABLISHMENT OF THE SYSTEM.—There is established the National Estuarine Reserve Research System (hereinafter referred to in this section as the 'System') that consists of—

"(1) each estuarine sanctuary designated under this section as in effect before October 1, 1985; and

"(2) each estuarine area designated as a national estuarine reserve under subsection (b).

Each estuarine sanctuary referred to in paragraph (1) is hereby designated as a national estuarine reserve.

"(b) DESIGNATION OF NATIONAL ESTUARINE RESERVES.—After September 30, 1985, the Secretary may designate an estuarine area as a national estuarine reserve if—

"(1) the Governor of the coastal state in which the area is located nominates the area for that designation; and

"(2) the Secretary finds that—

"(A) the area is a representative estuarine ecosystem that is suitable for long-term research and contributes to the biogeographical and typological balance of the System;

"(B) the law of the coastal state provides long-term protection for reserve resources to ensure a stable environment for research;

"(C) designation of the area as a reserve will serve to enhance public awareness and understanding of estuarine areas, and provide suitable opportunities for public education and interpretation; and

"(D) the coastal state in which the area is located has complied with the requirements of any regulations issued by the Secretary to implement this section.

"(c) ESTUARINE RESEARCH GUIDELINES.—The Secretary shall develop guidelines for the conduct of research within the System that shall include—

"(1) a mechanism for identifying, and establishing priorities among, the coastal management issues that should be addressed through coordinated research within the System;

"(2) the establishment of common research principles and objectives to guide the development of research programs within the System;

"(3) the identification of uniform research methodologies which will ensure comparability of data, the broadest application of research results, and the maximum use of the System for research purposes;

"(4) the establishment of performance standards upon which the effectiveness of the research efforts and the value of reserves within the System in addressing the coastal management issues identified in subsection (1) may be measured; and

"(5) the consideration of additional sources of funds for estuarine research than the funds authorized under this Act, and strategies for encouraging the use of such funds within the System, with particular emphasis on mechanisms established under subsection (d).

In developing the guidelines under this section, the Secretary shall consult with prominent members of the estuarine research community.

"(d) PROMOTION AND COORDINATION OF ESTUARINE RESEARCH.—The Secretary shall take such action as is necessary to promote and coordinate the use of the System for research purposes including—

"(1) requiring that the National Oceanic and Atmospheric Administration, in conducting or supporting estuarine research, give priority consideration to research that uses the System; and

"(2) consulting with other Federal and state agencies to promote use of one or more reserves within the system by such agencies when conducting estuarine research.

"(e) FINANCIAL ASSISTANCE.—(1) The Secretary may, in accordance with such rules and regulations as the Secretary shall promulgate, make grants—

"(A) to a coastal state—

"(i) for purposes of acquiring such lands and waters, and any property interests therein, as are necessary to ensure the appropriate long-term management of an area as a national estuarine reserve,

"(ii) for purposes of operating or managing a national estuarine reserve and constructing appropriate reserve facilities, or

"(iii) for purposes of conducting educational or interpretive activities; and

"(B) to any coastal state or public or private person for purposes of supporting research and monitoring within a national estuarine reserve that are consistent with the research guidelines developed under subsection (c).

"(2) Financial assistance provided under paragraph (1) shall be subject to such terms and conditions as the Secretary considers necessary or appropriate to protect the interests of the United States, including requiring coastal states to execute suitable title documents setting forth the property interest or interests of the United States in any lands and waters acquired in whole or part with such financial assistance.

"(3)(A) The amount of the financial assistance provided under paragraph (1)(A)(i) of subsection (e) with respect to the acquisition of lands and waters, or interests therein, for any one national estuarine reserve may not exceed an amount equal to 50 percent of the costs of the lands, waters, and interests therein or $4,000,000, whichever amount is less.

"(B) The amount of the financial assistance provided under paragraph (1)(A)(ii) and (iii) and paragraph (1)(B) of subsection (e) may not exceed 50 percent of the costs incurred to achieve the purposes described in those paragraphs with respect to a reserve.

"(f) EVALUATION OF SYSTEM PERFORMANCE.—(1) The Secretary shall periodically evaluate the operation and management of each national estuarine reserve, including education and interpretive activities, and the research being conducted within the reserve.

"(2) If evaluation under paragraph (1) reveals that the operation and management of the reserve is deficient, or that the research being conducted within the reserve is not consistent with the research guidelines developed under subsection (c), the Secretary may suspend the eligibility of that reserve for financial assistance under subsection (e) until the deficiency or inconsistency is remedied.

"(3) The Secretary may withdraw the designation of an estuarine area as a national estuarine reserve if evaluation under paragraph (1) reveals that—

"(A) the basis for any one or more of the findings made under subsection (b)(2) regarding that area no longer exists; or

"(B) a substantial portion of the research conducted within the area, over a period of years, has not been consistent with the research guidelines developed under subsection (c).

"(g) ANNUAL REPORT.—Beginning with fiscal year 1986, the Secretary shall provide to the Congress an annual report that sets forth, with respect to the period covered by the report—

"(1) new designations of national extuarine reserves;

"(2) any expansion of existing national estuarine reserves;

"(3) the status of the research program being conducted within the System; and

"(4) a summary of the evaluations made under subsection (f). The Secretary shall submit the report within three months after the end of the fiscal year covered by the report.".

REPEALS

SEC. 5. The following are repealed:

(1) Section 310 (16 U.S.C. 1456c; relating to research and technical assistance programs and grants).

(2) Section 314 (16 U.S.C. 1460; establishing the Coastal Zone Management Advisory Committee).

(3) Subsection (c) of section 15 of the Coastal Zone Management Act Amendments of 1976, Public Law 94-370 (16 U.S.C. 1451 note; relating to certain additional personnel positions).

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 6. Section 318 (16 U.S.C. 1464) is amended as follows:

(1) Subsection (a) is amended—

(A) by amending paragraph (1) to read as follows:

"(1) Such sums, not to exceed $40,000,000 for the fiscal year ending September 30, 1986, $38,000,000 for the fiscal year ending September 30, 1987, $36,000,000 for the fiscal year ending September 30, 1988, $35,000,000 for each of the the fiscal years ending September 30, 1989, September 30, 1990, and September 30, 1991, as may be necessary for grants under section 306, to remain available until expended;".

(B) By amending paragraph (2)—

(i) by striking "$20,000,000 and inserting in lieu thereof "$16,000,000", and

(ii) by striking "September 30, 1985,'" and inserting in lieu thereof "September 30, 1991,";

(C) by amending paragraph (4) by striking "September 30, 1985," and inserting in lieu thereof "September 30, 1991,";

(D) by amending paragraph (5) by striking "September 30, 1985," and inserting in lieu thereof "September 30, 1991,"; and

(E) by amending paragraph (6)—

(i) by striking "$6,000,000" and inserting in lieu thereof "$5,000,000", and

(ii) by striking "September 30, 1985," and inserting in lieu thereof "September 30, 1991,".

EFFECTIVE DATE

SEC. 7. This Act takes effect October 1, 1985.

AMENDMENTS OFFERED BY MR. JONES OF NORTH CAROLINA

Mr. JONES of North Carolina. Mr. Chairman, I offer two amendments, and I ask unanimous consent that they be considered en bloc.

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. JONES of North Carolina: Strike all of SEC. 6 and insert in lieu thereof the following new SEC. 6:

"SEC. 6. Section 318 (16 U.S.C. 1464) is amended as follows:

(1) subsection (a) is amended—

(A) by amending paragraph (1) to read as follows:

'(1) such sums, not to exceed $36,000,000 for the fiscal year ending September 30, 1986; $36,600,000 for the fiscal year ending September 30, 1987; $37,900,000 for the fiscal year ending September 30, 1988; $38,800,000 for the fiscal year ending September 30, 1989; and $40,600,000 for the fiscal year ending September 30, 1990, as may be necessary for grants under sections 306 and 306A, to remain available until expended;'.

(B) By striking paragraph (2) and renumbering subsequent paragraphs—

(C) By amending the new paragraph (3) to read as follows:

'(3) such sums not to exceed $1,000,000 for the fiscal year ending September 30, 1986; and $1,500,000 for each of the fiscal years occurring during the period beginning October 1, 1986 and ending September 30, 1990, as may be necessary for grants under section 309, to remain available until expended;'

(D) By amending the new paragraph (4) to read as follows:

'(4) such sums not to exceed $2,930,000 for the fiscal year ending September 30, 1986; $3,800,000 for the fiscal year ending September 30, 1987; $4,500,000 for the fiscal year ending September 30, 1988; $5,000,000 for the fiscal year ending September 30, 1989; and $5,500,000 for the fiscal year ending September 30, 1990, as may be necessary, for grants under section 315, to remain available until expended; and

(E) by amending the new paragraph (5) to read as follows:

'(5) such sums not to exceed $3,300,000 for the fiscal year ending September 30, 1986; $3,300,000 for the fiscal year ending September 30, 1987; $3,300,000 for the fiscal year ending September 30, 1988; $4,000,000 for the fiscal year ending September 30, 1989; and $4,000,000 for the fiscal year ending September 30, 1990, as may be neces-

sary for administrative expenses incident to the administration of this title.' "

At the end of the bill, add a new Sec. 8, as follows:

"TECHNICAL AMENDMENT

SEC. 8. Section 308(h) (16 U.S.C. 1457(h)) is amended by deleting 'subsections (c)(1)' each place it appears and inserting instead 'subsections (c)'."

Mr. JONES of North Carolina (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

Mr. JONES of North Carolina. Mr. Chairman, the amendments which we now bring before the Members propose to freeze the authorization levels in H.R. 2121. Authorized levels for fiscal year 1986 are frozen at the level of fiscal year 1985 appropriations. In subsequent years, authorized levels rise only to the extent necessary to accommodate the expected rate of inflation—4½ percent per year. The term of authorization is reduced to 5 years.

I want to make clear the intent of this amendment. This is a deficit reduction amendment. It reflects the strong desire of the members of the Committee on Merchant Marine and Fisheries to control the deficit. Over the 5-year term of this authorization, it will save $193 million as compared to currently authorized levels. It does not reflect any intent to phase out this or phase down this critical program.

Extensive hearings before my committee clearly demonstrated the important national interests being served through this program. Many of these have been explained in detail in our committee report. In view of these national interests, the committee recommended what I consider to be justified authorization levels. These levels should be considered to reflect the committee's view of the value and accomplishments of this program.

However, we also realize the importance of deficit reduction. Thus, we are proposing freeze in Federal expenditures under the CZMA. In combination with other aspects of this bill, such as provisions to increase State matching contributions, the total level of support for coastal management will increase over time. Therefore, this amendment will aid deficit reduction efforts, while safeguarding the national interests in wise coastal management.

The second part of this amendment makes a purely technical adjustment in section 308(h) of the CZMA. The amendment would clarify that section 308(c)(2) grants to assist State participation in Outer Continental Shelf leasing, may be financed through the coastal energy impact fund. This amendment is offered entirely for purposes of clarification. It does not alter congressional intent or deviate from current agency practice in administering this provision.

I urge my colleagues to support these amendments.

Mr. SHUMWAY. Mr. Chairman, I rise in support of the amendments being offered by our committee's distinguished chairman, Mr. JONES.

Mr. Chairman, by freezing the CZMA authorizations at last year's appropriations levels, and only allowing for an increase to offset inflation, this amendment will reduce the authorization levels for the CZMA by $193 million over the next 5 years. Moreover, this amendment leaves intact a provision which will gradually phase down the funding formula from the present 80 to 20 Federal/State ratio to a more appropriate 50 to 50 ratio. In doing so, this legislation will not jeopardize our Nation's coastal areas by jeopardizing the program, but in fact it will allow for an increase in the overall program, not at Federal expense, but by requiring an increased State match for these CZM grants.

Mr. Chairman, this amendment is fiscally responsible; it will ensure that the overall appropriation for the various programs under the CZMA will, for the next 5 years, never exceed, in terms of real dollars, the appropriations for the CZMA made in fiscal year 1985. Of course, the appropriations process always allows for less than authorized appropriations, and considering the shift in the Federal/State ratio, it is my belief that future appropriations may not even need to reach as high as this bill's authorization ceilings in the upcoming years.

Again, I support Mr. JONES' amendment, and I commend him for his concern for our Nation's fiscal shortfall, as well as his longstanding concern for our Nation's valuable coastal areas.

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

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

Mr. LENT. Mr. Chairman, I rise in support of the amendment offered by the gentleman from North Carolina, the chairman of the Merchant Marine and Fisheries Committee. This amendment is offered on behalf of the bipartisan leadership of the committee.

The amendment refines what I believe is already a fiscally responsible approach by the committee to the reauthorization of the Coastal Zone Management Act. It would further reduce authorization levels for the various sections of the Coastal Zone Management Act through fiscal year 1990. I note, for my colleagues on this side of aisle, that the approach taken in this amendment—which is basically a freeze for fiscal year 1986 at fiscal year 1985 appropriation levels, and then adding a 4.5-percent inflation factor for the outyears—is virtually identical to the approach which has been adopted by the Senate Commerce Committee in its bill reauthorizing the Coastal Zone Management Act (S. 959).

This amendment provides a very substantial savings, when compared with authorization levels in existing law, and when compared with authorization levels in H.R. 2121, as reported. As compared to authorizations under current law, savings for fiscal year 1986 would be $42.77 million—a 50-percent savings—and for fiscal years 1986-90, the cumulative savings would be $193.50 million—a 45-percent savings.

As compared to H.R. 2121, as reported, the amendment saves $29.77 million for fiscal year 1986—a 41-percent savings—and fiscal years 1986-90, there is a cumulative savings of $112.05 million—a 32-percent savings.

In short, this amendment provides very substantial savings as compared to both current law and the bill under consideration, and is as close to a freeze amendment in terms of the most recent appropriation as one reasonably can get. I am informed by the policy level officials at NOAA that this amendment is most welcome to them. I urge my colleagues on this side of the aisle to support the amendment offered by the gentleman from North Carolina.

Mr. MORRISON of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. SHUMWAY. I am happy to yield to the gentleman from Connecticut.

Mr. MORRISON of Connecticut. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise also to support the amendment, as well as the bill as a whole, and to commend the chairman of the committee and the chairman of the subcommittee, the gentlewoman from Maryland [Ms. MIKULSKI], for their leadership on the bill and also for making the hard decisions necessary to come in within a freeze level for 1986 and at the same time make an important program function within tight budget constraints.

Mr. SHUMWAY. Mr. Chairman, I thank the gentleman from Connecticut [Mr. MORRISON], and I yield back the balance of my time.

Ms. MIKULSKI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to support the committee's amendment to reduce the authorized spending levels in H.R. 2121 to the fiscal year 1985 appropriations under the CZMA. This freeze will amount to a savings over current authorized levels of more than $193 million over a 5-year period which amounts to a savings of about 45 percent.

This amendment will make a significant reduction in the authorized spending levels for the National Coastal Zone Management Program. At the same time, my colleagues and I on the Merchant Marine and Fisheries Committee want to preserve the integrity of this program. We believe this amendment will do that in a fiscally sound manner.

I believe that we have provided sufficient funds to maintain the current State coastal programs. We have also allowed for a modest increase during the years 1987-90 to provide for increased program costs.

Mr. Chairman, I urge my colleagues to support the committee's amendment.

The CHAIRMAN. The question is on the amendments offered by the gentleman from North Carolina [Mr. JONES].

The amendments were agreed to.

The CHAIRMAN. Are there further amendments?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. GUARINI) having assumed the chair, Mr. BONER of Tennessee, 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. 2121) to provide for the reauthorization of the Coastal Zone Management Act of 1972, and for other purposes, pursuant to House Resolution 214, he reported the bill back to the House with an amendment 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 to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1910

GENERAL LEAVE

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2121, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request to the gentleman from North Carolina?

There was no objection.

NEW DEFERRAL OF BUDGET AUTHORITY FOR 1985 FOR UNITED STATES INFORMATION AGENCY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 99-90)

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

(For message, see proceedings of the Senate of today, July 30, 1985.)

PERMISSION FOR SUBCOMMITTEE ON PUBLIC BUILDINGS AND GROUNDS OF COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO SIT DURING 5-MINUTE RULE ON THURSDAY, AUGUST 1, 1985

Mr. HOYER. Mr. Speaker, I ask unanimous consent that the Subcommittee on Public Buildings and Grounds of the Committee on Public Works and Transportation be permitted to sit during the 5-minute rule on Thursday, August 1, 1985.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland [Mr. HOYER]?

Mr. BARTLETT. Reserving the right to object, Mr. Speaker, we do not have a clearance from the minority leadership over here.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. BARTLETT. I yield to the gentleman from Maryland.

Mr. HOYER. The gentleman from Florida, Mr. CLAY SHAW, has cleared this as the ranking member.

Mr. BARTLETT. Mr. Speaker, further reserving the right to object, would the gentleman repeat the exact request?

Mr. HOYER. We are asking unanimous consent that the Subcommittee on Public Buildings and Grounds of the Committee on Public Works and Transportation be permitted to sit during the 5-minute rule on Thursday, August 1, 1985.

It is my understanding that the gentleman from Florida, Mr. CLAY SHAW, has in fact cleared this request.

Mr. BARTLETT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland [Mr. HOYER]?

There was no objection.

AMERICA—LAND OF OPPORTUNITY

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

Mr. STRANG. Mr. Speaker, the ability to communicate is obviously an important skill and talent. I would like to bring to the attention of my colleagues a young woman in the Third District of Colorado who recently displayed her forensic skills by winning a statewide high school speech contest.

Rebecca Harwood, a junior at Roaring Fork High School in my hometown of Carbondale, was the winner of the second annual Abraham Lincoln Foundation's "land of opportunity" speech contest.

Rebecca's speech explains with clear logic why we should never take our freedoms in this country for granted, and she does it with beautiful flow of words and ideas. I commend it to your reading.

I urge my colleagues to take advantage of this nonpartisan program and to help expand it next year across the Nation so all 10th, 11th and 12th grade students have the opportunity to express the growing resurgence of patriotism in America.

AMERICA—LAND OF OPPORTUNITY

America. We all know it has been labeled "the land of opportunity", but many Americans fail to realize why. We grow up in what most foreigners and refugees consider the most wonderful land and live a seemingly perfect life full of endless opportunity, that we as Americans, tend to overlook. We take for granted the freedom, which is ultimately responsible for making America the land of opportunity, and the most important freedom we have is the freedom of choice.

How would you like your government telling you that you are only allowed one child, or that blue Jeans are illegal, or that Monopoly and Chess are forbidden? Such items are common in America, yet many governments don't grant their inhabitants such luxuries—yes, luxuries. Just try and buy a Walkman in Russia and you'll see what I mean. Our choices in the grocery store are practically unlimited and nowhere else can one find such a selection of fresh fruits and vegetables year-round. Even clothes make America great. Have you seen the latest fashions in Poland? Not too exciting. Why, I have the freedom to walk through town wearing a Hefty garbage bag, if I ever felt the urge. That is what I call freedom of choice!

Our choices, however, extend beyond that of monetary purchases. Every person controls the fate of his or her own life. The amount and kind of education I receive is governed by me. I, like every one of you, have the freedom to be a doctor, homemaker, mechanic—or even president. America has the wonderful privilege called free enterprise. That means I can sell hubcaps legally, open up a law firm, or start a newspaper without the government dictating what I am allowed to print. We have constructed laws against child and forced labor, and work is awarded accordingly, so I can be as

rich, or as poor, as I choose. Therefore, my fate lies in my own hands, not in those of the government.

Our liberties cover that of religion also. Our country is a melting pot of every known religion, and even some of those not known. Religion is very much a part of our country, as it is most, but here we have the choice whether or not to believe, to participate, or support. We can, within reasonable limits, practice our religion any way we choose under the 1st amendment of the constitution. Also protected by the first amendment is that of speech. In America we can talk freely without Government spies recording our words, or without fear that our neighbors are undercover fascist police who will turn us onto the mercy of the Third Reich. Nobody can dictate my choice of words, whether for this speech, or any other I might give.

So, we all agree that America has privileges not bestowed upon other countries, so you might ask, "Why can't they all be like us?" Many were, at one point. They lost their freedom, though, as a child loses his privilege to eat cookies when he becomes ill from them. You see, they abused their rights, and when a government is on the verge of collapse, it turns to communism, where the government spends every one's money, because its people were not doing it well enough for themselves. It works up to a point, but that kind of extreme control leads to a society void of individual, creative thinking that is so vital to a growing world. America has a unique government which is difficult to maintain due to lack of control. Therefore, it is up to the people to make it work. To do this, we need to use our freedoms wisely. Our freedom to vote decides the fate of our country, yet only just over half of the population use it, and even less on the state, county, and town levels. Another freedom frequently not taken advantage of is the freedom of speech, to take an active role in the government to make it what we want. Our country has drifted into a state of lethargic antipathy in which we criticize it for its faults, yet not do anything about them, which lowers the spirit causing depressions. We have lost the patriotism which we once had during the war, and even the American flag has lost the respect it deserves. No longer is the Pledge of Allegiance said daily, or the flag displayed in most classrooms. I think that the degenerating Statue of Liberty symbolizes the degenerating faith and pride we once had, and must retrieve to insure the country's well being.

The difference then, must come from the people, so rather then ask what more your country can do for you, ask what you can do for your country. We have an exceptional system, that, like most things, is not faultless, but is ever changing. We have power over the changes that occur, and we must use our freedom of choice to its benefit, not its downfall. Part of the change is simply realizing, why is America the land of opportunity? It is very difficult for an American to come up with an appropriate answer, and that is sad. We know we are free, but exactly what are we free to do? Once we understand the benefits of living here, we can appreciate them, and utilize what this country has to offer. It is our responsibility, as a whole, to make our country work, through changing our attitudes and displaying interest and pride, to show that freedom of the people produces a working, effective government.

The freedoms our government has given us are costly to it. By granting us free enterprise, it has produced an enormous debt. By not controlling all money, the rich and poor classes are separating. Why is this your problem? Because you are America! You are the government, and you have the power to make the decisions that change it, for better or for worse. Our freedom of choice that we value so much can be used both ways. We can choose to ignore the elderly, the poor, the homeless, and the needy, and pretend it is our government's responsibility to protect them, or we can do something about the problems which threaten the stability of America. The people are what makes our country great, and if we honor and respect the land we live in, keeping our country united and strong, America will continue to be the leader of the world. We have a good thing going here, and realizing it is the first step to rekindling the flame of patriotism. Remember, dandelions only flourish where lawns are not tended. Because this is America we together, have the ability, through our power of choice, to keep America, the land of opportunity.

RESOLVING THE BUDGET CRISIS

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

Mr. PANETTA. Mr. Speaker, this week Congress faces what probably will be its last opportunity this year to resolve the budget crisis. We are now 2½ months past the May 15 deadline for passage of a budget. While the House and Senate have adopted separate resolutions, the conference has failed to find the essential ingredients for compromise. Part of the problem lies with the White House, which has provided little if any leadership over the past few months. Part of the problem lies with partisan posturing on Capitol Hill. But the bottom line is clear to all Americans—Washington is failing to deal with the most severe deficit crisis that has ever faced this Nation. At a time when the budget process should be at its strongest, it is being undermined by confusion, contradiction, and double talk.

Five appropriation bills have been passed in the House without a conference agreement to enforce targets. The Ways and Means Committee, to its credit, has completed action on a reconciliation bill making some of the savings assumed in the House-passed budget resolution. But there is no guarantee that the rest of reconciliation will be implemented. The House has had to resort to adopting a resolution making its own budget resolution the conference report for purposes of enforcement. In short, the budget process is surviving, but it is full of holes, it is taking on water, and it is threatening to sink completely unless we end this ad hoc approach to budgeting and fulfill our duties under the Budget Act.

Actually the procedural difficulties are only half of the problem. GNP growth has fallen dramatically from projected levels, threatening to add to this year's budget deficit, which, in turn, will increase next year's interest payments on the debt. Furthermore, a weak economy this year puts in question the optimistic growth estimates of next year, which could mean even higher deficits still in fiscal year 1986. Even worse, many are still predicting a recession in 1986 or 1987, which means deficits could top $300 billion a year by the end of the decade.

Yes, our appropriation bills have been frozen at prior year levels, but a simple freeze of discretionary spending is not, unfortunately, a solution for $200 billion deficits. It is better than nothing, but it is not nearly enough.

With the August recess a few days away, we appear to be in a game of budget musical chairs, where the goal is to make the last offer with the biggest numbers before the Congress leaves town at the end of the week. Whichever political party is left without a chair to sit in when the music stops will, according to the strategists, lose the deficit public relations battle.

But this is not a game that will be won by public relations—by 30-second TV spots showing scenes of morning in America, or afternoon in America or early evening in America. It will not be won by catchy slogans or fancy buzzwords. There will be no winners because this crisis is not a partisan crisis, it is a national crisis. The failure to deal with $200 billion deficits will be a plague on the houses of both Democrats and Republicans. A nation in recession could care less about the details of partisan bickering. They surely will remember the failure of both executive and legislative branches to act when action was essential.

But the game goes on. The House offer is denounced by the Senate. The Senate offer is undermined by the President. Now the talk is that the House should not even consider the Senate offer seriously since it has been rejected by the President. The strategy is simple: With the President not supporting the Senate plan, especially the call for a delay on the Social Security COLA and the oil-import fee, the House can ignore the Senate offer and blame the President for the failure of Congress to reach agreement on a budget. It is all like a sad version of Abbott and Costello's "who's on first" routine.

Frankly, to some this sort of strategy might make sense in the marbled hallways of the U.S. Capitol. It might even make brilliant short-term political sense. But outside Washington, DC it looks like another dodge to avoid resolving a critical problem. This approach places the goals of making the Senate look bad or the President look inconsistent above the very solemn responsibility we have to deal with the

greatest crisis facing this Nation: the deficit crisis.

Most would agree that President Reagan has failed to provide strong leadership in the budget area. Instead of using his election mandate to build the essential coalition needed to make hard decisions on the budget, he plays business as usual. But Congress cannot let a President's failure weaken our resolve to attack these yearly deficits of $200 billion and more. As the Speaker has said "two wrongs don't made a right." Two weak branches of government failing to grapple with the greatest economic issue of our day can cause devastating economic damage in the future.

The Senate is not perfect, but at least, after months of budget hide and seek, we have on the bargaining table all the key ingredients for real deficit reduction: defense, entitlements, and taxes. Anyone who has looked at the Federal budget for 5 minutes can tell you that these areas have to be addressed in any realistic deficit reduction package. The Senate has finally acknowledged what the most basic arithmetic tells you, and now it is up to the House to respond with an offer which includes these essential components of deficit reduction. With a little more work, some bold action and some political courage, we can have a deficit reduction package with some real teeth in it by the end of the week regardless of where the President stands.

The ball is really in Congress' court now—clear thinking tells us we are not going to get much political mileage out of trying to unload the deficit crisis onto the shoulders of a lame-duck President who is recovering from surgery, who is enormously popular with the American people and who genuinely does not give two hoots about budget deficits. Failure to join with the Senate this week to develop an ambitious deficit reduction package will not be forgiven by the American people no matter how much House Democrats and Senate Republicans point their fingers at the President or House Republicans point their fingers at the Senate leadership.

The better strategy is to agree on deficit reductions through cuts in defense, entitlements, and revenue increases in a budget resolution, enforce those reductions through the reconciliation process and budget scorekeeping system, and then let the President deal with the political fallout if he chooses to veto any part of a true deficit reduction package.

The American people are smart enough in that situation to judge who will be responsible for failing to deal with the deficit. But to stop now and do only a patchwork budget resolution is to capitulate to the pollyannas in and out of the White House who refuse to acknowledge the economic threat deficits pose for the Nation.

We are in one of those situations where, as Benjamin Franklin said, "We must all hang together, or assuredly we shall all hang separately." We can play games this week, worry over our press clippings that tell us whether we are winning the public relations battle and hope that there is a chair left when the deficit music stops, or we can find common ground with the Senate, agree on a budget resolution that contains $60 or $70 billion in deficit reductions for the next fiscal year, come back in September and implement the budget through appropriation bills and reconciliation. We will not regret rising above the demands of politics for this one effort at dealing with a crisis—there are still plenty of other games to be played and issues to distinguish our two great political parties by. But this is not one of them. Our reward for tough action will be a manageable deficit, a strengthened foundation for economic growth and the knowledge that we can turn to more positive debates over the future priorities of this Nation. Let us resolve this crisis now.

AMERICA'S STEEL INDUSTRY NEEDS OUR HELP TO HELP ITSELF

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

Mr. GAYDOS. Mr. Speaker, in the years that many of us have been urging action to reduce the impact of imports on America's steel industry, our opponents claim that the steel industry itself is responsible for its inability to compete, having failed to control its costs and having failed to introduce the new technology into its mills.

Last year, as we all know, when Congress passed the Steel Stabilization Act as part of the omnibus trade package, it included provisions that the steel industry reinvest the earnings anticipated from the results of the steel limitation agreements to be signed into their steel operations.

I do not argue with that provision. It is an important one because it will ensure a commitment to steelmaking by those steel producers.

What I do say, though, is that the steel industry, despite a contrary belief, has been and is making a determined effort to seek new technological advances that will enable it to stay competitive with foreign steelmakers.

There is a lot of effort going on by the steel industry, in some cases with the help of government and in some with no such assistance, to develop these new techniques and systems that will put the American steel industry in the forefront once again.

I recently received a copy of testimony offered by Dr. David Cantor, a specialist in economics and, more specifically, the steel industry, with the Congressional Research Service, at a field hearing in Youngstown, OH, by the Subcommittee on Investigations and Oversight of the Committee on Science and Technology on the topic of "Modernization in the American Steel Industry."

This is a most critical area because, as Dr. Cantor's examination of the data shows, the steel industry is and has been making a serious effort in this regard.

I commend my colleagues, Mr. VOLKMER of Missouri, chairman of the subcommittee, and Mr. TRAFICANT of Ohio, who suggested the hearing. I hope that they will share with other Members of this body the knowledge and insights they have gained.

But, because I feel Dr. Cantor's comments are most important as a means of showing all of you what the American steel industry is doing and trying to do, I have received permission to include his testimony as a part of my commentary today.

The testimony by Dr. Cantor includes some historical background which helps understand how the steel industry developed after the end of World War II and why it is where it is today.

He also discusses the role and impact of the "minimills," the problems those companies are having as they go through growing pains of age, expansion, and increasing competition from outside as well as from within the industry.

I urge every Member of the House, regardless of how familiar you are with the steel industry and its various facets, to read Dr. Cantor's testimony. I believe it will encourage many of you to rethink your attitudes toward actions considered vitally necessary to keep the American steel industry as an integral part of America's economic structure.

But, at the same time as we applaud the industry for making its effort for renewal, we cannot ignore the impact of imports on the American steel market and the companies that are trying to survive.

The problem is not going away, while the voluntary restraint agreements being signed by the Special Trade Representative's Office are seemingly providing some relief, the overall problem may just be too overwhelming for those kinds of actions.

For example, last year, more than 60 nations around the world shipped more than 26 million tons of steel to the United States, capturing nearly 27 percent of the American steel market.

For the first 5 months of this year, January through May, foreign steelmakers exported nearly 11 million

tons to the United States, holding just over a 25-percent share of the domestic steel market.

The point of all this is that, so far, the voluntary restraint agreements are having little impact on steel imports. While it is true that the imported steel share of the domestic market has shrunk each month since January, the decreases are so small as to be almost negligible at this time.

And, in fact, if we compare the first 5 months of 1985 with the same period of 1984, we will find that foreign manufacturers have reduced their steel shipments to the United States by a mere 18,000 tons, a decrease of one-half of 1 percent. That, Mr. Speaker, is hardly enough to be raving about, especially after the way the package on the voluntary agreements was sold to members of the Congressional Steel Caucus.

And now, let me share with you the latest figures on steel imports that became available just this afternoon, some of which raise serious questions about the voluntary agreements that this administration has been bragging about.

For the month of June 1985, steel exporting nations shipped 2.3 million tons to the United States, the highest monthly level since January's 2.6 million tons.

More importantly, for the first 6 months of this year, steel imports total 12.9 million tons, 500 tons more than was imported for the first 6 months of 1984.

Thus, the import penetration levels for the month of June and the first 6 months of this year—27.9 percent and 26.2 percent, respectively—are well above the levels for the same time periods in 1984.

More serious to the economy and the well-being of the American steel industry, domestic steel mill shipments in June dropped more than 300,000 tons, from 6.5 million tons shipped in May to 6.2 million tons in June.

This means that less steelmaking capacity is being used resulting in the need for fewer workers and less raw material. In toto, it is just another sign that the directions being taken by this administration with regard to the steel industry in particular and to the national economy in general are not working.

Quite frankly, I am amazed when I look at the list of nations that export steel to the United States. If those countries felt it was important for their national pride or their economic base to have some steelmaking capability to meet their internal needs, then I have no quarrel.

But, if they developed or increased their steelmaking facilities in order to earn international dollars by selling their steel on the open market—and by that you all will understand that I mean the United States—then I am more than just a little concerned.

After all, was it really necessary for Ecuador to ship 15 tons of steel to the United States? Or for the United States to take 577 tons from Hong Kong or 8 tons from Fiji or 20 tons from Libya?

We won't even talk about the 3 million tons from Canada, the 1.4 million tons from Brazil, the 2.5 million tons from West Germany, the 1.1 million tons from France, the 1.3 million tons from Spain, the 6.6 million tons from Japan, and the 2.2 million tons from South Korea.

With the exception of Libya, at least all of those countries are reasonably aligned with the United States in international affairs.

But, do we have to give up American jobs to support steel industries in nations that are announced enemies of ours? Is there any sound reason for the United States to allow East Germany to export 273,000 tons of steel to us? Poland, in 1984, exported 132,000 tons of steel to the United States; Romania, 272,000 tons; Czechoslovakia, nearly 63,000 tons; and Hungary, 40,000 tons.

I just don't understand it. I know we're supposed to be showing those Communist countries that capitalism works, but is it right for us to accept 780,000 tons from those countries at a cost of our own production and jobs for our own citizens?

Aren't we just shoring up governments diametrically opposed to what we as a nation stand for?

Between 1975 and 1984, employment in the steel industry dropped from 457,000 to 236,000. In 1984, alone, some 7,000 jobs were lost.

And the prospects for 1985 and 1986 aren't any better. In fact, we already know that a number of jobs are going to be eliminated over the next 18 to 24 months. LTV Steel is planning to close one facility that will eliminate 1,300 jobs. And other closings or rollbacks have been announced by other steel companies.

Is it any wonder that those of us from the steel-producing areas of this country are upset and concerned about the directions in which we are going?

The most obvious question, of course, is: What do we do? The Congressional Steel Caucus, you can be assured, is watching the developments of the voluntary restraint agreements very closely. We, with a great deal of reluctance, are prepared to give them time to work.

I can tell you, though, should it appear that the situation is not improving, we will consider more stringent action.

I, personally, am not afraid of being called a protectionist, as I told this body last week. Quite frankly, I put the well-being and survival of American workers and American industry first on my list of important items.

We are waiting to see what happens, just as the steel industry is waiting. But both the Steel Caucus and the steel industry are not standing idly by. The industry is making the effort to change and, thereby, to regain some measures of competitiveness with steel-exporting nations. And, therefore, it is incumbent on us, the Congress, and this administration to provide a climate in which the industry can have some assurance of success.

HEARINGS ON "NEW TECHNOLOGY AND THE FUTURE OF STEEL"

Mr. Chairman and Members of the Committee:

My name in David Cantor. I am a Specialist in Industry Economics in the Economics Division of the Congressional Research Service. I appreciate very much your invitation to participate in these hearings, and the opportunity to share with you the results of my analysis of the steel industry.

Many claims are made, Mr. Chairman, that the current difficulties facing the steel industry are grounded in managment decisions of the past. We hear that the industry overbuilt capacity. We are told that the industry took advantage of its market power and was slow to innovate and modernize. The industry itself tells us that it erred in allowing costs to rise in an almost unbridled way. No longer is the industry dominated by a small group of integrated producers that enables it to dictate price and quantity in the steel market. It now includes a new breed of steel-makers, the "minimills", that have become a significant force for competition in the declining or at best stagnant steel market. They and foreign steel producers that sought oveseas markets for themselves, have created a highly competitive market environment. Thus, the integrated segment of our industry, which was virtually the only supplier in the U.S. steel market in the past, is unable to utilize its capacity efficiently and profitably. More important, perhaps, the industry finds itself hard pressed financially to undertake those efforts that could conceivably shore up its ability to meet its competition head-on and with reasonable prospects for success.

My research and analysis of developments in the steel industry suggest to me that the fundamental problem of the industry is the adjustment to changes that have occurred in the U.S. steel market. While, in the past, we economists would characterize the structure of the steel market as an oligopoly—a market where only a few sellers supply the product, today, the steel market is highly competitive. Thus, while management decisions relating to price and investment could be made largely independent of the combined market forces of supply and demand in the past, today they are driven by those market forces.

I would suggest, also, that, even in the past, when the industry faced relatively little competition from abroad, from competing materials, and from new entrants into the industry, America's steel industry was to a degree an innovator in developing and implementing new and more efficient processes to make steel. It could innovate, funding its investment from revenues generated in the oligopolistic market that it dominated. In the present market environment of competition, it continues to be an innova-

tor in adopting new technologies for steel-making. Thus, while the evidence may support the thesis that the steel industry has not simply sat back and allowed itself to fall behind with respect to technical innovation, the questions today are the adequacy of its efforts in the past, and its ability to make the additional investments necessary to survive—the minimal goal of any seller even in the theoretically ideal, purely competitive market.

THE POST-WORLD WAR II PERIOD TO 1980

Mr. Chairman, strong claims are made that management decision of the past may be responsible for the steel industry's dilemmas of today. In particular, let me address the question of overcapacity. If the steel industry overbuilt its capacity in the years and decades following World War II, those decisions resulted in part from federal government policy. Analysts—both those regarded as critics of the industry (Donald Barnett and Louis Schorsch, for example) and those viewed as sympathetic to it (Father William Hogan, for example)—agree on this point. President Truman proposed in his State of the Union Message of 1949: "(legislation) to authorize an immediate study of the adequacy of production facilities of materials in critically short supply, such as steel; and if found necessary, to authorize government loans for the expansion of production facilities to relieve such shortages, and furthermore to authorize the construction of such facilities directly if action by private industry fails to meet our needs."

The industry disagreed, contending that the outlook for steel demand did not justify expansion. History is on the side of the industry. In 1951, America's steel industry had about 105 million tons of capacity. Yielding to government pressure, it expanded capacity to about 136 million tons by 1960, at an annual rate of growth of about 2.9 percent. Virtually all of this added capacity was in the form of open-hearth furnaces, which replaced the obsolete Bessemer furnaces. In this same period, U.S. steel demand, while fluctuating in response to changes in the business cycle, actually declined at an annual rate of about −0.8 percent. Although excess capacity was created in the industry, the major steel producers did not hold down prices, which rose at an annual rate of nearly 6 percent.

Let me cite one more example of the effect of government policy on the expansion of steel-making capacity in the United States. In 1954, Bethlehem Steel Corporation attempted to acquire the facilities of Youngstown Sheet and Tube Company. Bethlehem wanted productive capacity in the midwest to serve the growing automotive and appliance markets. The Department of Justice opposed the acquisition on antitrust grounds, a decision that was upheld in the courts in 1958. As a result, and in order to penetrate the midwest steel markets, Bethlehem built in the early 1960s the first large "greenfield" plant constructed in the United States since 1952, its plant at Burns Harbor, Indiana. Let me note that, while government policy may have influenced the expansion of capacity in this case, the decision to build Burns Harbor brought with it one of the first large-scale installations of what has become the predominant steel-making process in the world today, the Basic Oxygen Process. Thus, government policy may have coincidentally contributed to technological innovation and modernization of America's steel industry.

Major expansion of steel-making capacity came to an end by 1960, because of lack of growth in demand and the absence of government pressure to expand steel-making capacity. In the 1960s, steel capacity grew by about 8 million tons, at an annual rate of about 0.6 percent. In this same period, demand grew at a rate of about 3.1 percent per annum. Prices continued to rise in this decade.

Then, we come to the 1970s. In the first half of this decade, there was a substantial net increase in total industry capacity to about 180 million tons. But there are several reasons for this. First, domestic steel demand was rising from about 100 millions tons in 1969-70 to over 120 millon tons in 1973. Second, we begin to detect the strong presence of the "minimills" into the market; these are the relatively small companies that produce steel from scrap metal in electric furnaces. More than two-thirds of the 12.5-million ton expansion of electric furnace capacity took place in the "minimill" segment of the industry from 1972 to 1975. Furthermore, from 1975 on, virtually all of the growth of electric furnace capability took place in the "minimills".

A third reason for the expansion of steel capacity in the first half of the 1970s is that the large integrated steel companies were engaged in the process of modernization. In particular, the integrated companies were ridding themselves of outmoded and obsolete capacity. Between 1972 and 1975, the industry closed down nearly 20 million tons of relatively inefficient open-hearth capacity.

While expansion of capacity reached its peak in the mid-1970s, it declined thereafter. For all intents and purposes, the capacity reduction of about 15 million tons in the last half of the 1970s was the result of the continuing process of modernization, namely the elimination of excess open-hearth capability, and the emergence of a declining trend in steel demand. Electric furnace capacity grew by about 5 million tons, mainly in the "minimill" segment of the industry. Basic Oxygen capability was constant at about 96 to 97 million tons. The most important development in the last half of the 1970s was the closing down of more than 20 million tons of inefficient open-hearth furnace capability.

The post-World War II era provides examples of modernization other than replacing the obsolete steel-making processes of the past—Bessemer and open-hearth. The integrated steel companies were active in this modernization process. In 1967, U.S. Steel Corporation commissioned the first continuous caster in the United States for its Gary, Indiana works. National Steel and McClouth Steel installed continuous casters in 1968 and 1969.

In the 1960s, America's steel industry was active in developing the process for the direct reduction of iron ore (DRI). Among these efforts were those of Armco, which built and operated a pilot plant in Kansas City, Missouri in 1966 and later, in 1972, a full-scale commercial plant in Houston, Texas. Two other DRI plants were built in the early 1970s: the Midland-Ross plant in Portland, Oregon and the Georgetown Steel plant in Georgetown, South Carolina. None of these DRI ventures proved to be economically viable, however, owing to the sharp increases in natural gas prices in the late 1970s; the DRI process used natural gas as a basic energy input. Be that as it may, these examples indicate that the U.S. steel industry was clearly experimenting with, developing, and implementing new productive processes in the decades gone by—although the extent to which it made technical progress may have been influenced by its market structure.

Before leaving the past, Mr. Chairman, it is important to point out that the oligopolistic structure of the steel market permitted the dominant firms in the industry to adopt pricing strategies other than those of the competitive market place. In particular, the claim is made that steel companies engaged in what economists label, "administered pricing". That is, price is determined by costs to which a percentage mark-up is added. This is the conclusion of Dr. Zoltan Acs in his recently published study of the steel industry. It is almost taken for granted by one of the industry's most prominent critics, Dr. Robert Crandall. Indeed, though this strategy is becoming increasingly difficult to implement in today's market, it has become the norm on which analysts base their analyses of the industry: for example, the Congressional Budget Office (CBO) estimated the price effects of a steel import quota using an equation in which input costs were explanatory variables. In a market where sellers can exert a significant influence on supply, an administered pricing strategy might be considered a prudent business decision. But when the structure of the market changes, this pricing strategy gives rise to the problem of not being able to compete on the basis of price.

This is why we hear one steel industry executive after another confess that they allowed costs to run rampant as recently as the early 1970s. Perhaps, they permitted costs to rise so sharply, because they did not recognize that the market structure was changing, and the industry did not recognize the need to adjust to these changes. In testimony before the Senate Judiciary Committee on July 1, 1983, David Roderick, the CEO of United States Steel Corporation, stated: "Clearly, during the 1970's, it (labor costs) ran amok. Incidentally, I am not, you know, banging the steelworkers for this. Keep in mind that we steel companies signed those contracts, so this is joint bargaining. We did this together. We did not do it very well, in my opinion. We got each other into trouble."

Dr. Acs indicates that demand was a minor factor in influencing price, and that costs of production—mainly, those of labor (which were negotiated with the United Steelworkers on an industry-wide basis)—were dominant in explaining steel price behavior. the point is that, in the past at least, the steel industry could accept higher costs of production, passing them through to buyers, because the structure of the market it served was an oligopoly, where competition from other sellers at home and abroad and from other materials was not a significant concern, and where price could rise above the point at which the market would clear.

THE STEEL MARKET TODAY

Mr. Chairman, if I were to use one phrase to describe the steel market today, it would be "adjustment to competition": competition for market share in a stagnant or declining market; competition with the "minimills"; competition with competing materials; and, competition with imports. This competition has been very tough on the integrated segment of the industry at least, although even the "minimills" are experiencing difficulty in the marketplace. Indeed, the Barnett-Schorsch study of the steel in-

dustry is aptly titled—Steel: Upheaval in a Basic Industry.

First, the market for steel is stagnant. For about the past decade, demand for steel has fluctuated around the 100 million ton level. U.S. steel demand reached a high point of nearly 117 million tons in 1978; its low point was about 76 million tons in 1982. In 1984, U.S. steel demand was about 98 million tons, and forecasts of future demand by Data Resources, Incorporated suggest that steel demand will be at levels of about 100 million tons through the rest of this decade.

Steel demand has not responded to economic growth. One reason for this is the emergence of substitute materials—especially, plastics and aluminum. Indeed, during the 1970s and into the 1980s, a significant drop occurred in the so-called steel intensity of the economy; that is, the ratio of steel input to real Gross National Product. My analysis of trends in steel intensity indicates that it fell by 22 percent in the 1970s, and by another 14-15 percent in the first half of this decade. The downsizing of cars and the increased use of lighter weight materials in cars and construction help to explain this structural shift away from steel. The only bright spot in this analysis is that the data imply that further declines in steel intensity are likely to be very modest. The point is that steel demand is not likely to rise significantly.

At the same time, we have significantly more sellers in this stagnant market. The large integrated companies clearly dominate in terms of capacity: according to data compiled by Acs, the seven largest companies have over 110 million tons of capacity, but there are also at least 60 "minimill" companies with expanding capacity. These "minimills" have been extremely successful in penetrating the market for structural products. In 1975, electric furnace output, a reasonable surrogate for "minimill" activity accounted for 20 percent of total U.S. steel production; by 1984, they accounted for about 35 percent of the nation's steel output. Their emergence as a force in the industry makes the steel market more competitive, effectively requiring the integrated companies to adjust to the changes in market structure.

Why are they so successful? One, they are small. They do not have to make the investments in blast furnaces and large steelmaking furnaces that the integrated companies must make. Two, they specialize at least for the present in a small range of products. They do not have to have different rolling mill complexes. Three, they are located close to their markets. Thus, their customers incur lower transportation costs than they would if they bought from larger but more distant mills. Four, many employ non-union labor. Thus, they avoid some of the high labor costs and work rules that the unionized integrated companies must operate under. Five, there is some evidence that they benefit from local government assistance: at least one of the most prominent "minimill" companies, Nucor, obtained a substantial amount of its financing through industrial revenue bonds.

But even the future of the "minimills" is debatable. A recent article in Iron Age, a respected trade journal, reported that the traditional market for "minimill" products may be saturated. The article quotes Kenneth Iverson, the CEO of Nucor, as saying: "In the past, the primary competition for minimills was foreign suppliers and integrated producers. Over the last three or four years, this has changed so that the primary competitors today are other minimills—and I expect that to continue into the future."

While praising their accomplishments, the American Iron and Steel Institute observed in its 1985 annual report: "But now, minimills face the problems of growing maturity. Their financial success is based on high volume sales at low per ton profit margins. But economic growth in some traditional minimill markets seems to be slowing, and as they try to move into higher value products, they find themselves competing for a larger share of still depressed markets."

Furthermore, the "minimills", being scrap-based, are likely to encounter significant problems of quality control, should they expand their product line into flat-rolled products. The uniformity of the quality of the raw material inputs is more important in the latter than in the structural and bar products that "minimills" now produce.

The integrated companies compete not only with other industries and the "minimills" for a share of the stagnant steel market, but also with foreign imports. In 1984, the United States imported steel from over 50 countries. Our steel imports represented over one-fourth of the domestic market. There is some indication that foreign steel companies—in Taiwan, for example—built new capacity to capture overseas markets. Even today, new steel mills are being built in third-world countries: Nigeria and Pakistan recently opened or are close to completion of their new steel mills; Venezuela is constructing a 4.8 million ton mill, which, according to a Forbes magazine article, will produce steel to earn foreign exchange. Despite our industry's efforts to modernize, the steel industries of most other countries are newer than our industry, embodying state-of-art technology. Labor costs overseas are a fraction of ours. Even with the import restraint expected as a result of the President's steel program, foreign producers could expect to hold 20 percent of our market.

The integrated steel industry has attempted to respond to the sluggish marketplace for steel and to the competition it faces at home and abroad. Father Hogan discusses the efforts of the major companies to adjust to the market in his book, Steel in the United States: Restructuring to Compete. I addressed the industry's efforts in my report, America's Steel Industry: Modernizing To Compete; with your permission, I submit this report for the record. Essentially, I found three elements to the steel industry's modernization efforts: (1) rationalization of existing capacity; (2) adoption of currently available state-of-art technology; and (3) research and development of new technologies for steel-making.

Clearly, in a smaller market, a critical element of modernization is the elimination of old and obsolete plant. We saw that the industry was engaged in this effort in the 1970s. Perhaps of greatest long-term promise, we observed that the integrated industry replaced some of its older outmoded capacity with more modern plant. Indeed, let me cite some of the data developed by Barnett and Schorsch on the age of steel plants in the United States and Japan; I think this data will put to rest the idea that our plant is "ancient" and, thus, unable to compete. On average, our steel-making furnaces are about 2 years older than those in Japan; our continuous casters are about the same age. Where we lag behind is in the product rolling mills: our mills are from 4 to 10 years older than those in Japan.

Our industry has moved forward vigorously to install state-of-art technologies, although not as aggressively as in other countries. From 1981 to 1983, we had a positive rate of growth of continuously cast output, while most other countries had negative growth rates. In this period, a period marked by severe recession, our steel industry constructed or commissioned more than 16 continuous casters. In 1984, nearly 40 percent of our steel output was continuously cast, nearly double the share in 1980; as a result, the industry is making headway in catching-up with foreign producers in the use of this technology.

Companies are planning to install new direct reduction processes using coal, thereby bypassing the coking and blast furnace operations. Wily Korf recently announced plans to install this process in his Wallingford, Connecticut plant. Weirton Steel, formerly part of National Steel, has similar plans, and is seeking funding from the Department of Energy to proceed with them.

Smaller, incremental changes in technology are being installed in steel-making operations. New ladle refining systems are in place in Armco's Ashland, Kentucky plant; U.S. Steel Corporation is installing such a system at its Fairfield, Alabama plant.

LTV Corporation is engaged in a joint venture with Sumitomo Corporation to install a state-of-art electrogalvanizing mill at its Cleveland works. Again, in spite of the stagnant market, we find continued evidence that the industry is installing or willing to install current state-of-art technology to enhance its ability to produce steel of high quality and in competition with imports.

The modernization effort does not stop here, however. The steel industry in collaboration with federal agencies is engaged in research and development efforts to find even more efficient ways to produce quality steel products. You know of the sensor research being undertaken at the National Bureau of Standards. This effort, if successful, would permit the industry to monitor more precisely the quality of the steel as it moves through the various stages of production: from molten metal to ingots to semi-finished shapes to final products. Similarly, U.S. Steel Corporation and Bethlehem Steel Corporation have joined together with the Department of Energy to develop processes for near net shape casting. This process, if successful, would permit the industry to produce slabs one-fourth the thickness of conventional slabs; these thinner slabs would require less processing than the conventional product, with the result of lower costs.

Thus, we see the industry responding to the forces of competition by utilizing its total plant more efficiently, implementing new processes, and looking forward to still newer developments in steelmaking technology. America's Steel Industry is indeed modernizing to compete.

PROSPECTS AND PROBLEMS IN THE FUTURE

Mr. Chairman, as I look back upon the recent and not-so-recent history of the steel industry, I am impressed by the fact that it has continually engaged in a modernization process. Up to the 1970s, it could undertake this effort in a more comfortable business environment: the "minimills", substitute materials, and competition from relatively more modern foreign industries were not major forces affecting it. But, as we know from the experience of just the past few years, all of these factors have created a

major change in the steel industry's business environment; they have thrust it into a highly competitive market.

To survive in this market, integrated steel companies must cut costs. They can do this by developing and installing new processes for making steel. They can do this by eliminating inefficient capacity, replacing it in whole or in part by more modern furnaces and rolling mills. They can attempt to reduce labor costs, and are likely to do so by negotiating work rule changes, lower hourly compensation costs, or both.

The issue is not that the industry will not adopt this strategy for survival in a competitive marketplace; I think it is fair to say that the industry has adopted this strategy. The issue is the adequacy of the effort—particularly in its modernization program. This issue is of interest to Congress, because, when Congress passed the Steel Import Stabilization Act as Title VIII of the Trade and Tariff Act of 1984 (P.L. 98-573), it conditioned any import relief on the industry's reinvestment of its cash flow from steel operations into those operations. Congress and the President were willing to restrict competition in the U.S. steel market for five years, but only if the industry was willing to undertake a modernization program that would enable it to become competitive on its own, one that its former market structure did not require of it.

Mr. Chairman, my analysis of the industry's investment pattern in relation to its cash flow a year ago indicated that the industry was already meeting the requirements of the current law. From 1979 to 1983, the industry invested about 3.5 billion dollars more in steel operations than it generated in cash flow from those operations; over these five years, it invested about 11.5 billion dollars in steel operations, while it generated from operating income and depreciation allowances, about 7.9 billion dollars. While I cannot predict the future investment behavior of the industry, I think it is fair to say that the industry is likely to meet the requirements of the law by investing its cash flow from steel in steel.

But even the industry would agree that the amount of investment necessary to become internationally competitive is far greater than its average annual investment of about 2.4 billion dollars in steel operations in the recent past. President Reagan's Steel Advisory Committee, which functioned from November 1983 to November 1984 with participants from industry, labor, and government, reported that the necessary amount of investment in steel would be in the range of 5 to 5.5 billion dollars per year. (I would note that the Committee's report represented a consensus of the views of its members.) The American Iron and Steel Institute claims that "the domestic steel industry, to maintain 95 million tons of shipments capability in the 1980's, needs to spend about $5.2 billion annually to insure adequate modernization of its facilities." Donald Trautlein, CEO of Bethlehem Steel Corporation, in his testimony before the Senate Finance Committee on June 13, 1985 on the President's tax reform proposal, stated that the industry would fall short of its desired investment goals by about 1.5 billion dollars. Thus, while there is every reason to believe that the steel industry will be in compliance with the law, there is also reason to believe that industry investment would be inadequate for it to become competitive in all markets.

Now, frankly, the industry's estimate of its investment requirements may be inflated. They assume a shipment level of 95 million tons, which implies either a massive surge in demand or virtually no imports. As I have already noted, the demand for steel in the forseeable future is projected by Data Resources, Incorporated to be aout 100 million tons per year. The only other possibility is for imports to drop to levels of 5 to 7 million tons, if domestic steel shipments are to rise to 95 million tons; this, too, is improbable. Even if the industry's estimate of capital requirements is too high, it is probably fair to say that they will need substantially more per year than they have invested in steel operations in the recent past.

The industry is likely to encounter great difficulty in raising this capital. Conventional borrowing means interest rates in the range of 13.5 to 16.5 percent today, a premium of from 2 to 5 percentage points above the rate paid by high quality long term borrowers. According to the recent Iron Age report on "minimills", even firms in this segment of the steel industry are experiencing difficulty in borrowing.

Indeed, if the steel industry could borrow substantially reduced rates of interest, not only would it be able to reduce capital charges, but also it would be better able to implement the results of the research and development efforts going on, and benefit from the lower costs derived from new technology. Consider the following optimistic scenario. I recently estimated that a 3.5 percentage point reduction in the interest rate paid by steel companies could lower costs by about 14 dollars per ton just owing to the change in the rate. In addition, if the companies borrowed to install a continuous caster, total costs of production could be reduced by still another 35 dollars per ton.

Among options for generating the capital the industry says it needs to modernize other than conventional borrowing in the capital markets, there is the possibility of more joint ventures with foreign investors. Note, if you will, the purchase of a 50-percent interest in National Steel by Japan's Nippon Kokan Steel Company. There are other examples as well. Nisshin Steel (Japan) has a 10-percent equity interest in Wheeling-Pittsburgh Steel Company. LTV Steel has a joint venture with Sumitomo Steel (Japan) at its electrogalvanizing plant in Cleveland. Kawasaki Steel (Japan) is providing some of the capital to refurbish the Fontana plant of California Steel Company. Canadian steel companies have invested heavily in some of our "minimill" companies: Chapparall and Raritan River Steel. Joint ventures with foreign steel companies emerge as a real possibility for generating capital.

Another option is to finance modernization by executing what amounts to lease-purchase agreements. Bethlehem Steel Corporation is doing just this in order to acquire its two continuous casters at Burns Harbor and Sparrows Point. The Austrian manufacturer of the casters, Voest-Alpine, will receive a payment per ton of steel produced by the casters at the two plants.

Obviously, government could provide some funding directly or indirectly to finance steel industry modernization. To some extent, it is already doing so. There are already various provisions built into our tax code that benefit the industry. The Department of Energy is involved in a collaborative effort with United States Steel Corporation and Bethlehem Steel Corporation to develop a near net shape casting process. The American Iron and Steel Institute and the National Bureau of Standards are jointly engaged in a research and development project to develop sensors to enhance quality control of steel-making. Your Committee authorized expenditures of, I believe, six million dollars by the Department of Energy for steel research, and additional funds for the National Bureau of Standards.

I emphasize these questions of financing modernization, Mr. Chairman, because, whatever the results of the efforts of the scientists and engineers in developing new technologies for steel-making, they translate into a more modern, efficient, and competitive steel industry only if they can be implemented. There is a major difference between technological innovation and economic innovation. In the former, new processes may be developed. In the latter, they must pass the tests of economic viability. Thus, in view of the stagnant outlook for steel demand, the existence of excess capacity in the industry today, and the considerable apprehension on the part of the industry regarding the effectiveness of the President's import restraint program, it would not be surprising if the industry implemented new processes with considerable caution.

Finally, Mr. Chairman, I address the question of the outlook for employment in the steel industry. Most analysts agree that modernization of the steel industry will not result in a resurgence of employment in the industry. For example, installation of a continuous caster to replace ingot-casting and the milling of ingots into semi-finished shapes would, according to the recent report of the National Academy of Engineering, reduce labor input per ton of steel by about 50 percent. Except that demand for domestic steel would rise, it is unlikely that persons on layoff or displaced owing to plant closings would be able to reclaim their jobs.

Let me share with you a report by my colleague at CRS, Linda LeGrande, that was commissioned by the Subcommittee on Science, Research, and Technology of the House Science and Technology Committee, and that they have authorized me to release to you. LeGrande finds that the level of steel industry employment over the next decade may not fall substantially from present levels. But, she also finds that the composition of the labor force in the steel industry will change significantly in the next ten years. The lower skilled personnel will give way to more skilled and educated workers. Thus, another implication of modernization is that the characteristics of the labor force are likely to be very different from today's steel workforce. Even if the employment were to stay at present levels, many of those currently employed would not be able to retain their jobs. Mr. Chairman, I submit for the record and consideration of this committee, the report by Linda LeGrande, Employment in the Steel Industry: The Shape of Change.

Mr. Chairman, in closing, I find the steel industry to be one that has demonstrated a willingness to modernize and to commit resources to that effort, and I would expect that to continue. That is, I think, most encouraging, because such an attitude is critical to its meeting the challenges of adjusting to a competitive marketplace. America's steel industry, in spite of foreign competition and overall sluggish or declining demand appears to be anything but a dying industry. But, Mr. Chairman, I am not deluded into thinking that the steel industry will emerge as it is today from its current struggle to become fully competitive at its present size. There is still much obsolete capacity in place. Grave doubts exist regard-

ing the ability of the industry to finance its modernization. I suppose that the outlook for the industry can best be expressed by an industry spokesman, Donald Trautlein, who closed his address to the American Iron and Steel Institute at its 1985 annual meeting with these words: ". . . we are taking significant steps forward—and we're determined to take more. A lot of good things are happening—and we are making progress. While our industry may be slimmer by 1990, it will also be a lost smarter, a lot stronger, and a lot more competitive."

□ 1920

THE 25TH MEETING OF THE U.S.-E.P. PARLIAMENTARY EXCHANGE

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

● Mr. FASCELL. Mr. Speaker, the 25th meeting between Members of the House of Representatives and a delegation of the European Parliament was held at the U.S. Military Academy, West Point, NY, on June 21-24. The U.S. delegation was chaired by the gentleman from California [Mr. LANTOS] and cochaired by the gentleman from New York [Mr. GILMAN] and the gentleman from Florida [Mr. GIBBONS]. The European delegation was chaired by Pieter Dankert of the Netherlands, a past president of the European Parliament. I think it is noteworthy that another former president of the European Parliament, Mrs. Simone Veil, was also a member of the European delegation.

Mr. Speaker, U.S. relations with Western Europe are good, but our friendship is confronted with political-security questions and economic and commercial disputes which will greatly affect our future. The members of the European Community share our hope for a positive outcome in the Geneva negotiations. They are especially interested in how Western Europe's relationship with the United States will be affected by the strategic defense initiative. In the economic and commercial arena, the United States and the European Community must determine what they will do next to contain and solve the problems posed by international monetary issues and disturbing rise of protectionism.

The discussions which the U.S. delegation had with its European counterpart did much to widen our understanding of Europe's problems. The U.S. delegation encountered European concern about certain aspects of our security and economic policies, but it also found that the Europeans believe strongly in the importance of working together with the United States.

Mr. Speaker, this meeting occurred at a historic time for the European Community. The Community has accepted Spain and Portugal into its membership. When the next meeting with the European delegation occurs in January, the U.S. delegation will be able to welcome their colleagues from two more European democracies.

Mr. Speaker, a report of the 25th meeting is printed below. I strongly commend this report to the attention of my colleagues, who, I know, are very interested in the present state of relations between the United States and Western Europe.

CONGRESS OF THE UNITED STATES,
COMMITTEE ON FOREIGN AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 26, 1985.

Hon. DANTE B. FASCELL,
Chairman, Committee on Foreign Affairs, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: We respectfully submit our report on the 25th meeting between a delegation from the United States Congress and a delegation of the European Parliament held at the U.S. Military Academy, West Point from June 21-24, 1985. Representative Tom Lantos (D-Calif) chaired the U.S. Delegation; Representatives Benjamin A. Gilman (R-NY) and Sam Gibbons (D-Fla) were the co-chairmen. Other members of the U.S. delegation included Representatives Donald J. Pease (D-Ohio), Bill Frenzel (R-Minn), J.J. Pickle (D-Tex), Harry Reid (D-Nev), E. Thomas Coleman (R-Mo), Doug Bereuter (R-Neb), Mark D. Siljander (R-Mich), Alfred A. McCandless (R-Calif), Bill Lowery (R-Calif), Esteban Torres (D-Calif), Bill Richardson (D-NM), and Hamilton Fish, Jr. (R-NY). The European delegation was chaired by Mr. Pieter Dankert of the Netherlands, a past President of the European Parliament. Messrs. Vincenzo Giummarra of Italy and Rene Piquet of France served as co-chairmen.

This parliamentary meeting provided an opportunity for the delegations to discuss a number of issues affecting U.S.-EC relations. Some have been on the agenda at previous meetings, such as trade disputes and the General Agreement on Tariffs and Trade (GATT), agricultural trade and food aid, steel, trade relations with Japan, narcotics, visa reciprocity, and human rights. Other issues, such as the Strategic Defense Initiative (SDI) and NATO burdensharing, are relatively new, their presence reflecting in part a greater desire in the European Parliament to discuss security questions and to serve as a forum for the discussion of European ideas on East-West political-security issues. The agenda also included international terrorism, a subject which has been given dramatic immediacy with the hijacking of an American airliner at Athens airport on June 14 and the subsequent taking of hostages. Because of this incident, and others, such as the terrorist bombing in the Frankfurt air terminal, the two delegations approved a statement condemning international terrorism and recommending steps to stop it.

SECURITY ISSUES

Since the first of the year the dominant issue in U.S.-Western European security issues has been the Strategic Defense Initiative. With eight party groups from the European Parliament present, the U.S. delegation had a good opportunity to hear the spectrum of European opinion on SDI. For their European audience, the U.S. delegation sought to explain the future of the SDI within the Congress.

Representatives Tom Lantos and Doug Bereuter led much of the U.S. discussion on SDI. Representative Lantos pointed out that SDI related funding already existed in the Defense Department budget before President Reagan seized on the concept in March 1983 to promote a new strategic doctrine. Present debate, he explained, was confused by the Administration's use of two definitions of SDI; the President's relying on an impenetrable umbrella that would make nuclear weapons impotent, the other favoring a "point defense" of U.S. retaliatory capabilities. Representative Lantos warned against a quick dismissal of SDI's feasibility but added that the concept did raise questions about U.S.-European relations and the prospect of a conventional war in Europe. Representative Bereuter acknowledged several European concerns about SDI but explained that SDI was designed to enhance both U.S. and European security. Other members of the U.S. delegation observed that SDI had obtained authorized funding in both the House and the Senate and that, despite some reservations, the program appeared to be well-established in the Congress.

The European response varied from strong support of SDI to very critical opposition. The only general conclusion about European opinion was that most of the European delegation acknowledged the fact that SDI research would continue and that that, in itself, was acceptable. However, they expressed a number of reservations. Foremost were concerns about a decoupling of the United States from Europe, a destabilization of East-West relations and the strategic balance, and technological dominance of Western Europe by the United States. Several European delegates noted Congressional support for the SDI and urged the Congress to monitor its development very closely in order to weigh all of the implications of SDI. Another major European concern is the need to coordinate European research and development activities in SDI related technologies. Without such coordination, some of the Europeans expressed the fear that bilateral negotiations between the United States and each European participant in SDI would break down the spirit of community and cooperation among the members of the EC.

From SDI, the discussion of security issues shifted to that of NATO burdensharing. Although NATO itself is the framework for resolving differences in burdensharing, the presence of this issue on the agenda demonstrates the relationship between economic policies in Europe and NATO policies and the interest of several of the EC members in promoting a common European arms policy. Representative Harry Reid reviewed recent developments in burdensharing and concluded that the NATO allies in 1984 and 1985 had taken important steps towards improving NATO's posture. Representative Reid observed that in 1984 eight of the European allies met the 1978 guideline for an annual increase of 3 per cent in defense spending (after inflation). Also, the Allies agreed to improve certain storage facilities and munitions stocks, as well as to upgrade weapons systems vital for sutainment of NATO's conventional defense. The primary concern of the European delegation was whether the United States was willing to purchase more European manufactured equipment and weapons. Whether through the Western European Union, the European Community, or some other organ, most of the European delegation stressed the need for a common European policy to correct the 6:1 imbalance in defense procurement

between the United States and Western Europe. Also, of concern to several Europeans was the effect of protectionism on future weapons purchases from Europe.

ECONOMIC AND TRADE ISSUES

The discussion of these issues centered, in part, on the aftermath of the Bonn Economic Summint in May 1985, where President Francois Mitterrand had argued for simultaneous conferences on international monetary and trade issues. Many in both the U.S. and Europeans delegations agreed on the need for an international conference on monetary issues; although, suggested objectives for it varied. Representative Tom Coleman assigned much of America's present trade difficulties, including a $123 billion deficit in 1984 to the high dollar. But Representative Coleman also warned that the strong dollar was making it difficult for U.S. companies to compete at home, since high interest rates have made the U.S. an attractive field for foreign competitors and operations. He recommended reduction of the U.S. budget deficit, improvement of the investment climate within Europe, and greater cooperation among the Western economic powers as necessary steps to improve the international economic climate.

The European delegation agreed with much of what Representative Coleman said. However, several speakers advocated stronger state intervention in capital markets than preferred by most of the Americans. Also, the Europeans proposed establishment of specific margins to govern the adjustment of exchange rates—a recommendation the Reagan Administration has opposed. Some of the European members claimed that a more responsible policy on behalf of the United States would reduce the conditions which have contributed to greater Third World debt.

The trade discussion concentrated on a new multilateral trade round and the present and future status of the GATT. Representative Bill Frenzel frankly acknowledged that protectionist sentiment was mounting in the Congress and that there was mounting disillusionment with the GATT process. A new GATT round, Representative Frenzel observed, would not address some of the significant issues affecting international trade, such as export credit systems, relative tax burdens, or the relative value of monetary units. Without agreement on a definition of subsidies in a new round, the United States might establish a unilateral definition and implement policy as it sees necessary. In closing, Representative Frenzel agreed with other speakers on the urgent importance of addressing problems related to the international monetary system. Many of the European did not view the future of the GATT as pessimistically as Representative Frenzel and urged the United States to hold to the GATT system and avoid bilateral trade agreements. The Europeans were also disturbed by what they preceived as mounting protectionism in the United States—symbolized most recently to them on June 20 by the President's announcement of an increased tariff on pasta imports from the EC.

Both the United States and the European Community also experienced trade problems with Japan. Thus, both delegations briefly discussed their trade relationship with Japan. Representative Don Pease reviewed U.S. trade relations with Japan and assigned a sizeable share of the U.S. problem to the high dollar. However, while Japan may adhere to the formal rules of the world trade system with its low tariff levels, its informal or unwritten rules still cost U.S. exporters significant market losses. For example, Japan dominates the world market in semi-conductors because of the policies of its conglomerates which sell chips at a loss and then offset these losses with profits from other operations. Japanese practices in many areas of business are not subject to the GATT, Representative Pease noted, therefore, it has been hard to get them to reform. Representative Pease stated it was time for Japan to begin taking corrective measures, and he suggested that Prime Minister Nakasone's encouragement of more Japanese purchase of imports might signal an important beginning. The Europeans agreed with Representative Pease's observations about the problems posed by Japan's internal economic and business structures, pointing, in particular, to the difficulties caused by Japan's distribution system.

Representative Pease also made a presentation on the steel industry and U.S.-EC trade problems in steel. In his explanation of the Steel Import Stabilization Act of 1984, Representative Pease pointed out that the Act's limitation of foreign imports to 17 to 20.2 per cent of the U.S. market was accompanied by requirements that the U.S. steel industry move toward modernization and make a commitment to worker retraining. This latter concern about worker reeducation to avoid unemployment was also raised by Ms. Magdalene Hoff of the Federal Republic of Germany.

Another steel issue concerning the status of the 1982 U.S.-EC Arrangement which seeks to limit steel imports from the EC. Representative Pease hoped that the Community would accept the latest U.S. offer to resolve a dispute over pipe and tube steel imports, and he urged the Europeans to support negotiations on "consultation" products. This category of steel product was not formally included in the 1982 Arrangement; however, there was agreement that the two sides would consult if there had been a significant upsurge in these imports in the U.S. market. Although the Europeans did not respond specifically to these statements about the 1982 Steel Arrangement, they emphasized their commitment to settlement of outstanding issues with the United States through negotiations.

AGRICULTURE

Discussion of trade problems related to agriculture were influenced by two developments: The decision of the U.S. Department of Agriculture to provide $2 billion of Commodity Credit Corporation inventories as bonuses to U.S. exporters to compete in world markets in 1988, and the announcement by the President on June 20 to increase tariffs on pasta imported from the EC. The European delegates suggested the United States did not appreciate the degree of efforts already taken to reform the Common Agriculture Policy (CAP). Among the measures they mentioned were limited guarantee payments to producers, milk quotas, and an ongoing effort to get agreement on reduced cereal prices. The Europeans protested against the added tariff on pasta and the Department of Agriculture's bonuses for farm exporters. Concerning the latter, Mr. Mark Clinton of Ireland said it would bankrupt both U.S. and European farmers. The U.S. delegation responded that the Agriculture Department program was a statement of U.S. frustration with existing conditions. They also claimed the United States was more willing to negotiate on agricultural issues than the EC.

Also included in the discussion on agriculture was food and development assistance toward Africa. After reviewing the recent history and present state of U.S. and EC food policy toward Africa, Representative Doug Bereuter outlined steps which the European Community and the United States could take to improve their policies' effectiveness. For the EC, Representative Bereuter suggested that instead of paying to store and export its surpluses it should provide these surpluses as food aid and then pay its producers the difference between low world prices and higher EC prices. Both the U.S. and EC could work together to insure that food aid would not disrupt existing local food production and marketing. Also, both donors and recipients need to consult more regularly in order to coordinate food aid policy with reform and structural changes in the national economies. Lastly, there is a need for better project coordination among the donors. Taken all together, Representative Bereuter suggested that it was especially important to establish U.S.-EC coordination at the country level.

NARCOTICS, HUMAN RIGHTS, TERRORISM, AND VISA RECIPROCITY

Originally, these four topics were to be included in one working session, but the length of discussion on them and earlier subjects demanded that another session be added. Representative Benjamin A. Gilman opened the discussion with a review of necessary measures to combat drug trafficking and drug production. Representative Gilman referred to the size of the narcotics business in the U.S., $110 billion, to illustrate how great the problem has become on a global scale. Although one can find positive signs in the struggle against drug trafficking, such as recent measures by the Governments of Thailand and Colombia, Representative Gilman stated there "must be increased financial support from the international community for narcotics control programs." He urged the European legislators to join in efforts to create coordinated global and regional drug strategies against drug trafficking and to eradicate local drug production. Some of these endeavors would complement the United Nations consideration of a new convention against narcotics trafficking. Representative Gilman also encouraged the EC member nations to give more support to the United Nations Fund for Drug Abuse Control; at present, only three of the 10 EC members contribute to it. Mrs. Simone Veil of France agreed on the need to do more, and pointed out that the European Parliament had taken important steps by setting up a committee of inquiry on narcotics.

The issue of international terrorism had been on the agenda weeks before the hijacking of TWA Flight 847 in Athens and subsequent terrorist acts. Those events lent an urgency to the planned discussion. Because of the threat of international terrorism to democratic values, the two delegations agreed to the text of a joint statement condemning international terrorism and calling for government measures to combat it. The two delegations stated their belief that there should be a joint conference of competent public officials to examine this issue. The text of the joint statement follows:

The Members of the European Parliament Delegation and the Delegation of the U.S. House of Representatives regard international terrorism as one of the most serious threats to the fabric of civilization and its democratic values. The hijacking of TWA

Flight 847, the taking of hostages, the murder of Robert Stethem, and the airport bombing in Frankfurt are but the most recent examples of the terrorist threat that has profoundly affected our free societies.

Combating international terrorism requires multilateral action among the United States, the member nations of the European Community and other democratic and civilized societies. The European Parliament and the U.S. House of Representatives in their respective resolutions of 18 April and 20 June, 1985 condemned terrorism as a rejection of the fundamental values and rights of our societies and a threat to democracy and called for government measures to combat terrorist acts effectively. All nations, large and small, are equally threatened. To this end, the two delegations believe that a joint conference of competent public officials should be convened. Furthermore, joint and effective steps to assure safe and secure civil aviation are urgently required.

Our democracies certainly have the resources to destroy international terrorism. We must mobilize the political will to give this battle the highest priority it demands.

In the discussion of terrorism, Mr. Elmar Brok of the Federal Republic of Germany emphasized the need for a single definition of terrorism in order to oppose it more effectively. From the U.S. delegation, Representative Mark Siljander argued that much of the international terrorist movement could not operate without Soviet orchestration and that terrorism had become the present form of Soviet war against the West. Representative Siljander recommended a number of steps to fight the spread of terrorism: A better public understanding of its danger, improvement in Western intelligence-gathering capabilities; the use of military force when required; adoption of diplomatic and economic sanctions against its supporters, and non-negotiation with terrorist groups. The European delegation strongly shared Representative Siljander's concern about the growth of terrorism, but several questioned his argument that the Soviets bear primary responsibility for its orchestration.

Turning briefly to the issue of human rights, Representative Tom Lantos commented that the human rights situaton in the Soviet Union had deteriorated, even though the Soviets had signed the Helsinki Accords ten years ago. He urged his fellow parliamentarians to condemn equally violations of human rights by regimes on the political left or right and to be willing to go beyond symbolic protests. Human rights, Representative Lantos observed, cannot be the sole criterion in foreign policy, but it certainly should rank equally with commercial considerations in foreign policy. Representative Gilman concurred with these observations and underscored the importance of the Ottawa meeting of the Helsinki Commission in May-June 1985, which was the first time the Commission had devoted an entire meeting to human rights.

The last issue, visa reciprocity, involves the removal of the present U.S. requirement for visas for citizens of the EC countries entering the U.S. for business or pleasure. The European delegation explained that this policy creates a poor image of the United States in Europe, especially since there are no similar requirements for U.S. citizens visiting Western Europe. The U.S. delegation responded very sympathetically to the European position. Representative Alfred McCandless told the Europeans that Senator Alan Simpson had introduced a provision in his immigration bill in the current Congress which seeks to correct this problem; Simpson's language was similar to that which had been contained in the Simpson-Mazzoli bill of the 98th Congress which had not reached final passage. However, Representative McCandless pointed out the complications caused by the high rate of illegal immigration into the United States. He also noted that when the Department of State had considered a program to drop visa requirements for citizens from select countries others had protested and charged favoritism, thereby moving the State Department to drop its consideration.

CENTRAL AMERICA

The discussion of the present situation in Central America showed the variety of perspectives in the EC on this issue as well as the changes of outlook within the Congress over U.S. policy toward Nicaragua. Mr. Brok emphasized the successes he saw in the present situaton in El Salvador. President Duarte had implemented a land reform program, steps had been taken towards democratic reform, and the United States had supported Durate's efforts to open discussions with his opposition. In comparison, Nicaragua had become less democratic, the number of political prisoners had increased beyond that under President Somoza, and the visit of Daniel Ortega to Moscow had shown disturbing ties with the Soviet Union. Another European speaker, Mr. Ernest Glinne of Belgium, was less critical of Nicaragua and more critical of the policies of the United States. He opposed the economic sanctions on Nicaragua imposed by the United States and argued that the United States should give stronger support to the Contadora process. In order to decrease Nicaragua's dependence on the Soviet Union, Mr. Glinne advocated pursuit of a regional and energy program which would tie Nicaragua more to its neighbors. Mexico, for example, could replace the Soviet Union as a source for oil.

Responding for the U.S. delegation, Representatives Tom Coleman and Bill Richardson stressed that the U.S. outlook on Nicaragua had shifted because of Ortegas policies and recent visit to Moscow. Representative Coleman pointed out that the Carter Administration initially hd sought to aid the Sandinistas but had stopped because of humanitarian concerns—a lesson about the Sandinistas that seemed as important today as it was then. Representative Richardson concurred with these judgments about the costs of Ortega';s behavior and added that Nicaragua had misrepresented its intentions to the United States. He noted an increased consciousness among Democrats and Republicans of the importance of bipartisan foreign policy. This had been shown in both the House and Senate by earlier votes in June to support humanitarian funding for the "Contras", the guerrillas opposing the Sandinista regime.

The examination of U.S. and EC policies toward Central America ended three days of very productive discussion. For the U.S. delegation, this meeting provided an excellent opportunity to obtain an understanding of European thinking on most of the political, economic, and commercial issues affecting our relationship. Even though disagreement sometimes appeared over issues like SDI or select commercial matters, what impressed both delegations was the mounting importance of working together to solve problems affecting the United States and the European Community. Nothing demonstrated this mutual concern more than the agreement on a joint statement on international terrorism. The next meeting with the European Parliament will be in January, and we are looking forward to continuing our discussions then.

Sincerely,

TOM LANTOS,
Chairman.
SAM GIBBONS,
Cochairman.
BENJAMIN A. GILMAN,
Cochairman.●

ENHANCING LOW POWER TV OPPORTUNITIES

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

● Mr. BOUCHER. Mr. Speaker, I am pleased to join with my colleague the gentleman from Wisconsin BOB KASTENMEIER, chairman of the Judiciary Committee's Subcommittee on Courts, Civil Liberties and the Administration of Justice, in introducing legislation which frees an emerging new communications service—low power television—from an unanticipated burden imposed upon it by the Copyright Act.

Our bill is a technical amendment, acceptable to all interested parties, which safeguards the interests both of copyright owners and users. It opens the door to enhanced competition in the communications marketplace and provides increased local television service for Americans living in rural communities.

The legislation establishes a clear definition of something previously undefined: the local service area of a low power television or [LPTV] station.

LPTV stations are small-scale TV stations now being licensed by the Federal Communications Commission to provide local broadcast TV service to communities which are frequently overlooked or underserved by existing, regular TV stations.

The definition of a television stations "local service area" contained in the Copyright Act of 1976 does not apply to LPTV stations. This oversight has had an unanticipated, but devastating affect on LPTV which has developed subsequent to passage of the act.

As a result, local cable television systems must consider a local LPTV signal a "distant" signal for copyright purposes even if the LPTV station is located across the street and despite the fact that the LPTV station has already paid the licensing rights for programming in the local market area. This anomaly has had a chilling affect on the expansion of LPTV stations.

Our bill resolves the problem. A cable system which wishes to carry the local LPTV station would not be required to pay "distant signal" copyright rates for the local signal.

If passed, this bill will make it possible for literally thousands of new

LPTV stations to begin local TV broadcasting. Small communities which cannot support a conventional TV station would be able to enjoy what residents of large urban markets have had for years—TV coverage of local news, high school and community college sports, parades and local religious services; in short, TV programming which reflects diversity and local values.

Communities throughout southwest Virginia would benefit greatly from LPTV service. Industry experts inform me that Blacksburg, Christiansburg, and Radford are among the markets likely to have local broadcast television service from LPTV within the next 2 years. Additional stations are possible in Tazewell County and elsewhere. Indeed, any community which in the past has been large enough to support a radio station could support a local LPTV station as well.

In short, I believe that our bill accomplishes a great deal of good without interfering with the interests of other parties in the copyright and communications area.●

PERSONAL EXPLANATION

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

● Mr. PEPPER. Mr. Speaker, I was unavoidably absent during rollcall No. 265 on July 26, 1985. Had I been present, I would have voted in the following way:

Rollcall No 265, on passage of the Jacobs amendment, as amended by the Nelson Amendment, reducing the appropriations for office expenses of former Presidents under H.R. 3036, I would have voted "no".●

THE 17TH ANNIVERSARY OF INVASION OF CZECHOSLOVAKIA

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

● Mr. ANNUNZIO. Mr. Speaker, on August 21, the people of Czechoslovakia and Americans of Czechoslovakian descent will commemorate the 17th anniversary of the 1968 invasion of Czechoslovakia by the Soviet Union.

In 1968, on this Soviet Day of Shame, the Communists overran Czechoslovakia's borders with over 500,000 soldiers in a brutal attempt to crush the hopes and dreams of this peace-loving nation. This act once again demonstrated the Soviet Union's unwavering commitment to a policy of stopping any attempt by individuals to assert their inherent rights of freedom, liberty, and self-determination.

Today the Communists continue relentlessly in their oppression of those who wish to reestablish an independent Czechoslovakia; and we as Americans, the leaders of the free world, must persist in our support of those Czechoslovakians who are devoted to reestablishing a free homeland.

Charter 77, a courageous Czechoslovakian dissident group, has consistently forced the Communist leaders to account for their inhumane treatment of the Czechoslovakian people. Recently, the group marked its eighth year of existence as a voice of opposition to the Soviet-controlled government.

At this point in the RECORD, I would like to share with my colleagues an article that appeared in the March 22, 1985, edition of the Washington Post, which describes the latest activities of this brave group of Czechoslovakian dissidents. The article follows:

CZECHOSLOVAK RIGHTS GROUP PROVES TO BE SURVIVOR

(By Bradley Graham)

PRAGUE.—In the Soviet Bloc, where human rights groups tend to fall early victim to the repression they condemn, Czechoslovakia's Charter 77 is an example of survival against the odds.

Marking the eighth anniversary of its existence recently, Eastern Europe's oldest dissident group issued a lengthy restatement of principles and aims—in part to remind the world it still exists and in part to clarify for signatories what the movement stands for.

Charter 77's field of comment has broadened since its founding in 1977 in defense of human rights. In recent years, it has produced reports on such diverse topics as pollution, rock music and drugs. Its aim, say supporters, is to offer Czechoslovaks an alternative voice to that of their Communist government.

A lengthy appeal issued by the charter movement this month called for the dissolution of NATO and the Warsaw Pact and the creation of an association of "free and autonomous" European nations. "Perhaps such an ideal seems a dream," said the 17-page document. "Yet we are convinced that it represents the will of most Europeans."

Going up against one of the most stiff-backed regimes in the communist world has been a painful experience for many signers of the charter. A large number have been or are still being prosecuted, and often imprisoned, for participating in the movement.

Most of the signatories have endured a variety of forms of harassment, from loss of jobs to permanent police surveillance to exclusion of their children from universities.

On March 11, the day Mikhail Gorbachev came to power in the Soviet Union, police in Prague raided an apartment where 48 persons, many of them chartists, were viewing newsreels of the 1968 Soviet-led invasion of Czechoslovakia. All were detained, some for as long as two days, then released.

"We offered dialogue to the state at the beginning, without illusions of course," said Eva Kanturkova, a writer, signer of the charter manifesto and one of those present at the clandestine film showing. "But the only dialogue we've had has been with the state security service."

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Charter 77 insists that it does not aim to be a mass movement. Supporters, known as signatories, number 1,200, and the group has been gaining only several dozen new ones per year.

"It is not an organization nor a basis for opposition activities," said an anniversary statement issued in January, "Charter 77 has no members, only signatories. It is not something one can join or leave, only sign.

"It does not intend to enunciate its own programs of political or societal changes or reforms. Its goal is the rehabilitation of people as the true subjects of history.

"What a person can gain [from signing] is the feeling of being liberated, the feeling of being true to himself, the feeling of being publicly responsible again, the feeling of having left the forum of general indifference and of not participating, with his silence, in matters that are evidently immoral."

Charter 77 is represented by three spokesmen who change from year to year. Their names are attached to the documents released irregularly in the group's name. The three used to be chosen to reflect the major factions—ex-Communists, Roman Catholics and noncommunist intellectuals. This year's all have leftist backgrounds.

Mr. Speaker, I join with Americans of Czechoslovakian descent throughout the 11th Congressional District of Illinois, which I am honored to represent, and our Nation, as they commemorate the 17th anniversary of the invasion of Czechoslovakia. May their hopes and prayers for a homeland free of Soviet domination soon be realized.●

HELSINKI'S 10TH ANNIVERSARY

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

Mr. HOYER. Mr. Speaker, as the cochairman of the U.S. (Helsinki) Commission on Security and Cooperation in Europe, I rise today in commemoration of the Helsinki accord's 10th anniversary. On August 1, 1975, the leaders of 33 nations of Western and Eastern Europe, Canada, and the United States signed the Helsinki Final Act. Seen as the capstone of détente policy, the Final Act placed respect for fundamental human freedoms squarely within the East-West framework as a basic element of government-to-government relations. Through good faith observance of the Final Act's standards for responsible and humane international conduct, signatory states were to advance along the difficult road toward mutual trust and cooperation.

As President Ford said upon signing the accords in 1975:

> History will judge this Conference not by what we say here today, but by what we do tomorrow—not by the promises we make, but by the promises we keep.

From the beginning, the West has acknowledged that full implementation of the Helsinki accords' human rights provisions realistically cannot be accomplished overnight but would necessarily be a long-term process.

On the eve of the 10th anniversary, it is getting that we pause a moment to reflect upon the Helsinki process.

The original critics of Helsinki and others who have been disillusioned in recent years by the lack of significant progress in human rights in certain signatory states raise serious questions about the credibility and utility of the Helsinki process. The U.S. (Helsinki) Commission welcomes public debate on these questions, for we believe that the Helsinki process addresses issues and ideas about which a concerned world public should not remain silent.

Generally speaking, in the 10 years since the Helsinki accords were signed, East bloc human rights behavior has registered on the bad to worse end of the scale.

Rare improvements in human rights conduct have been largely grudging, dilatory, cosmetic, and calculated to serve other than humanitarian interests, generally signifying only temporary movement from the bad to the less bad. At once a characteristic and a major cause of the deterioration of East-West relations, East bloc human rights conditions have taken a quantitative as well as a qualitative turn for the worse.

The Soviet human rights record showed marginal improvement from 1975 through 1979. Despite many arrests, Soviet dissidents were active and effective. Ten unofficial Helsinki groups sprang up in the U.S.S.R. Soviet citizens could listen to Western short-wave radio broadcasts. Soviet Jewish emigration reached the record high level of over 50,000 in 1979. The Kremlin, bouyed by detente, adopted a somewhat more tolerant stance toward limited dissent.

In 1980, the Kremlin embarked on a harsh new law-and-order campaign—KGB style. Several foreign policy factors led to the demise of detente: Western anger over the Soviet invasion of Afghanistan; the European decision to deploy American Pershing missiles; and the rise of Polish Solidarity. Soviet domestic realities, such a Kremlin leadership instability and declining Soviet standards of living, were equally compelling. Perhaps most important, however, dissidents represented more areas of the U.S.S.R. and more diverse social backgrounds—and the West was hearing about them.

After 1980, arrests of Soviet dissidents tripled to nearly 240 per year; criminal charges against them grew vaguer and sentences grew longer; repressive new laws were passed. Conditions of imprisonment for about 10,000 Soviet political prisoners worsened. In January 1980, Nobel Laureate Andrei Sakharov was summarily banished to Gorky. Today, the Sakahrovs have disappeared.

The Kremlin also tried to cut the Soviet people off from the West. Jewish, German, and Armenian annual emigration rates fell to under 1,000 per group. Laws were passed to discourage contacts with foreigners. Soviet jamming of Western radio broadcasts was resumed in the wake of Polish Solidarity. Direct-dial telephone calls, introduced as a come-on for the Olympic games, were canceled. A KGB campaign tried to cut the flow to the West of unofficial news about Soviet society.

Today, this repressive human rights policy is still very much in place. Establishing Soviet economy efficiency is clearly the first priority of the new Soviet leader Mikhail Gorbachev.

The lack of significant progress in the area of human rights such as we find in the Soviet Union is not and should not be viewed as testimony on the credibility and utility of the CSCE process. This process has legitimized human rights as a matter of diplomatic discourse among nations and has placed it on the agenda of our allies. The CSCE process has become an important instrument of diplomacy for the United States and for the other Western democracies. This instrument, applied in a determined, concerted, and compassionate manner over time has yielded and will continue to yield positive results.

In East-West diplomacy, the Helsinki process has become the vehicle by which concerns in humanitarian, military, political, social, cultural, and other fields routinely are conveyed through bilateral and multilateral channels. Bilaterally, the Helsinki umbrella has afforded to the smaller Eastern bloc countries continued greater latitude in establishing relationships with Western nations independently of the Soviet Union.

The multilateral Helsinki approach to problems has served to increase Western leverage by compounding the political cost to the Eastern governments of human rights violations, while increasing their incentive to correct them. Helsinki's European focus, unlike diffuse U.N. discussions, ensures that debate remains centered on an area where Western ideas fall on familiar and fertile soil.

The Soviets have proven adept at marketing its social and political system as a model for other States. Helsinki has provided a unique forum in which the United States and its allies can reveal publicly the grim, brutal reality behind the Soviet facade. These debates are significant in helping to form opinion within Europe. The CSCE process has become a continuing framework for the consideration of a broad range of East-West issues and keeps the door open to the possibility of concrete progress.

Then there is the individual. By signing the Helsinki accords, the Western democracies in essence pledged to keep faith with the persecuted in the East. It is telling to recall that the West failed to anticipate the impact that the human rights provision of the Helsinki accords would have on Eastern bloc citizens. Western human rights advocates and politicians were not the first to act upon the accords as a means to expose human rights violations in the East. East bloc citizens seized upon the Helsinki provisions as a program for human rights advocacy.

Five Soviet Helsinki monitoring groups were established in Moscow, Ukraine, Lithuania, Georgia, and Armenia as were similarly inspired organizations such as Charter '77 in Czechoslovakia and the Workers' Defense Committee [KOR] in Poland. It was the repressive regime's response to these monitors, who had openly appealed to all Helsinki signatory governments and world public opinion for support, that finally stirred the West into action. Despite continued repression, Helsinki monitors in the Soviet Union and Eastern Europe persevere in their perilous and selfless work to this day.

In eloquent gestures of solidarity, arrested Soviet human rights activities have symbolically joined Helsinki monitoring groups from their places of confinement in labor camps or jails. Less than 1 week ago, Charter '77 issued a statement in commemoration of the 10th anniversary. It is a statement of hope, of urging not to give up and of reaffirmation of the ideals of the Final Act. For these courageous men and women, the Helsinki process remains a source of inspiration and of hope. It is also a lifeline, however thin a thread. It is not for us to sever that thread.

Mr. Speaker, 10 short years ago, the Helsinki Final Act helped to usher in a new era in international relations based on the precept that a states' humane treatment of its citizens is as significant as respect for a neighbors' frontiers or willingness to settle disputes peacefully. Because of Helsinki, Western governments now take it for granted that it is their right and responsiblity to speak out when human rights violations occur in another participating state.

At this moment Secretary of State Shultz accompanied by representatives of the Commission on Security and Cooperation in Europe meets with representatives of the other signatory nations to commemorate the 10th anniversary. It is a solemn moment, a time for reckoning for coming to terms with our hopes and with our expectations. The foundation of the Helsinki process was painstakingly built in Geneva. It has developed slowly and has suffered setbacks. Frustration is great and justified. But we should not lose sight of our ultimate aim, perhaps put most eloquently by physicist Yuri Orlov, founder of the Moscow Helsinki Group and a prisoner of conscience since 1977: "By our efforts, we in-

crease the probability that in the end we shall be successful."

□ 1930

Mr. Speaker, I am very pleased to yield to my distinguished colleague from the State of Texas [Mr. BUSTAMANTE].

Mr. BUSTAMANTE. Mr. Speaker, I thank my friend, the gentleman from Maryland, for yielding.

Mr. Speaker, I want to thank the members of the Helsinki Commission for organizing this special order on occasion of the 10th anniversary of the signing of the Helsinki Final Act.

After 10 years the Soviet and Eastern bloc records of compliance to many of the provisions of the Helsinki accords is dismal. The Soviet Union not only violated the Helsinki accords but also the U.N. Charter when it invaded Afghanistan, and it still violates these international conventions every day of its occupation of that country. The Soviet Union's record on human rights is no more encouraging. One needs just to look at the present situation of the intellectuals who formed the unofficial Helsinki group in Moscow to monitor Soviet human rights compliance. These intellectuals who took their government's signature unto the accords as a change in human rights policy, were sorely disappointed. The group was brutally disbanded, with many of its principals like Antoly Shcharansky, Yuri Orlov imprisoned in very harsh conditions, or sent in exile like Andrei Sakharov. The Soviets have meted out such harsh treatment to these dissidents, that they have changed the West's focus from human rights issues to concern about the lives and health of these human rights advocates.

Mr. Speaker, I want to turn my attention for a moment to the plight of Soviet Jewry. I concentrate on Soviet Jews for they form one of the largest Jewish communities in the world, and because they suffer badly from the neglect, nonobservance, and outright violation of their rights and freedoms, both as individuals and as a community.

While one of the basic rights guaranteed under the Helsinki accords is the right to leave and to facilitate family reunification, the Soviets have hampered emigration. This is demonstrated by the existence of thousands of refuseniks and the continuing drop in emigration. Not only do the Soviets block emigration but they engage in a concerted campaign of harassment of applicants for family reunion. Applicants lose their jobs and cannot find any work leading to impoverishment and the threat of a charge of parasitism. They are thrown out of universities and are deprived of academic standing. The government further isolates them by vilifying them in the media, by taking away their telephones, by constantly surveilling them, and through physical attacks on them.

The persecution does not end here. Jewish "activists", or more correctly, Jews who actively demand recognition of their rights to emigration, to pursue their culture and, to study the Hebrew language are subject to arrests, trials, and prison and labor camp sentences. Many are victims of brutal beatings.

Mr. Speaker, the state of affairs of these Jews has moved me to request from Mr. Gorbachev that such inhumane actions cease. I particularly conveyed my concern over the beatings of Yuli Edelshtein and Yosif Berenshtein and the recent conviction of Evegeny Aisenberg and the trial of Dan Shapira. With such a record before us, we may be led to ask what was the use of the Helsinki accords? It certainly did not change the functioning of the Soviet dictatorship. On the other hand, it has helped establish human rights as a legitimate issue of international concern.

Mr. Speaker, our Government should continue its efforts on behalf of Soviet Jews. To that effect, we should require the Soviets to comply with universally recognized human rights before we give them concessions on bilateral relations. When coupled with economic, or other incentives, the Helsinki Final Act will then achieve its role as an instrument for promoting human rights.

Mr. Speaker, I again thank my friend from Maryland for yielding. I wanted to express our concern and to join with the gentleman in this special order.

Mr. HOYER. I thank the gentleman from Texas for his eloquent statement, for his support not only on this special order, but on a daily basis for the cause of human rights both in this country and around the world.

● Mr. FASCELL. Mr. Speaker, August 1, 1985 will mark the 10th anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe (CSCE), in Helsinki, Finland. At that time the heads of state of 33 European nations, the United States and Canada affixed their signatures to a unique document which obligated its signatories to implement a series of complementary provisions in many fields, including cooperation in the humanitarian, military-security, economic, scientific and cultural areas. This week the Foreign Ministers of the 35 signatory states are again gathered in Helsinki to commemorate the 10th anniversary of the process initiated in Helsinki and to give their assessment of the accomplishments and failures of this endeavor.

The 10 years of experience we have had with this important process, the CSCE or Helsinki process as it is called, has yielded mixed results. Unique among diplomatic documents in Europe, the Final Act established an on-going review mechanism to periodically review the implementation of its provisions. The first of these review conferences was held in Belgrade, Yugoslavia, from 1977-78, the second in Madrid, Spain, from 1980-83 and the third will take place in Vienna, Austria, beginning in October, 1986. During these conferences, the full record of implementation failures and successes were reviewed and new measures adopted.

Despite initial, unsuccessful attempts by the Soviet Union and its allies to block discussion of human rights violations in their countries, the result of the Belgrade and Madrid review conferences and the recent human rights experts meeting in Ottawa, Canada, was to establish human rights as a legitimate issue of international concern and discussion. Through the CSCE process, it has now been firmly established that criticism of the manner in which a state treats its own citizens can no longer be dismissed as interference in internal affairs but is of interest to all states. In short, the CSCE process has helped to inject a needed degree of accountability into the diplomatic treatment of human rights issues.

The Helsinki process has provided a necessary support for the aspirations of the people of the Warsaw Pact countries. Shortly after its adoption, the Final Act was published in full throughout the Soviet bloc and unexpectedly gave rise to the spontaneous formation of citizen groups in several countries interested in monitoring and encouraging their government's compliance with the Final Act. Despite repeated repression and harassment, these groups have continued to function, particularly in Czechoslovakia and Poland, and to provide useful information on the human rights situation in their countries.

Another important positive accomplishment of the CSCE process has been the political dialogue which has been established among the 35 signatory states on a wide variety of issues ranging from confidence-building measures to scientific and cultural development in the Mediterranean area. As part of the CSCE process, discussion is now underway in Stockholm, Sweden, on the development of concrete, militarily significant confidence and security-building measures designed to increase military security and reduce the outbreak of conventional war in Europe by miscalculation. In other areas of the Final Act, we can look forward to a high-level cultural forum in Budapest this October bringing together important cultural figures as well as diplomats from all signatory states as well as to an Experts Meeting on Human Contracts

next year in Bern, Switzerland, to seek ways to improve family reunification.

Unfortunately, the status of the Helsinki process on its 10th anniversary is not as rosy as the brief analysis I have just made would indicate. Undermining and endangering all the positive accomplishments of the Helsinki Final Act has been the repeated failure of the Soviet Union and several of its allies to abide by its obligations undertaken when it signed the Helsinki Accords. Most glaring has been their lack of implementation, in fact outright violation, of the human rights and humanitarian provisions of that document. Thousands have been arrested and imprisoned since the signing of the Final Act, most for simply desiring to exercise their rights and freedoms guaranteed in the Final Act itself. While the Helsinki process has added an important element of accountability into diplomatic discourse on human rights, it unfortunately has been powerless to induce the offending countries to improve their repressive practices.

We can criticize all we like, but if these criticisms and suggestions go unheeded over time, many will begin to question the utility and efficacy of the entire process. To be sure, there have been intermittent improvements in certain East European countries, usually on the eve of an important CSCE forum, but overall the record of implementation, particularly in the human rights area, has not been good. Emigration from the Soviet Union has slowed to a trickle, dissent has been brutally suppressed and the hopes of millions in Eastern Europe, awakened in 1975 by the promise of the Helsinki Final Act, have been disappointed.

The dismal record of the Soviet Union has not been confined to the human rights area. The invasion and occupation of Afghanistan marked a violation of the very heart of the Final Act's basic principles that signatory states should refrain from the threat or use of force and respect one another's national sovereignty and territorial integrity. The imposition of martial law in Poland in 1980 and all the subsequent repression there is another vivid reminder of the failures of the CSCE process. It is instructive, in this regard, to note the hyprocrisy of the Soviet Union, which has, with much fanfare at the Stockholm CDE Conference, been pushing for a Treaty on the Non-Use of Force, a pledge already contained in the Helsinki Final Act and which the Soviet Union is violating daily in Afghanistan.

The 10th anniversary of the signing of the Helsinki Final Act provides us with a valuable opportunity to reaffirm our commitment to the Helsinki process, and particularly to its human rights and humanitarian provisions. The East-West dialog initiated in Helsinki 10 years ago and the process of review and accountability which has been gradually established have proven to be valuable assets. The Helsinki process has provided a beacon of hope to the peoples of Eastern Europe and has even helped to marginally improve their lives by enhancing somewhat the free East-West flow of people, information and ideas.

We cannot ask too much of the Helsinki process, since it is unrealistic to expect that in a mere 10 years the repressive nature of Soviet society would fundamentally change. What we sought when we signed the Final Act in 1975 were incremental changes and improvements as well as an established instrument for calling attention to the need for continued compliance. This we have largely achieved. It cannot be ignored, however, that continued Soviet repression of any form of dissent and its policy in Afghanistan have endangered the real achievments of the Helsinki process and undermined its credibility. Unless these outright violations of the spirit and the letter of Helsinki cease, the Helsinki Final Act will ultimately fall short of its primary goal of building real trust, security and cooperation among the peoples of the 35 signatory states.●

● Mr. MAVROULES. Mr. Speaker, Thursday, August 1, 1985, marks a milestone in East-West relations. It is the 10th anniversary of the Final Act of the Conference on Security and Cooperation in Europe, held in Helsinki, Finland to promote world peace, the free exercise of human rights, and better understanding and cooperation between East and West.

In the years which followed the signing of the Helsinki Accords, some gains were realized. For example, the Soviet Union allowed increased emigration of national minorities and improved conditions for foreign journalists; there has been greater openness about military activities, including the voluntary exchange of observers at military exercises; and scientific and economic activity between East and West increased. However, this progress fell far short of the high standards set at Helsinki.

As of late, Soviet action in human rights has been deplorable. A glaring example of this is the emigration of Soviet Jews to the West. In the years following Helsinki, 1975-79, 124,402 persons were granted exit visas. However, in the last 5 years, only 35,816 have been allowed to emigrate. This shows a blatant disregard for the long term goals of the accords. We must continue to pressure the Soviets into conformation with the goals of the Pact through continued spotlighting of human rights violations in the eyes of world opinion. The Helsinki accords are the best forum to keep this pressure on the Soviet Government to improve conditions for national minorities. Perhaps if such a forum was available in the 1930's, atrocities such as the Holocaust or the bloody purges of Stalin may not have taken place.

At the present time, we are engaged in the first significant arms control talks of this decade with the Soviets in Geneva. This type of continuing dialog is the best avenue available to achieve world peace and stability. On this historic occasion, let us revive the spirit of Helsinki and call on the negotiators in Geneva to end the arms race—a race which has no winners. And, let us make the second decade after Helsinki a decade of achievement.●

● Mr. OBERSTAR. Mr. Speaker, I rise to commemorate the 10th anniversary of the signing of the Final Act of the Helsinki accords.

This anniversary provides an opportunity to reflect back on what could have been a turning point in relations between East and West. The signing of these accords sparked a strong hope that a better understanding and sense of cooperation would be established and that a mutual commitment to the advancement of human rights would be recognized.

Today's anniversary should be the celebration of a decade of accomplishment toward greater respect for human freedom and fundamental rights.

But, Mr. Speaker, today is not a day to celebrate accomplishments, for there have been precious few. Sadly, today is a day of regret and disappointment. Regret that the Soviet Union has not been held accountable for the fundamental disregard for human rights it has displayed, and disappointment that an agreement which once held so much promise has not been fulfilled.

The Soviet Union's human rights record has, in fact, deteriorated since the Helsinki accords were signed. Events including the 1979 invasion of Afghanistan, increased pressure on Poland, and the 1983 shooting down of an unarmed Korean jetliner evidence the gross betrayal of the intent of the accords by the Soviets.

Emigration of Soviet Jews has also dwindled from 51,000 in 1979 to just 900 last year. This significant decline is not because less people wish to leave the U.S.S.R. Indeed, sources indicate that more people than ever before have expressed a desire to emigrate. Increased harassment, loss of jobs, censorship of mail and phone calls, and even imprisonment generally succeed in suppressing attempts to emigrate.

The Kremlin obviously has its own opinion of minimal standards of human rights, but the Congress of the United States and the citizens of the free world must not accept their definition. As Members of the greatest democratic body in the world, we must

reaffirm our commitment to the goals set forth in the Final Act, and we must reaffirm our commitment to pressuring the Soviet Government to do the same.

The 10th anniversary of the Final Act of the Helsinki accords must serve as a reminder that we must constantly be vigilant about human rights in order to ensure their promotion and protection. The next 10 years must be a decade of challenge, change, and progress as we work to share with oppressed peoples throughout the world the freedom we in this country so abundantly enjoy.●

● Mr. GILMAN. Mr. Speaker, I would like to commend the gentleman from Maryland [Mr. HOYER] who, as the distinguished vice-chairman of the Commission on Security and Cooperation in Europe [CSCE], referred to as the Helsinki Commission, has made available this time to us today in order to enable us to expound upon the 10th anniversary of the signing of the Helsinki Final Act. It is an important commemoration which we discuss today, and one which I welcome.

Prior to the meeting of the 35 nations in Helsinki in August, 1975, there were several years of intense negotiations regarding the many provisions of the Helsinki document. In its final form, it contains three baskets, or sections. The first basket focuses on security matters, although principle No. 7 deals with human rights in general. The second basket deals with economics, while the third basket discusses human rights provisions, among them, family reunification. I was pleased to cosponsor House Joint Resolution 361, a companion bill to Senate Joint Resolution 180 which commemorates the 10th anniversary of the signing of the Helsinki accords, and which was the topic of House consideration earlier today. In conjunction with that measure, I was pleased to join the gentlelady from Connecticut [Mrs. KENNELLY], in introducing a concurrent resolution today which focuses more distinctly on principle No. 7 of basket one to which I just referred. Principle No. 7 is 1 of 10 guiding principles in the Final Act, and asserts respect for human rights and fundamental freedoms, including the freedom of thoughts, conscience, religion or belief. It is highly appropriate that we focus attention on this aspect of the accords, and in reviewing the 18th Semiannual Report by the President to the CSCE, we find that, "The Soviet Union has continued to violate both the letter and spirit of principles guiding relations between states as set forth in the Helsinki Final Act."

Having turned back the pages of time to review remarks made by the late Soviet leader Leonid Brezhnev at the time of the signing of the Helsinki accords, I find it especially interesting that he stated, "We assume that all countries represented at the conference will implement the understandings reached. As regards the Soviet Union, it will act precisely in this manner." President Gerald Ford, in his address at the signing, accurately conveyed the observation that participating nations at the Helsinki meeting will be judged "not by the promises we make, but by the promises we keep."

Following the historic signing ceremony, Helsinki Watch Monitoring Groups were formed across the Soviet Union. Their aim was to closely follow the actions of Soviet authorities in their implementation of the principles in the three baskets. Congress also acted, by forming the Helsinki Commission—the Commission on Security and Cooperation in Europe—in 1976. Since its inception until this past year, the Commission was ably and respectively chaired by our colleague, the gentleman from Florida and the distinguished chairman of the Foreign Affairs Committee, DANTE FASCELL. His tenure has been a guiding light for the Congress and for the administration in following actions taken by nations signatory to this agreement. The Commission's work this year is being ably directed by the junior Senator from New York [Mr. D'AMATO] and the gentleman from Maryland, [Mr. HOYER.]

In the decade that has followed, we have witnessed the unprecedented abridgement of human rights in the Soviet Union and elsewhere, as evidenced by the almost complete dissolution of the aforementioned human rights monitoring groups. Of the many courageous men and women who participated over the years, most have been sent to labor camps, imprisoned, incarcerated in pyschiatric hospitals, or exiled. Only a few remain untouched by the heavy hand of Soviet repression.

Soviet Jewish emigration, which peaked at 51,000 in 1979, has dropped to less than 900 emigrees in 1984. Arrests of Soviet Jewish Hebrew teachers and activists has increased dramatically, and the expected number of Prisoners of Conscience hovers over 30. Then number of men, women, and children who have been denied permission to emigrate, or the ability to rejoin their families in Israel has soared each year, in direct contravention to the Accord and its principles which are our topic of discussion today. Discrimination is not limited to Soviet Jews—there are hundreds of Pentacostals who have been arrested and harassed for the simple desire of wanting to practice their religion freely and openly. And the case of little Kaisa Randpere, a 1-year-old Estonian girl who should be allowed to be raised by her loving parents in Sweden, all cry out for true and proper implementation of the Helsinki Final Act.

Mr. Speaker, the first Helsinki 10 years have shown us that continued vigilance on our part is a necessity. As a member of the Post Office and Civil Service Committee, I have been closely involved with an ongoing investigation into the interruption and tampering of mail going into and out of the Soviet Union. Individuals whose cases we are now investigating include the eminent scientist and Nobel Peace Prize winner, Dr. Andrei Sakharov. But there are thousands more men and women who suffer this insidious practice at the hands of unnamed Soviet officials.

We in the West cannot stand idly by as they are arrested for no real reason, harassed and beaten, their homes searched, personal items confiscated, and then sentenced to prison, labor camps or internal exile. These practices are not within the letter or spirit of the Helsinki Final Act. The people of the United States will not abide such blatant cruelty.

As we commemorate the signing of the document which gives us the inherent right to strive for the freedom of all peoples, let us look forward to the next expert's meeting in Bern, Switzerland in February 1986, with the goal that our renewed efforts will hopefully have improved the situation for all men and women, whose only remaining hope depends on what is embodied in the Helsinki Final Act.●

● Mr. WORTLEY. Mr. Speaker, today we honor an agreement and a process that has had mixed success but has still succeeded in being an important means of working for human rights in the Soviet Union and other East bloc countries.

The Soviet Union has a convenient policy of abiding by international agreements as long as it is in its self-interest to do so. This is a natural policy of all governments, but in free societies, pressure is brought to bear on governments by their populations or other governments to abide by agreements even if they would rather not.

Unfortunately, the Soviet Union has been singularly free of significant pressure to abide by its commitments.

When the Soviet Union signed the Final Act in 1975, it agreed to refrain from the threat or use of force against other nations. It invaded Afghanistan in 1979.

It agreed to take effective measures against terrorism and prevent territories from being used for terrorist activities. The Soviet Union has several terrorist training camps on its territory.

The Soviet Union has agreed to assure constant, tangible progress in the exercise of human rights. It has reduced Jewish emigration from a high of 51,000 in 1979 to 896 in 1984, and Helsinki monitors, members of an

unofficial peace group and unregistered religious groups, and Jewish cultural activities have all been victims of increased human rights violations.

The Soviet Union agreed to ensure individual freedom to practice and profess religion and consult with religious organizations. It is quite obvious that this freedom is violated regularly, especially for Jews.

Mr. Speaker, the Soviet Union has an atrocious record over the past several years, but it is not the Final Act that is at fault. It is the Soviet Union's failure.

And perhaps the free world has not done enough to try to enforce the agreement. We write letters, we protest verbally, but what cohesive, concrete action have we taken? None.

If a country can violate an agreement without fear of reprisal, what incentive is there for it to do othewise?

Perhaps on the occasion of the 10th anniversary of the Final Act of the Helsinki accord, we should begin to seriously consider what recourse signatories to that act have when it is violated on a consistent and systematic basis.●

● Mr. PORTER. Mr. Speaker, I am pleased to participate in today's special order commemorating the 10th anniversary of the signing of the Helsinki Final Act. As founder and cochairman of the Congressional Human Right Caucus, I know that many of my colleagues share my commitment to the standards for respect for human rights expressed in the Final Act.

As a Helsinki Commissioner I had the opportunity to go to Ottawa last May and participate in the Human Rights Expert Meeting regarding compliance with those provisions of the Final Act.

Our delegation, under the leadership of Chairman Senator ALFONSE D'AMATO and Cochairman Congressman STENY HOYER, met with the Soviet delegation. As my colleagues can imagine, the Soviets were not eager to discuss our concerns regarding their failure to comply with the human rights provisions of the accords.

As we attempted to raise our concern over the treatment of Andrei Sakharov, Anatoly Shcharansky and Dr. Yuri Orlov, the Soviets insisted upon talking about our country's treatment of American Indians and our problem with unemployment.

Yet despite the Soviet delegation's unwillingness to admit to their failure to meet the standards of the Helsinki Final Act, I believe that it is of primary importance that we continue to uphold these standards. It is necessary to view the Helsinki Final Act as a symbol for the struggle for human rights for individuals in the Soviet Union and its satellites. We must remind ourselves that for the oppressed peoples of the world the U.S. commitment to human rights, particularly those specified in the Helsinki Final Act, adds greatly to their individual struggle. For the most part, the Helsinki Final Act has helped to establish human rights as a legitimate issue of international concern and discussion.

The case for upholding the standards of human rights outlined in the Helsinki accords cannot be overstated. We must view these documents in the important role they played in activating human rights efforts throughout the Soviet Union and Eastern Europe.

Today in my office I met with Alexander Lyakov who is currently on a hunger strike in solidarity with friends stuck in the Soviet Union. His friends, Lyudmila Nemtseva and Dmitry Marchenko, have begun an open-ended hunger strike out of their frustration regarding the Soviet Government's policy to refuse them permission to emigrate. Although I do not support their plan to fast till death, I understand and sympathize with their serious situation. Unfortunately, their story is one repeated by thousands of other Soviet citizens who have been denied permission to emigrate.

And the story of persecution and harassment is repeated throughout Eastern Europe. In Poland the authorities have clamped down on the labor movement by outlawing Solidarity. In Czechoslovakia members of Charter 77, the Helsinki Monitoring Group, including Rudolf Battek, have been imprisoned. In Romania the Christian community has been subjected to great persecution, including the mistreatment of religious leaders and the desecration of churches. And in Bulgaria there have been numerous reports of persecution of the Turkish minority.

In signing the Helsinki Accords, the U.S. and the other signators, committed themselves to periodic meetings to review compliance with these standards. We must use these accords, and all other available opportunities, to discuss with the Soviet Government our abhorrence of their treatment of human rights activists, religious believers and ethnic minorities.

I believe that the only way we will ever see progress in respect for human rights in the Soviet Union is by continuing to trumpet our concerns in this area, at every available opportunity, including the Arms negotiations in Geneva. In the past the United States has been far too willing, in my judgment, to sign agreements with the U.S.S.R. without obtaining firm commitments from them on issues of great importance to U.S. citizens. Our country has much to offer to the Soviets, including technology and grain, and I am afraid that we will give away the store without obtaining a commitment from them regarding issues of primary importance to our Nation. In the past, I have contacted President Reagan to express my sentiment that human rights must be on the agenda whenever we talk with the Soviets.

At times our most valuable tool in working on the cause of human rights is public relations—and the Soviets should never be allowed to escape from the painful exposure of public opinion. The media must recognize the value their scrutiny on this issue can bring to bear on the Soviet leadership.

The motto for U.S. representatives negotiating with the U.S.S.R. must at all times prioritize respect for human rights. The 10th anniversary provides us with an excellent opportunity to reaffirm our commitment to the human rights standards embodied in the Helsinki Final Act, and to maintain our solidarity with the oppressed peoples caught behind the Iron Curtain. I urge my colleagues to join me in supporting the Helsinki accords, and to use their voices to encourage greater compliance by the U.S.S.R. and its satellites.●

● Mr. AUCOIN. Mr. Speaker, I'd like to commend the sponsors of this important special order.

Today we commemorate the 10th anniversary of the Final Act of the Conference on Security and Cooperation in Europe, more commonly known as the Helsinki accords.

Signed on August 1, 1975, the accords were hailed as a breakthrough in East-West relations. Nearly every European Nation, the United States and Canada joined in support of the Helsinki Final Act which sets forth principles including respect for sovereignty, inviolability of frontiers, nonuse of force, and respect for human rights. The accords also call for cooperation in science, technology, economic issues, and the environment.

Also spelled out in the accords are standards for freedom of movement of people and information, family reunification, and educational and cultural exchanges.

Considering that there is no authority to enforce compliance, the Helsinki accords have been successful in helping to persuade nations to alter certain restrictive policies.

However, there is one area where the accords have clearly failed. Soviet compliance with the accords, particularly improvement of human rights and emigration, has been far less than we had hoped. One issue in particular is useful as a yardstick for measuring Soviet progress—emigration of Soviet Jews. From a high of 50,000 in 1979, the number of Soviet Jews allowed to leave the U.S.S.R. last year plummeted to a mere 900. There are alarming signs that official harassment and persecution of Jews in the Soviet Union is on the upswing.

In addition, informal groups, such as the "Moscow Group" led by Uri Oolov, Andrei Sakharov, and Anatoly Shchar-

ansky, that have developed to monitor compliance with the Helsinki Act have been systematically disbanded by the Soviet Government.

While celebrating the 10th anniversary of the Helsinki accords, we must remember how much progress is yet to be made.●

● Mr. MARKEY. Mr. Speaker, on May 1, 1975, the leaders of 35 nations signed the Helsinki Final Act. Today, we mark the 10th anniversary of this unprecedented commitment on the part of 33 European countries, the United States, and Canada to respect for the human rights of their citizens, particularly for freedom of thought, conscience, religion, and belief.

Ten years later we cannot yet celebrate this anniversary in triumph. Throughout the Eastern Bloc repression has remained a constant. But even in the face of continuing oppression, the commitments made at Helsinki have inspired hope among many who are working for change. In January 1977, as a direct result of the Helsinki Final Act, 241 Czechoslovakian citizens, in signing a manifesto called Charter '77, openly demonstrated their belief that responsibility and maintenance of civil rights was the concern of individuals as much as governments.

Over the past 8½ years, spokespersons for Charter '77 and reports from the parallel, though complimentary, Committee for the Defense of the Unjustly Persecuted [VONS] founded in Czechoslovakia in 1978 have issued a constant flow of reports and updates on human rights abuses and conditions in their country. The signatories and spokespersons for these monitoring groups have borne the brunt of their Government's repressive might.

Commitment to human rights within Czechoslovakia is not a comfortable or easy position. Spokespersons and signatories to Charter '77, now numbering over 1,200 individuals risk their personal well-being, as well as the future of their children. In speaking out, Charter '77 signatories knowingly expose themselves to possible arrest, detention, interrogation, and intrusive surveillance; their children have often been denied access to the nation's educational system. Ten of the twenty-four individuals who have served in the role of spokesperson have served time in jail.

In celebrating the eighth anniversary of Charter '77, the Charter's spokespersons issued some wise observations from which we can well be instructed as we consider our continued commitment to the Helsinki process on this 10th anniversary. No one gains anything or changes anything for the better, they point out, simply by signing a document. Yet, by signing a commitment to respect for human freedoms, we can bear witness to our ideals. By focusing attention on injustice, we try to make it possible to speak the truth, and we accept public responsibility for trying to make our vision a reality. Like Charter '77, the Helsinki Final Act is not meant to be a one-time purely symbolic gesture, but rather the beginning of work which must continue.

Within Czechoslovakia, the signatories of Charter '77 have summoned great courage acting as a model of active commitment to the ideals of Helsinki. May we succeed as well as they in directing the world's attention to human rights, in struggling to create an environment where it is possible to speak the truth, and in awakening hope among those who are oppressed.●

● Mr. GARCIA. Mr. Speaker, this week marks the 10th anniversary of the Final Act of the Conference on Security and Cooperation in Europe [CSCE], more commonly known as the Helsinki accords.

Public perception of the Helsinki accords has been based primarily on the human rights provision of the act. But they are much more than that. In the words of Charlotte Saikowski of the Christian Science Monitor, they are:

> A carefully balanced package of principles designed to provide a framework for cooperation (East-West) in many areas, including military, security, trade, science, technology, environment, culture, and education.

I would like to share with my colleagues, however, excerpts from a report, published in November 1984, of the North Atlantic Assembly's Committee on Civilian Affairs that deals with the humanitarian provisions of the Helsinki accords. The report, entitled "The Implementation of the Humanitarian Commitments Entered into at the CSCE," was prepared by Mr. Frans Vangronsveld, a member of the Belgian Senate, who is also the Rapporteur of the Civilian Affairs Committee's Subcommittee on the Free Flow of Information and People.

I believe Mr. Vangronsveld's report offers a comprehensive assessment of the overall lack of commitment to the act by Eastern bloc nations. As chairman of the Assembly's Civilian Affairs Committee, I am proud to associate myself with Mr. Vangronsveld's report, as well as with all the work done by the Committee and the entire Assembly. The Assembly, under the auspices of the Subcommittee on the Free Flow of Information and People, also puts out a quarterly publication, the Bulletin, which reports on violations of the humanitarian provisions of the Helsinki accords.

I can make available for my colleagues copies of the Bulletin and Mr. Vangronsveld's report:

SUMMARY

I. IMPLEMENTATION OF THE HUMAN RIGHTS COMMITMENTS ENTERED INTO AT THE CSCE

The Rapporteur sets out from the following observation: the signatories of the Helsinki Final Act and its follow-up do not all show the same commitment to implementing their human rights undertakings. The so-called "socialist" countries are in many cases determined not to implement them. The draft report draws up a picture, for each type of undertaking, of the violations of the Final Act. It notes that the picture is varied. Certain countries, like Hungary, have progressed, while others decline to move forward at all. Some areas—like religious freedom—seem more susceptible to change, while in others—such as freedom of association—there seems to be little likelihood of the situation improving.

To induce the signatory states to keep their promises, the draft report proposes that Western diplomacy be "conditionalised", so as to avoid the drawbacks of "linkage". In order to do this, each of the Alliance countries should be encouraged to adopt a different approach, as the various Alliance countries maintain relations of differing degrees with each of the communist countries. Care should be taken to avoid these countries reacting as a bloc, and this calls for coordinated but diversified diplomacy.

Public means represent a vital supplement to diplomacy, especially in a field which affects relations between peoples. The draft report calls for a separation between such activity and the diplomatic approach, with states resorting to public means only in the event of failure of diplomatic channels, and the rest being left to private initiative and international communication by means of orders and documents.

I. IMPLEMENTATION OF THE HUMANITARIAN COMMITMENTS ENTERED INTO AT THE CSCE

1. By the time the Madrid Conference closed some progress had been made in the field of human rights, particularly in the areas of the press and trades union rights. Since the signing of the Helsinki Final Act, however, there have been constant violations of the human rights commitments contrived therein. One is entitled to wonder what point there is in progress on paper while the actual situation has not improved.

2. The CSCE process has reached a crucial juncture. If no real progress is made in the field of human rights, the forthcoming meetings of the Conference will lose all credibility, since the Western signatories will know in advance that the commitments given by the Eastern bloc will have no practical value. This would not only tend to make our diplomacy look ineffective, but would increase cynicism both on the part of the Eastern bloc countries and even more so on the part of public opinion in the West, for which the natural tendency would be to look on these developments as an abstract game of concern to governments for reasons that have very little to do with human solidarity. It is therefore our Sub-Committee's task to see what means would be likely to bring about fuller and more balanced application of the commitments entered into the course of the CSCE process. In order to do this, we must first take stock of the extent to which these commitments have been violated, then examine the paths, both public and diplomatic, which would make it possible to bring pressure to bear on the signatories who appear to attach scant importance to honouring their promises—or indeed

appear to be determined not to honour them.

a. Extent of the violations of the Helsinki commitments

3. This is not the place to detail the multiple violations of the human rights provisions of the Helsinki Final Act (Principle VII and Basket III in particular). We must settle for a brief survey of recent developments, attempting to pick out the most significant features. The Bulletin published by the International Secretariat for our Sub-Committee constitutes a sad catalogue of these multiple violations. Ninety to ninety-five per cent of them were perpetrated by governments of the Eastern bloc.

4. However if we look more closely at the events of recent years we can detect a real disparity first of all between the conditions prevailing in the various countries of the Eastern bloc, and secondly between each of these countries' and the Soviet Union. These differences serve to define the subtly shaded framework within which our countries' policies should be shaped, if they are to be realistic and effective. Actual conditions and pressures differ noticeably from one country to another, resulting in some unevenness in the degree of application of the various types of Helsinki commitment.

(g) Encourage changes

66. The Helsinki process, continued in Belgrade and later in Madrid, represented an attempt to "Europeanise" human rights questions, giving each of the signatories a right to voice their views on the matters mentioned in the Final Act, and its follow-up, even in connection with affairs internal to another state. In other words, the principle of non-interference is retained, but it cannot be invoked by a signatory to the Act to stop its partners intervening in connection with specific instances on questions dealt with in the Act. Thus there is no longer any principle of non-intervention in Europe (Albania excepted). This is why it is indispensible for the governments of the Alliance to seize every opportunity to show their concern over the violations of the human rights provisions of the Final Act. Depending on the case, this should be done discreetly by diplomatic methods, or else publicly. But it should never be forgotten that this is the major achievement of the CSCE process.

67. This opportunity opened up by the Final Act and its follow-up is rendered even more effective by the fact that societies of the Eastern countries differ widely from one another. The survey given above shows that there are now large discrepancies in governmental behaviour between countries of the Warsaw Pact, and, even more importantly, between the societies living under the "communist" regime. This variety is even more striking if one considers not only the human rights aspects of the internal situation of these countries, but on a more global level the societies taken as a whole. Their economic systems, their types of political organisation and the power of the Communist parties, for example, also vary substantially from one country to another.

68. The CSCE process cannot claim any responsibility for this diversity, but, if it is used consistently, it indubitably represents a factor making for fluidity in relations between European States. Anything that can help to transform the societies dominated by the Communist States by moving them towards greater diversity must help to make the "bloc" a less monolithic unit grouping and therefore less a bloc than an alliance. It is obviously up to the citizens of these countries themselves to consolidate these changes, but Western nations must not and cannot stand idly by. Any movement in this direction represents an advance for European peace.

69. More formal consideration should however be given to the means which might make it possible to force the signatories of the Act to register some progress towards honouring their commitments. In this respect, the first principle must be precision. The Soviets and their satellites always prefer vague and "universally" applicable formulas to precise and concrete commitments. There is nothing surprising in this. The totalitarian regimes' "Newspeak" let them interpret general principles their own way: notions which for us have a precise meaning are so distorted as to become completely malleable, serving to say anything one likes and its precise opposite. This is why the constitutions of the Communist countries detail rights which are often non-existent in practice.

70. The prime objective for the free nations must therefore be to secure commitments from the leaders of the Eastern bloc countries and the USSR that are as precise and as verifiable as possible. The objective must be a situation in which compliance with the commitments can be monitored in a manner that leaves no room for doubt. In this respect, some progress was made in Madrid. The fact, for example, that replies to requests for visas for potential emigrants must now be given within six months (and no longer "within a reasonable time") represents a veritable commitment. In the same way the provisions relating to press correspondents will make it possible to arrive at an incontrovertible verdict on the extent to which the Madrid provisions are being faithfully applied. This must be the path taken by the forthcoming follow-up conferences on human rights. It is quite obvious today that global promises have no practical value. However we should not delude ourselves: the further the countries of the Alliance proceeds along this path, the more difficult it will be to reach agreements. The Soviets and their allies will take shelter behind a restrictive interpretation of the principle of non-interference, although they themselves completely ignore this principle in waging their constant ideological war against the West.

71. If paralysis is to be avoided, the approach to these negotiations must be one that avoids confrontation between our Alliance and the Eastern bloc. We should make due allowance for the fact that the influence which the Alliance and each one of the countries of the Alliance can exert on each of the countries of the bloc varies considerably. Our influence on Soviet society is minimal, but this is not the case for all the societies of the satellite countries, with which we have economic and human relations that offer us broader scope for action. On the other hand the nations of the Alliance have more or less developed relations with the East, and any human rights policy must take account of the partners' capacity for influence. Policies that are too universal can be dangerous inasmuch as they run the risk of strengthening the solidarity between the leaders of the "brother countries", whereas the aim should be to weaken this solidarity. To make progress along this path, your Rapporteur suggests consideration, in turn, of diplomatic methods and public means.

CONCLUSION

90. Your Rapporteur would like to add that in his opinion parliamentarians from the member countries of the Alliance should be involved in the negotiations for the follow-up to the Final Act, following the United States practice, in order to make the public more familiar with these matters, which concern not only the States, but the citizens too. National delegations to the forthcoming meetings should at the very least include parliamentary observers, or better still contain parliamentarians as members of the delegation. The North Atlantic Assembly should likewise be involved in the prior consultation procedures of the member countries of the Alliance. This would make for greater consistency in the stances adopted within each of our countries, and also between the countries themselves.

91. The purpose of this report is to think of ways of introducing human rights consideration into the framework of inter-state negotiations, in order to assure them of their rightful place. All too often, questions relating to the citizens themselves are looked on as external to the normal field for foreign policy: they are then used for informational purpose or even propaganda purposes, or else in illustration of political considerations.

92. It is your Rapporteur's view that morality must have an integral place in the international concerns of democratic states and societies. This is not a matter of lapsing into other worldliness, but of making our moral objectives an integral part of our diplomatic practice. Human rights are one of the objectives of the Atlantic Alliance's international action. To come close to this objective, our nations must shape their international policy within this framework. Moral pressure must be backed up by political pressure. This is the price of consistency between our countries' foreign policies and the principles they invoke.●

● Mr. WOLF. Mr. Speaker, I join my colleagues in celebrating the 10th anniversary of the Helsinki Final Act. The signing of the Final Act at the Conference on Security and Cooperation in Europe in 1975 set forth the principles which have helped establish human rights as a legitimate issue of international concern and discussion. The process which began in Helsinki has provided additional instruments for calling attention to human rights violations and for promoting human rights.

August 1 marks the 10th anniversary of the day the heads of 33 European countries, the United States, and Canada, signed the Final Act of the Conference on Security and Cooperation in Europe. This agreement obligated the signatories to work toward greater cooperation in the military, economic, scientific, cultural, educatonal and humanitarian spheres. On this day these countries also made a commitment to respect human rights and fundamental freedoms. These fundamental freedoms include a commitment to the principles of family reunification, family visits by national marriage and travel for personal and professional reasons.

I have referred to the provisions of the Helsinki Final Act on numerous occasions, in correspondence with Soviet officials regarding human rights cases of particular concern to my constituents. This agreement has provided a platform from which to express concerns about human rights abuses in the countries whose government institutions do not lend themselves to the consideration of these rights. I know that I will continue to refer to the Final Act as I express my continuing concern about individual cases, and international human rights, in general.

I share the commitment expressed by many of my colleagues today to the humanitarian principles embodied in the Helsinki Final Act and appreciate this opportunity to reconfirm this commitment.●

● Mrs. BOXER. I am pleased to be a part of this special order commemorating the 10th anniversary of the signing of the Helsinki Final Act.

I also want to commend my colleagues responsible for the special order. We must take advantage of every chance we have to speak out about human rights violations around the world. The gathering of foreign ministers from the 35 signatory states in Helsinki this week is an ideal opportunity to make our views known.

This occasion is particularly significant—not because of what has been done but—because of what has not been done. The flame of hope in the hearts of so many on August 1, 1975, kindled by some initial improvement in human rights situations in many Eastern European countries, began to dim after the Soviet invasion of Afghanistan and has all but gone out since.

The situation in the Soviet Union is particularly disturbing. We all know the statistics. The number of human rights violations has grown; the charges are more "trumped up"; the alleged crimes are more insignificant; the incidents of physical violence have increased; and the number of people being allowed to leave the Soviet Union has decreased.

Mr. Speaker, my colleagues and I have risen, time after time, to speak about the plight of particular individuals. We have expressed our concern over the treatment of men like Sakharov and Shcharansky. We have also publicly raised the hardships and mistreatment of lesser known individuals like Isai Goldshtein and Roald Zelichonok. Today, however, I believe we should focus our attention, not on individuals, but on the problem at hand—the current disregard for human rights of those countries who signed the Helsinki accords.

Many people are concerned about those violations. I would like to share with you something that is happening in my district tomorrow. The Bay Area Council for Soviet Jews and several of my constituents are staging a mock funeral to "bury" the Helsinki accords. The funeral will feature a traditional coffin, and there will be several speakers. Yuri Yarim Agaev, a former Helsinki monitor and an emigree from the Soviet Union, will deliver the eulogy. I believe that funeral more accurately reflects the current state of affairs than what is happening in Helsinki.

When I spoke to this body a couple of weeks ago about the plight of specific Soviet Jews, I mentioned the meeting between Secretary of State Shultz and Soviet Foreign Minister Shevardnadze to commemorate the signing of the Helsinki accords. At that time, I urged Mr. Shultz to insist that the Soviets comply with the provisions of the treaty that they are meeting publicly to commemorate. I am today repeating that request. What better time than the 10th anniversary of the signing of a document pledging a freer flow of information, ideas, and people between the East and West to ask the signatories to live up to the terms of the agreement. I, again, here on the floor of the U.S. House of Representatives, ask our Secretary of State to make known to the foreign ministers gathered in Helsinki that this country and its people expect them to live up to the provisions of the treaty that they are publicly meeting to commemorate.

Again, Mr. Speaker, I thank my colleagues for giving me this opportunity to speak out on this important and timely issue. And, again, Mr. Speaker, I publicly urge Mr. Shultz to be forceful in letting the world know that we stand firm in our belief in human rights and will not back down in our insistence that people everywhere be granted the basic freedoms that are the right of all.●

● Mr. WIRTH. Mr. Speaker, today we reflect on the accomplishments and the shortcomings of the Helsinki Final Act. Ten years after the signing of this important agreement, we need to make an honest appraisal of the act's contributions to the security and human rights situation in Europe.

Any appraisal must focus on basket I, the heart of the Final Act. Basket I contains what many regarded in 1975 as the Final Act's wellspring of hope—the Declaration of Principles Guiding Relations Among States. Principle 7 of the declaration enjoined signatories of the act to respect their citizens' human rights and fundamental freedoms, including the freedom of thought, conscience, religion, or belief. The fact that the Soviet Union and its Eastern European allies accepted this language provided a glimmer of hope for the long-suffering people in those countries.

Sadly, however, that glimmer was quickly snuffed out. The Soviet Union, Poland, Romania, Bulgaria, Czechoslovakia, and East Germany have buried human rights by orchestrating campaigns to terrorize those who demand the simple dignity of civil and political rights.

Symbolic of the Soviets' disdain for the Helsinki accords is its treatment of members of their Helsinki Monitoring Group. Yuri Lytvyn died in 1984 while serving a sentence of 10 years in a special-regimen labor camp. Vladimir Shelkov died in labor camp in 1980 at the age of 84. He was serving a 5-year sentence in a special-regimen labor camp. Yuri Orlov, the leader of the Moscow Helsinki Monitoring Group, may be the next to die. He is presently serving a 5-year term of exile in Yakutia, where he is harassed by local inhabitants and given food rations that are insufficient to sustain him through the region's harsh winters. The vast majority of other Soviet Helsinki Monitors are either imprisoned or in exile.

Human rights advocates in other Warsaw Pact countries have been met with similar persecution. And such horrendous treatment is by no means limited to human rights activists. Ordinary citizens of all races, backgounds, and occupations have been imprisoned and destroyed for their religious and political beliefs. Minority ethnic groups have been punished for their nonviolent practices and rituals which encourage cultural and ethnic differentiation.

The unwillingness of the Soviet Union and its European allies to adhere to the principles of Basket I is clear. In fact, the human rights situation in these countries has generally worsened since the Final Act was promulgated. Some argue that this deterioration justifies our renunciation of the Helsinki accords. They would also argue that the lack of progress in achieving solid confidence-building measures through the Stockholm Conference and related fora is another reason to abandon the Helsinki process.

Mr. Speaker, I disagree and join with my fellow commissioners of the CSCE in arguing just the opposite. It is unlikely that the human rights situations in the Soviet Union or Eastern Europe would have improved in the absence of the Helsinki agreements and efforts by the CSCE; perhaps these situations might have been worse without Helsinki. Moreover, meetings of the Helsinki signatories have provided—and will continue to provide—our country and the democracies of Europe with the opportunity to bring to the world's attention the grievous human rights abuses taking place in these countries. The Helsinki process has also had the salutary effect of speeding the process of family reunification for Eastern Euro-

pean victims of government repression.

Ultimately, the Helsinki process serves as the foundation for improved bilateral and multilateral relations in one of the world's most sensitive regions. Although the Helsinki process has not yet produced a comprehensive framework for securing the peace and protecting human rights in Europe, it has provided a meeting place for the superpowers and their European allies, a forum where tensions can be defused and modest improvements in relations can be made. In the nuclear age, such a forum is indeed valuable.

As Flora Lewis noted in her New York Times column yesterday, Helsinki conferences "were among the few places where Soviet-American exchange continued, if only as a shouting match, in the years of broken contact." My colleagues and I recognize the importance of that exchange. And we also recognize the importance of maintaining our firm commitment, through the Helsinki process, to human rights and a secure Europe. For those reasons, we must sustain our commitment to the Helsinki accords as a means of improving them and, as a result, the prospects of lasting peace.

I commend my fellow commissioners for holding this special order and look forward to working with them to sustain the effectiveness of the CSCE, which performed so admirably under the leadership of former Chairmen FASCELL and DOLE and should continue to do so under Chairmen HOYER and D'AMATO.●

● Mr. LENT. Mr. Speaker, 1985 marks the 10th anniversary of the signing of the Helsinki Final Act. I am pleased to join my colleagues in reflecting on the significance of this act and on our country's commitment to the principles set forth in that document.

Thirty-five countries, including the Soviet Union and a number of other Eastern European countries, joined as signatories of the final act. Though not a legally binding agreement, these signatures represent a commitment to improving relations between nations and promoting human rights around the world.

This act has been a beacon of hope for many who are struggling against the shackles of oppression. Unfortunately, in the 10 years since the final act was signed many of the signatory countries have been delinquent in their adherence to its human rights provisions.

Human rights violations in the Soviet Union have actually worsened since the act was signed and the situation in that country is deplorable. I have worked tirelessly in Congress on behalf of Soviet Jews who are among the many innocent victims of Soviet repression. The only crime committed by these people is their desire to practice their religion freely. For this they are unjustly harassed and mercilessly persecuted.

I am deeply disturbed by the worsening trend in human rights violations in the Soviet Union. It is important for us to reaffirm our commitment to the Helsinki Final Act and to protecting human rights throughout the world. We must continue to apply pressure on the Soviet Government to uphold the final act and end their repressive regime.

This 10th anniversary of the signing of the final act is met with the somber recognition that we have a long way to go to achieve the goals outlined in that document. It is my fervent hope that some day human rights will not have to be fought for as they are now. But, until that day we must continue to challenge those who would deny others human rights and dignity. I will continue to dedicate my efforts in Congress toward furthering that goal.●

● Mr. LEVINE of California. Mr. Speaker, I am pleased to join my colleagues in this special order to commemorate the 10th anniversary of the signing of the Helsinki Final Act.

Mr. Speaker, on August 1, 1975, the heads of 33 European countries, the United States and Canada, signed the Final Act of the Conference on Security and Cooperation in Europe [CSCE]. This 40,000-word document, commonly known as the Helsinki accords, was produced in the heyday of East-West détente. It is a carefully balanced package of principles designed to provide a framework for improving cooperation in many areas including military, security, human rights, trade, science, technology, environment, culture, and education.

This document was signed with the hope that relations between the East and West would improve, as would the lives of those living under oppression. Unfortunately, the Helsinki accords have not lived up to that hope. The Soviet view of Helsinki has increasingly glossed over what in western minds has become the accords' main promise, and perhaps the source of its main failing—the pledge by the 35 signatories to guarantee certain human rights, to open the flow of information, and to improve contacts across borders.

One indicator of the Soviet record on human rights, for example, is the rate at which Moscow allows Soviet Jews to emigrate. In 1979, 51,320 Jews were allowed to emigrate. That number dwindled to 896 in 1984. To date in 1985, less than 500 have been allowed to leave.

Yet, a major result of the Helsinki accords has been the proliferation of informal groups in Eastern Europe to monitor compliance with the human rights provisions. Scores of groups have sprung up to gather evidence and write reports. We are all familiar with the "Moscow group" of intellectuals led by Yuri Orlov, Andrei Sakharov, and Anatoly Shcharansky, a group now brutally disbanded.

We ourselves have become increasingly sensitive to human rights violations against citizens of all nations. A special CSCE commission composed of representatives of Congress and the administration—the Helsinki Commission—functions right here. Many ethnic and private human rights groups also keep up pressure on signatory governments to hold the Soviet-bloc countries accountable for human rights violations.

The 10th anniversary of the signing of the Helsinki Final Act provides us with the opportunity to reaffirm our commitment to the humanitarian principles embodied in the Final Act and to maintain our solidarity with those rights are systematically violated. Although the promise of accords has not been realized, we must still pursue the ideals embodied in it, for they are worthy of our best efforts.

I commend my colleagues for scheduling this special order on this important occasion, and I thank you for the opportunity to participate.●

● Mr. ANNUNZIO. Mr. Speaker, I rise to join with the distinguished chairman of the House Foreign Affairs Committee, the Honorable DANTE B. FASCELL; the co-chairman of the Commission on Security and Cooperation in Europe, the Honorable STENY HOYER; and the other members of the Commission, in commemorating the 10th anniversary of the signing of the Helsinki Final Act.

On August 1, 1975, 32 European countries, as well as the Soviet Union, the United States, and Canada signed the Final Act of the Conference on Security and Cooperation in Europe, more commonly referred to as the Helsinki accords. By signing this document, the signators demonstrated a historic and monumental international commitment to insuring respect for human rights and fundamental freedoms, and at the same time encouraged nations to work together in a spirit of economic and cultural cooperation.

The Helsinki accords have enabled the Western European countries and the United States to hold the Communist bloc accountable for their blatant and systematic violations of this agreement. The accords assert that:

> The participating States will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all, without distinction as to race, sex, language or religion,

And that:

> "By virtue of the principle of equal rights and self-determination of peoples, all peoples always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, with-

out external interference, and to pursue as they wish their political economic, social and cultural development.

Yet, over the last 10 years, the world has witnesed numerous violations of the Final Act by the Soviet Union, and Soviet citizens, who have attempted to monitor their own country's compliance with the Helsinki agreement's principles, have been ruthlessly persecuted by the authorities. Sadly, all of the Helsinki monitors in the Soviet Union are either dead or are in prison, and although the Soviet Union is a principal signator of the Helsinki accords, it continues to disregard this document, engaging in illegal military manuevers, manipulating sovereign governments, and suppressing the national heritage, religion, and culture of the peoples in those countries it has forcibly occupied.

Thousands of men, women, and children living under Communist control are confronted daily with Soviet brutality, and many Soviet dissidents, standing bravely in defiance of this constant oppression, continue to be the source of strength and inspiration for all those living in captive nations throughout the world who yearn from basic freedoms and the right of self-determination.

Mr. Speaker, on this the 10th anniversary of the Final Act of the Conference on Security and Cooperation in Europe, let us reaffirm our commitment to work with our European allies to insure that all nations uphold the most basic principles of this act and renew our efforts to hold accountable the Soviet Union for any violations of these accords which it agreed to uphold 10 years ago.●

● Mr. FISH. Mr. Speaker, the 10th anniversary of the signing of the Helsinki accords by the leaders of 33 European countries, the United States, and Canada provides us with an important opportunity to reaffirm our strong commitment to the humanitarian principles embodied in the Helsinki Final Act.

The Commission on Security and Cooperation in Europe set forth principles of behavior relating to military, trade, science, technology, environment, culture, and education in the hopes of achieving a greater cooperation among nations. Despite the Soviets' inability to live up to the standards established at Helsinki, the Final Act is of great value as a political statement with which to pressure the Soviet-bloc countries to liberalize authoritarian systems and relax their repressive policies.

As a result of the Helsinki agreements, dozens of informal groups have emerged to monitor compliance with the human rights provisions. Helsinki has inspired activity such as the "Moscow Group" of intellectuals and Charter 77, a human rights manifesto and civil rights movement in Czechoslavakia. Brave individuals continue to risk imprisonment to publicize their Government's abuse of civil liberties.

These courageous efforts focusing world attention on humanitarian concerns, have created a successful forum in which to address violations of human rights. The Final Act remains a symbol of hope for those who are denied basic freedoms in oppressive societies.

Ten years later, our commitment is still strong. As we reaffirm our solidarity with those whose rights are infringed, we urge the Soviet-bloc countries to abide by the humanitarian principles to which they subscribed as set forth in the Helsinki Final Act.●

● Mr. COUGHLIN. Mr. Speaker, I rise in strong support of House Joint Resolution 361, commemorating the 10th anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe.

The Helsinki process began 10 years ago amid general optimism about East-West relations. Helsinki was an attempt to achieve lasting peace through a strong, comprehensive agreement on accepted minimum levels of conduct by signatory nations in fields such as economic cooperation, military security and human rights.

The United States can rejoice in this 10th anniversary of the Helsinki accords, for they represent the universal appeal of those values upon which our own Republic was founded: freedom of thought, speech and worship maintained through the exercise of civil and political rights. The great achievement of the Final Act, and the ongoing process of its review and implementation, has been the establishment of human rights as a valid and serious area for international cooperation and concern. The Helsinki process has catalyzed interest in human rights issues and provided an important forum for focusing on human rights violations. Helsinki raised our consciousness and provided hope for the greater development of human rights the world over.

The United States and its European allies have happily subscribed to the Helsinki process, welcoming it as a long-needed tool; we have honestly and fairly adhered to all of its principles. Unfortunately, others have cynically disregarded the process. The Soviet Union and many of its Eastern European allies continue to suppress the activities and members of Helsinki watch groups, harass dissidents, curtail freedom of religion and culture, and curb emigration by ethnic minorities. Perhaps nowhere is this contempt of the very spirit of Helsinki more painfully evident than in the Soviet Union's treatment of its Jewish citizens.

Still, these trangressions should neither dishearten nor discourage us. Rather, they should serve to strengthen our resolve to support and even extend the Helsinki process. We can continue to use the process to show the world the blatant disregard of the Soviet Union for global opinion and for solemn international covenants.

Helsinki serves as the last beacon of hope in the darkened world of oppressed peoples in the Soviet Union and in Eastern Europe. We must take every opportunity to renew our commitment to the Helsinki Final Act, and those principles which it represents, until these people—along with all others in the family of man—walk in the bright sunshine of freedom.●

● Mr. DWYER of New Jersey. Mr. Speaker, I am especially grateful today to participate in this timely and important special order. The process begun in Helsinki has helped to establish human rights as a legitimate issue of international concern and discussion.

It is essential that an attempt be made to establish and maintain communication with those who are trapped inside authoritarian and totalitarian regimes. As representatives of the free world, we hope that our special order today will enable Jews to leave the Soviet Union in accordance with international law, and to help those who choose to remain in the Soviet Union live as Jews with the same rights accorded every other Soviet citizen.

Today, a significant portion of the world's population is forced to endure hunger, pain, and oppression by governments whose policies deny even the most basic of human rights. Soviet dissidents like Andrei Sakharov have endured a lifetime of oppression and often look to democratic states for support.

Mr. Speaker, it is my sincere hope that America, as the cornerstone of democracy, will continue to further the advancement of human rights, personal liberty, and perhaps most important, foster the respect among men that leads to true freedom and the development of mankind's potential.

In summary, I would like to offer my conviction that all Americans reflect on the great nature of our own freedoms, and that we earnestly endeavor among the world's oppressed to replace terror with security, degradation with respect, and tyranny with freedom.●

● Mr. GALLO. Mr. Speaker, today, on the 10th anniversary of the signing of the Helsinki accords, world attention is once again focused on the failure of some nations to uphold the spirit or the letter of this international agreement.

As freshman cochair of the Congressional Caucus on Soviet Jewry, I am particularly disturbed by the attitude of the Soviet Union toward the thou-

sands of Soviet citizens who are members of the Jewish faith.

I am concerned for those within the Soviet Union who are denied the freedom of religion and have an even greater concern for those members of this community who have made the difficult decision to leave Russia, but who are denied emigration rights. The freedom of religion and of movement are both guaranteed by the Helsinki accords.

It is very traumatic for most people to leave the nation of their birth, their friends, and their way of life. The Soviet Government uses that anxiety to further punish its Jewish citizens by making them strangers in their own land.

Those who have asked to leave are denied jobs and education and are held up to public ridicule as tools of Western imperialism or international Zionism.

Furthermore, those Soviet citizens who have attempted to monitor compliance of the Soviet Union with the Helsinki accords have faced imprisonment, exile or forced emigration.

In the years following the signing of the Helsinki accords, the number of people allowed to emigrate from the Soviet Union rose to record levels. Since 1979, however, those numbers have declined dramatically.

Recent signs of loosening emigration policies for certain groups within the Soviet Union are encouraging, but the overall number of emigrants has not increased, leading me to conclude that the current policy may be merely a public relations move, not serious reform in the policy.

So, it is necessary at this time, as suggested in a recent report by the Commission on Security and Cooperation in Europe, that we review the balance sheet on progress made in relation to the Helsinki accords. This year, not only do we celebrate the 10th anniversary of the signing of the Helsinki accords, we also celebrate the 40th anniversary of the end of the World War II.

In those first years after the war, for a brief period, it seemed as though the world would react to the horrors of war by creating mechanisms to promote peace and human rights for all peoples. Creation of the state of Israel and approval by the United Nations of the Universal Declaration of Human Rights gave hope that we could preserve historical boundaries and prevent repeated conflicts that threatened world peace.

The nuclear arms race and a series of territorial disputes overshadowed early accomplishments. Repeated Soviet vetoes in the United Nations and failure to enact a verifiable arms control agreement further eroded the sense of optimism.

Then, in 1975, on the 30th anniversary of the end of the war in Europe, 35 nations signed a document that rekindled the hopes of many with regard to human rights.

The Final Act of the Conference on Security and Cooperation in Europe [CSCE] was signed in Helsinki on August 1, 1975, by the United States, Canada, the Soviet Union and 32 European nations.

The Final Act is a political statement of intent. These accords carry considerable moral and political weight since they were signed at the highest level by both a U.S. President and a Soviet leader.

Hopes have faded during the last decade, however, with repeated violations of the accords, which declare that "the participating States will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all, without distinction * * *."

The Helsinki accords on human rights was endorsed in the tradition of the Universal Declaration of Human Rights and held out promise that signatory nations would allow freer movement of people, ideas, and information.

However, a litany of human rights violations regarding the treatment of Jews in the Soviet Union and many others has accumulated in the 10 years since the signing of the accords. The cases which harassment of families who have applied to emigrate, including loss of jobs with little hope of future employment in meaningful positions, impoverishment, expulsion of young people from universities and conscription into military service; surveillance by authorities; physical attacks; arrest; and imprisonment on charges such as parasitism.

These cases document clear violations of Helsinki accord agreements to protect freedom of religion, minority rights, and cultural rights. It is important to remember that the unspeakable human rights violations of World War II gave birth to the process that produced the Helsinki accords.

This process has been a source of hope to citizens of the Soviet Union and Eastern Europe; therefore, the meetings such as that which recently took place in Ottawa and the commemoration here today are important because they keep this process alive.

As Ambassador Richard Schifter, head of the U.S. delegation to the Experts Meeting on Human Rights in Ottawa, stated in his testimony, "We must keep in mind that a meeting such as that which was held in Ottawa was unthinkable as recently as 15 years ago. The concept of limited government, the ideas of the rights of the individual which originated with the thinkers and writers of the 18th century and which were enshrined in our own Declaration of Independence were ideas advanced first by individuals, then by groups and movements, and were then adopted by countries, but only for domestic application.

"The notion that governments might monitor the behavior of other governments toward their own citizens, that there would be international conferences at which domestic practices of participating countries would be subjected to scrutiny is one of recent origin."

So, while the results of the Helsinki accords may be meager in their beginning stage, continuation of the Helsinki process may result in more plentiful gains in emigration, religious freedom, and other basic human rights in the future.●

● Mrs. BURTON of California. Mr. Speaker, today marks the 10th anniversary of the Helsinki accords, 10 years of disappointments and dashed hopes.

The hopes of 1975, at a time when détente was proving to be more than a dream, have now suffered from a decade of uncertain leadership in the Soviet Union and an escalation of rhetoric and nuclear arms rattling by both sides.

But the Soviets are not alone in undermining the peaceful intent of those agreements of 10 years ago. The current administration has been disappointing, at best, in pursuing meaningful arms control opportunities. There have been instances where hard language has replaced cold logic in dealing with the Soviet initiatives.

Mr. Speaker, we can do better. And, the Soviets certainly can do better.

As for those of us in the United States and elsewhere, those of us who care about human rights, let us continue our own "Helsinki Watch" to put constant attention and public pressure on all governments so that we can move toward the eventual peace that was brightly on the horizon in 1975, but now is dimmed with disappointment.

Mr. Speaker, I commend my colleagues who have provided this special order so that those of us who truly care about these vital issues can speak out on this important milestone.●

● Mr. HALL of Ohio. Mr. Speaker, this month commemorates the 10th anniversary of the signing of the Helsinki Final Act.

The Final Act, signed on August 1, 1985, committed 33 European countries, Canada, and the United States toward closer government relations over a wide range of activities. The Helsinki Act is unique among international accords in that it conditions international relations on each country's respect for fundamental human rights and freedoms. The 35 signatories agreed to "promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of

the human person and are essential to his free and full development."

Unfortunately, contrary to their pledge, several signatory nations continue to flagrantly violate human rights. In the Soviet Union and many Eastern European countries, respect for the inherent dignity of man remains only an empty promise. Citizens are repressed. Helsinki Watch members are routinely imprisoned and exiled.

Indeed, today 51 members of the Helsinki Watch Group are incarcerated in prisons, labor camps, or psychiatric hospitals, or are serving terms of exile. Three Helsinki Watch members have died after years of mistreatment in Soviet labor camps. Dr. Yury Orlov, the founder of the Moscow Helsinki Watch Group, has been imprisoned for 8 years in a strict-regime, Siberian labor camp. House Joint Resolution 357, which I introduced on July 26, 1985, appeals for the release of Dr. Orlov and other imprisoned Helsinki Final Act monitors.

Yet despite these gross violations by some signatory nations, the Helsinki Final Act is not without value, for it arms the repressed peoples of the world with the most powerful weapon they could possibly have—hope. Hope for worldwide cooperation in their quest for freedom. Hope for a future free from systematic oppression.

Last month, I visited Romania, where I met with church leaders and human rights activists. My experiences with the people there confirm that international agreements to respect human rights offer them a vision for a better future. These agreements, by showcasing international cooperation, encourage citizens to actively promote change. These agreements let the repressed know that they are not alone in the fight for fundamental human rights and freedoms. The Helsinki Act of 10 years ago shines prominently among those international agreements.●

● Mr. FOWLER. Mr. Speaker, 10 years ago 35 nations signed an agreement in Helsinki committing themselves to 10 principles to govern their conduct toward each other. These principles covered military security, economic and scientific cooperation, and human rights. All of the signatories solemnly pledged to observe all of these provisions.

Some would have us set aside the portion of the Helsinki agreement concerning human rights especially principle 7 which requires signatory States to abide by the U.N. Charter, the Universal Declaration of Human Rights, and other international accords providing for the respect of such fundamental human rights as freedom of though, of conscience, and of religion or belief. We are supposed to simply overlook this obligation or else treat it as so much diplomatic rhetoric, nothing more than empty words.

But if the East-West dialog is to have real meaning, if we are to gain any confidence in solemn international pledges in fields ranging from economics to arms control, we cannot ignore principle 7. If we are to remain true to our common humanity, we must not be blind to questions of basic human freedoms.

It is the policy of the United States to observe fully the Helsinki agreement and it must continue to be our policy to do all within our power to see to it that all the signatories of the Helsinki Final Act, including the Soviet Union and its allies, live up to the commitments that they themselves freely entered into in 1975. We expect, and welcome, a full review of our own human rights performance by the other Helsinki signatories. At the same time we claim the legal, and moral, right to review the performance of others.

It is clear that East-European countries, most notably the Soviet Union, continue to be guilty of a wide range of human rights violations that cannot possibly be reconciled with their promises at aHelsinki.

In the Soviet Union, the most severe violations have come in the areas of suppression of political dissidents, censorship, restrictions on travel ane emigration, and denial of freedom of religion. The Soviets continue to hold as many as 10,000 political prisoners, continue to involuntary incarcerate political dissidents in psychiatric institutions, continue to systematically move against any domestic criticism of the Soviet State, continue to subject their own citizens wishing to leave the country to countless obstacles, and continue to harasss those seeking to exercise religious beliefs.

After reaching a record high total of over 51,000 in 1979, Jewish emigration from the U.S.S.R. has been sharply and steadily curtailed, dropping to only 900 in 1984. Unfortunately this discouraging pattern has continued this year. This has been accomplished in part by severe restrictions on eligibility to apply for an exit visa.

When we examine the subject of human rights, we are not talking about mere abstractions. Let us not forget that we are dealing with fellow human beings who are suffering without cause. In the truest sense, we are speaking for them as they have no voice in this matter.

A few years back from Kishinev in the Soviet Union came word of a hunger strike and an urgent appeal to the Madrid Conference:

> We are Soviet citizens of Jewish nationality, who have struggled for many years to leave the Soviet Union and be reunited with our close families in Israel. We have not been able to fulfill our dream . . . We have tried everything, without result. We have beggerd, we have asked, we have inquired and still we are no further in our desire to be united with our families. We have thus decided to exercise the only thing left for us to do and go on a hynger strike which will begin on the opening day of the Madrid conference and which will continue for as long as the Conference lasts. Our purpose is to draw the world's attention to our plight. It is our only possible protect against this shameful denial of elementary human rights which are inscribed in the Helsinki Accords. No matter what happens to us we are counting on your support and we are appealing to your conscience to help us from our bondage.

Shortly after this communication was sent, one of its authors, Vladimir Tsukerman, was arrested for "hooliganism."

When we speak out for the victims of repression, however, we are not doing so only for them. For they are on the cutting edge of freedom. They are fighting battles every day for us to make the world a more humane, a more stable and a more peaceful place.

In closing I would like to echo the words of former Secretary of State Edmund Muskie, when he spoke of American human rights policy:

> We do all this not out of a native idealism and not only because it is right. We do all this because we have domestic and international legal obligations to promote respect for human rights. As signatories of the U.N. Charter and by our own laws, we are required to work for increased observance of human rights by all countries. We also are convinced, in the most hard-headed, practical sense, that emphasis on human rights serves our national interests.

So let none of us forget our obligations to each other as nations or as hyman beings. Let us make the 10th anniversary of the signing of the Helsinki Final Act a time for renewed commitment not only to security for nations, but security for people. Let us redeem the pledges of 10 years ago to respect human freedom and hyman dignity.●

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

GENERAL LEAVE

Mr. HOYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order this evening.

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

There was no objection.

HELSINKI'S 10TH ANNIVERSARY

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

● Mr. RITTER. Mr. Speaker, as we commemorate the 10th anniversary of

the signing of the Helsinki accords, it is worthwhile to call attention to those courageous individuals who, by serving as Helsinki monitors in the Soviet Union, are currently imprisoned or died in prison or died under other circumstances. These individuals' crime against the state amounts to nothing more than their desire to see the fulfillment of human rights obligations by the Soviet Union to the Helsinki agreements.

They belong, or belonged, prior to imprisonment or death, to the Moscow Helsinki Group, the Ukrainian Helsinki Group, and the Lithuanian Helsinki Group.

As the ranking Republican on the House Helsinki Commission, I strongly urge our commission to review the cases of the Helsinki monitors at its Ukrainian Helsinki Group, earliest convenience.

For many of these individuals, the future is extraordinarily dangerous and it is our obligation to seriously and expeditiously consider their plight.

IMPRISONED MEMBERS OF THE HELSINKI MONITORING GROUPS IN THE U.S.S.R. AND LITHUANIA

MOSCOW HELSINKI GROUP—SENTENCED

1. Elena Bonner—Sentenced on August 17, 1984 to five years of internal exile for "anti-Soviet slander."

2. Ivan Kovalev—Sentenced on April 2, 1982 to five years of strict regimen camp plus five years internal exile for "anti-Soviet agitation and propaganda."

3. Anatoly Marchenko—Sentenced on September 4, 1981 to ten years of special regimen camp plus five years of internal exile for "anti-Soviet agitation and propaganda."

4. Viktor Nekipelov—Sentenced on June 13, 1980 to seven years in labor camp and five years of internal exile for "anti-Soviet agitation and propaganda." (Sentenced in October 1982 to prison for three years.)

5. Yuri Orlov—Sentenced on May 18, 1978 to seven years in strict regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

6. Tatiana Osipova—Sentenced on April 2, 1981 to five years general regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

7. Feliks Serebrov—Sentenced on July 21, 1981 to four years strict regimen camp plus five years exile for "anti-Soviet agitation and propaganda." Also a member of the Psychiatric Working Group. (Sentenced in 1977 to one year in camp).

8. Anatoly Shcharansky—Sentenced on July 14, 1978 to three years in prison and 10 years in strict regimen camp for "anti-Soviet agitation and propaganda" and "treason." (Sentenced in October 1981 to return to prison for three years).

UKRAINIAN HELSINKI GROUP—SENTENCED

9. Mykola Horbal—Sentenced on April 10, 1985 to eight years in labor camp plus five years internal exile for "anti-Soviet agitation and propaganda". (Sentenced in 1980 to five years of camp).

10. Iosif Zisels—Sentenced on April 10, 1985 to three years in camp for "anti-Soviet slander." (Sentenced in 1979 to three years camp for "anti-Soviet slander.")

11. Vyacheslav Chornovil—Sentenced on June 6, 1980 to five years in strict regimen camp for attempted rape. (Arrested before completion of previous term of six years camp and three years exile).

12. Olha Heyko—Arrested in March 1983; in camp for "anti-Soviet agitation and propaganda." Sentenced in November 1983 to three years strict regimen camp. (In 1980, he got a three year camp term for "anti-Soviet slander.")

13. Vitaly Kalynychenko—Sentenced on May 18, 1980 to 10 years in special regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

14. Ivan Kandyba—Sentenced on July 24, 1981 to 10 years special regimen camp plus five years exile for "anti-Soviet agitation and propaganda."

15. Zinovy Krasivsky—Arrested on March 12, 1980 and transferred into labor camp to serve the eight months in camp and five years of internal exile remaining under a 1967 sentence for "anti-Soviet agitation and propaganda" and "treason."

16. Yaroslav Lesiv—Sentenced on November 15, 1981 to five years of strict regimen camp for "possession of narcotics." (In 1980, he got two-year term for "possession of narcotics.")

17. Levko Lukyanenko—Sentenced on July 20, 1978 to 10 years in special regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

18. Myroslav Marynovych—Sentenced on March 29, 1978 to seven years in strict regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

19. Mykola Matusevych—Sentenced on March 29, 1978 to seven years in strict regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda." (Sentenced in October 1980 to prison).

20. Oksana Meshko—Sentenced on January 6, 1981 to six months in strict regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

21. Mykola Rudenko—Sentenced on July 1, 1977 to seven years in strict regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

22. Petro Sichko—Sentenced in June 1982 to three years in strict regimen camp for "anti-Soviet slander." (In 1979, he got three year term for anti-Soviet slander.)

23. Vasyl Sichko—Sentenced on January 4, 1982 to three years strict regimen camp for "possession of narcotics." (In 1979, he got three year term for "anti-Soviet slander.")

24. Vasyl Striltsiv—Sentenced in October 1981 to six years in camp on unknown charges. (In 1979, he got two year term for "violation of internal passport laws.")

25. Vasly Stus—Sentenced on October 14, 1980 to 10 years in special regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

DIED IN CAMP

Oleksy Tykhy—Sentenced on July 1, 1977 to 10 years in special regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda" and illegal possession of firearms. (Died in camp from malnutrition on May 6, 1984).

Yuri Lytvyn—Sentenced in April 1982 to 10 years of special regimen camp plus five years of exile for "anti-Soviet agitation and propaganda." (In 1979, he got three year term for "resisting a representative of authority.") (Died in camp, probably suicide, in late August 1984).

LITHUANIAN HELSINKI GROUP—DIED

Rev. Bronius Laurinavicius—Killed (by truck) on November 24, 1981 in Vilnius. (On November 21, 1981, was subject of accusatory article in *Tiesa*, official Lithuanian newspaper).

SENTENCED

26. Viktoras Petkus—Sentenced on July 13, 1978 to three years in prison, seven years in special regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda." (Petkus also joined the Ukrainian Helsinki Group in 1983).

27. Vytautas Skuodys—Sentenced on December 22, 1980 to seven years strict regimen camp and five years of internal exile for anti-Soviet agitation and propaganda." (U.S. citizen. Also member of the Catholic Committee).

28. Algirdas Statkevicius—Sentenced on August 11, 1980 to forcible psychiatric treatment after being arrested on February 14, 1980, reportedly for "anti-Soviet activities." (U.S. citizen).

GEORGIAN HELSINKI GROUP—SENTENCED

29. Merab Kostava—Sentenced on December 15, 1981 to five years in camp for "resisting a representative of authority." (Before completion of previous term of three years camp and two years exile).

30. Valentina Pailodze—Sentenced on May 25, 1983 to eight years strict regimen camp plus three years exile for "giving bribes" and for "giving false testimony." (In 1978, he got a three year term for "anti-Soviet slander.")

ARMENIAN HELSINKI GROUP—DIED

Eduard Arutunyan—Died of natural causes in late November or early December 1984. Had been arrested on November 5, 1982 and sentenced to three years strict regime camp for "anti-Soviet slander." (Had served previous three-year term on similar charges from 1979-82).●

EQUITABLE TREATMENT WITH RESPECT TO PAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. OAKAR] is recognized for 60 minutes.

Ms. OAKAR. Mr. Speaker, tonight I would like to speak a little bit about the subject of fairness in pay, pay equity. Some people call it comparable worth. I do not use that term at all because I think it is absolutely so distorted that it makes no sense to use a term like that.

I prefer to talk about equitable treatment with respect to pay and then get into a little bit about the legislation that I have introduced that will be coming up on the floor this Thursday.

Before I do, I would yield to my friend from Maryland, Mr. HOYER.

Mr. HOYER. Mr. Speaker, I thank the gentlewoman from Ohio for yielding.

Mr. Speaker, I have had the great privilege to serve on the Subcommittee on Compensation and Benefits under the chairmanship of the gentlewoman from Ohio. I might say that on issues of fairness to Federal employees and fairness to individuals in general, there is no stronger leader than the gentlewoman from Ohio [Ms. OAKAR].

I stand with her in support of the legislation which she has forged and worked so diligently on over the years and which this House endorsed so overwhelmingly in years past and I want to congratulate her on the efforts she is making. I believe she has forged a very reasonable, a very responsible piece of legislation looking toward coming out with a study that the Congress will be able to review and make a sound judgment on fair policy toward the women and the men who work in the Federal service.

So, Mr. Speaker, I want to congratulate the gentlewoman for the outstanding job she has done.

In the past 30 years, 60 percent of the people newly entering the labor force in this country have been women; and it is anticipated that in each year of the next decade 1 million additional women will join them. More than half are women with children under 18.

These official statistics reflect the notion that this so-called flood of women into the marketplace is a relatively recent phenomenon. The truth of the matter is that women have always worked; they just have not always been fairly compensated for their labor.

As far back as 1870, close to 30 percent of the households in Baltimore, MD, relied in some way on female-generated income. By 1900 that number had risen to 40 percent. While the number of women in the compensable labor force has almost doubled in the past 44 years, the reason for this entry has remained the same—economic necessity.

Despite the rapid growth of women in the labor force, they still remain concentrated in certain industries and occupations, earning substantially less than their male counterparts. The majority of working women fill only 20 percent of the 441 occupations listed in the census occupational classification system; 80 percent in four jobs fields—clerical work, service industries, retail sales and factories and plants.

Of the 10 lowest paid occupations, 6 are 90-percent filled by women—84 percent of our health aides are women; 85 percent are nurses aides; 63 percent are cooks; and 13 percent are farm laborers.

In calendar year 1984, the median wage for year-round full-time women workers was $14,997. For full-time men it was $23,718. Using these statistics, it takes women 8 days to earn what men earn in 5—and the Federal Government is no exception, where the average salary in October 1983 for men was $30,229 and for women it was $18,864.

I know that I need not go any further with these statistics, but they are staggering. Women are not marginal workers and can no longer be regarded as a limitless pool of cheap labor.

Occupational segregation is extreme and it is persistent. Within the Federal Government, there is a statistically significant inverse correlation between sex and salary in the general schedule and equivalent grade: 80 percent of the women employed by the Federal Government are concentrated at grades 7 and below, whereas, 85 percent of men are found in grades 10 through 15.

We at the Federal level have an opportunity to do something about this discrimination, and we must begin with the Federal system. We must look at the Federal classification system and make position-to-position comparisons across classification group lines. The Federal Government should be a model for others to follow in our pursuit of pay equity.

As a model, we can best begin by understanding the extent of the problem. There has never been a thorough discrimination study of the Federal civil service. It is time we had one. H.R. 3008 meets this need by mandating a study of the Federal and classification systems to determine whether they are affected by discrimination based on sex, race, or national origin.

Only Federal jobs will be studied and recommendations are limited solely to Federal civil service. This bill does not put into place a national employment-pay equity policy for the country or even the Federal Government. Nor, does this bill presume that any existing wage gap is due to discriminatory practices. It only requires a complete study of our pay and classification system.

Congresswoman OAKAR deserves to be commended for her efforts to secure a fair and reasoned approach to this study. Her bill establishes an 11 member bipartisan commission to oversee this study which will guarantee representation by both Houses of Congress, the President, and the Office of Personnel Management. This commission will hire a consultant to perform an 18-month study, comment on the study, and disband.

In this way, we will be provided with a complete and accurate review of the wage gap which exists between sexes in Federal employment and whether that gap is attributable to such factors as responsibility, effort, qualifications, seniority, education, or other factors exclusive of sex, race, and ethnicity. We can then move forward based on data and not hearsay.

Mr. Speaker, I congratulate Congresswoman OAKAR for her continued leadership in this field of pay equity. We should know if our Federal civil service is stained with discrimination and should quickly move to be certain that we are in full compliance with our civil rights laws. Equality and fair treatment must continue to be our goals to ensure a fair employment system supported by the high morale and productivity of all employees.

I urge all Members to support H.R. 3008.

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Ms. OAKAR. Mr. Speaker, I want to thank the gentleman, and of course when he was a member of the subcommittee, he was one of the absolute finest members. The gentleman is a champion for fairness as well, and human rights. I just heard the gentleman speak about the very important chairmanship that he has, as our leader to the Helsinki accords conference that is being held, and I certainly agree with you on every single word that you have said, Congressman HOYER, because I think so many people suffer from suppression all over the world; and it is especially true in countries that are dominated by the Soviet Union.

So I want to commend the gentleman for his previous remarks and thank him for the courtesy which he has just extended to me.

Mr. Speaker, let me just go into what pay equity is, and go into a little bit about my legislation. First of all, the subject of pay equity is simply the elimination of sex-based wage discrimination or minority-based wage discrimination which we have found in certain areas of our country is the case.

Why are we concerned about what women, for example, are paid? We are concerned for a lot of reasons, not the least of which is something that we ought not to be so proud of in this country, and that is that we have the poorest people in our country being older people and in particular the poorest persons in our country are older women; women over 65 years of age.

Why are they poor? They are poor for a number of reasons. Many of them were not so poor when they were younger. One of the problems is that their insurance program, their Social Security check or their pension is based pretty much on their wages, and if you are paid very poorly and not according to the value of the work that you performed when you are younger, you are really going to be poor when you are older, because we have some problems in terms of pension discrimination and we all know and agree that the Social Security system that was founded in 1936, while it is a wonderful system, has some corrections to be made as it relates to women.

So we are dealing with the subject of what people are paid; fairness issues. This is a national phenomenon. We have 45 States in this country that are in the process, or have conducted a study on how they treat their State employees.

We know, for example, that when a job is dominated, very often—it just

happens to be the case, but it can happen to men as well—dominated by women, for example, we know that the work, the job in terms of what it pays is usually very, very poor.

We can take historical examples if we take a look at the worth of educators, which is a female-dominated profession that I, as a former teacher, I wish we could get more men involved in the field, but we cannot because the average starting salary for educators across the country is about $8,500 to $9,000 a year, and we know that a person with a family, it is really difficult to think of maintaining that kind of profession, even though there is nothing more important than the education of our young people.

We know the nurses, for example, spend more time with patients than any other health care provider, and yet that individual, usually a woman but certainly could be a man, is not compensated very often properly.

We know that secretaries, I think, are the absolute classic example, and as Members of Congress, we ought to ask ourselves where we would be if we did not have our secretaries.

Now I heard some of the Members, one in particular, get up on the floor the other day, and I was really kind of aghast. He said, "Well, you know, these secretaries, all they do is spend time in their air-conditioned offices."

I think the secretaries of this country who are very often the core, the catalyst for what kind of work goes on in corporations; the management very often related to the office, the eyes and ears of her boss; ought to be outraged, absolutely outraged with statements like that.

This is the stereotyping that very often goes along with professions that happen to be female dominated. Now we know that many, many States across the country are attempting to correct the manner in which they treated their own State employees.

That is why, as I mentioned earlier, there are 45 States who have or are in the process, including my own State of Ohio, of conducting a study. I am proud of my State of Ohio, for example, because they have in their budget in a bipartisan fashion, set aside some money to correct some of the inequities that exist in terms of how they treat their own State employees.

I am proud of the fact that the National Conference of Governors has endorsed the concept of treating people fairly in terms of their pay. I am proud of the fact that we live in the greatest country in the world, and one of the reasons we do is that we as Americans are not satisfied with the status quo.

When we see something that needs to be corrected, it may take us some time, but we get along with the job of correcting the problem. That is why, in 1920, half the population were finally given the right to vote, with the 19th, or Anthony amendment. It took us a little time to allow women to fully participate in the democratic process, but the fact is, as Americans we were proud that constitutionally we finally did involve women in the democratic process, in 1920.

We are also proud of the fact that in the sixties, we knew there were the problems, and this is why we passed two bills that relate to the subject at hand tonight, although they also relate to other issues.

We passed, in the sixties, the Civil Rights Act, which finally gave people, irrespective of their origin, their gender, their age, and all the other factors that sometimes were held against them, equal access, equal opportunity to the various networks of our wonderful country.

We passed the Equal Pay Act that was so important, because what it said was, and boy you should have heard the arguments in those days when that bill was being debated; but what that act said was that we think people ought to be given the same pay for doing the same work as their male or female counterparts; and we passed that bill, and we are proud of that.

Under title VII of the Civil Rights Act, we believe very strongly that you cannot discriminate against an individual based on in this case, one's gender or race, and that is all we are trying to say.

We are trying to say is that what we ought to be doing with respect to how we classify our Government employees using the Civil Rights Act and the Equal Pay Act and the Fair Standards Labor Act; using those acts that are already the law, taking a look at how we classify our Federal employees.

We do not believe that we want to change the law; we really want to use the law as our own instrument, and we feel that it is high time that we did that.

What is the issue at hand? What has caused the National Chamber of Commerce, which frankly I do not think represents businesses that well, because I know so many corporations have expressed to me their deep concern that they are using as their No. 1 issue, their full lobbying and all the money and power that they apparently have as a national lobbying organization; what are they attacking? They are attacking a bill, my bill, that relates to doing a study on how we classify Federal employees.

They are not making as their major issue the enormous trade deficit that has caused hundreds if not thousands and thousands of our people to lose their jobs; many corporations to fold; small businesses to fold; they are not looking at the enormous deficit that we have in our country which ought to be their priority.

No, they are zeroing in on a study that relates to classified Federal employees.

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Well, what about this study? What can I tell the American people about it? The fact of it is, civil service took place in our country with respect to our Federal employees in 1923. We have not looked at how we classify our civil servants, who are classified on a scale from 1 through 18, since the inception of civil service in 1923. We simply have not done it. We think it is high time we take a look at whether or not sex, race, or Hispanic origin are factors in how people are paid. That is all the legislation says, no more, no less.

Does it talk about comparable worth? Absolutely not.

Who would hire the consultant and be responsible for overseeing? The study would be a bipartisan group led by the President of the United States and the majority and minority on both sides of the aisle in both the House and the Senate, along with various organizations like the Office of Personnel Management, that has direct oversight over Federal employees, and others.

So that, pretty much, is what the bill does.

We passed the bill overwhelmingly in the House in the last session by a vote, if I recall, of about 414 to 6. It was truly a bipartisan vote. We had people on both sides of the aisle who were very much supportive, and I am proud to say that in the bill that I reintroduced some time ago, we have more than 105 cosponsors. We are proud of that. Many Members have said to me, "We are delighted that you are not only including the area of gender, but you are including a study on those who are Hispanic in origin and those who are minorities," because we know that those individuals, as well, need to be included in this kind of a study, so we expanded that area.

Mr. Speaker, the issue is, basically, fairness. I mentioned that the National Chamber of Commerce is opposed to it. Let me just review some of the groups who are supportive of the legislation, proud that the congressional caucus for women's issues, which is comprised of Republicans and Democrats, men and women, are supportive of this bill: The Congressional Black Caucus is supportive of this bill, the Congressional Hispanic Caucus is supportive of this bill; the Older Women's League is supportive of this bill; the National Federation of Business and Professional Women; the National Education Association; the American Nurses Association; the League of United Latin American Citizens; the National Political Congress of Black

Women; the American Federation of Government Employees; the American Association of University Women; Service Employees International; Federally Employed Women; the League of Women Voters.

I have heard groups or certain Members say that this is radical, and so on. I do not think the League of Women Voters and the Older Women's League and groups like that are in any way radical. What they are talking about, basically, is the issue that it is high time we did a study.

At this time I would be delighted to yield to one of our distinguished Members, my colleague, the gentleman from California [Mr. MARTINEZ], if he would like to make a statement at this time.

Mr. MARTINEZ. Mr. Speaker, I rise to join my colleagues in expressing my support for H.R. 3008, the Federal Equitable Pay Practices Act of 1985. This bill requires that a study of the pay and classification systems for Federal employees be conducted to determine whether, or not, or to what extent, sex, race, or ethnicity is used in setting wages.

For the past 20 years the Federal Government has been one of the driving forces behind the advancement of civil rights in this Nation. The Supreme Court took a leading role in 1955 with its decision in Brown versus the Board of Education, which ruled that segregation was unconstitutional. With this landmark decision came a commitment on the part of the Federal Government to protect the rights of all its citizens, regardless of sex, race, or ethnicity. The Pay Equity Act of 1963 and the Civil Rights Act of 1964 are tangible examples of this commitment, and are illustrative of the pivotal role the Federal Government can play in eliminating discrimination from our society.

The Federal Government should not be afraid to examine its hiring practices to determine whether or not discrimination exists. Shunning this social responsibility indicates that the Federal Government is not truly serious in its commitment toward civil rights, I would like to remind my colleagues that the Federal Government is not above the law and should be subject to those very laws it passes to govern the rest of society. The Federal Equitable Pay Practices Act of 1985 will merely examine hiring practices, without making any changes or remedies in the system.

As of late, there has been much confusion surrounding the issue of pay equity. Many of my colleagues from the other side of the aisle have mislabled it as "comparable worth," when in reality there is an important distinction between the two. Pay equity means equal pay for equal work. It forbids employers to discriminate on the basis of sex, race, or ethnicity when setting hiring and promoting standards. Although blatant cases of discrimination have become rare, the problem is far from eliminated.

Discrimination has become very sophisticated and is often masked in job titles and job descriptions. Women and men are paid different salaries for alleged job differences that include filing versus folder maintenance. With practices such as these occurring it is clear that the Federal Government cannot and must not relinquish its role in rectifying discrimination.

Comparable worth, on the other hand, goes far beyond the Pay Equity Act of 1963 by stating that all workers, regardless of sex, should receive equal pay for work of comparable worth to an employer. Embedded in this notion is the belief that women have been traditionally discriminated against in the marketplace. Thus, jobs that are predominately held by women are lesser paid for that very reason. Whether you support or oppose the concept of comparable worth, it is important that you make the distinction between it and pay equity. The bill before us today, H.R. 3008, is a pay equity issue. As legislators we must not cloud the issue at hand and, consequently, jeopardize the right of millions of our fellow citizens to receive equitable compensation for their work. I strongly urge my colleagues to refrain from distorting this issue and join with those who support pay equity.

Ms. OAKAR. I thank my colleague, and at this time I would just like to simply say that one of the great joys of having this legislation on the floor in the past has been the number of men who support the legislation. Men care about how their daughters and their mothers and their grandmothers and their sisters are treated. And that is the concept. It is a family issue, how people are treated, and whether or not they are treated fairly. In the 1970's, two Congresswomen, Peggy Heckler, our current HHS Secretary, and LINDY BOGGS, in a bipartisan fashion, had an awful lot to do with passing the Fair Credit Act. And all of the arguments against the Fair Credit Act are the same arguments you hear today: If you are fair to people in terms of taking a look at how you treat them, somehow you are going to upset the marketplace.

As a matter of fact, we put a marketplace study in our legislation to refute that argument, that somehow the sky is going to fall, and so on.

The truth of it is, after all of the scare tactics that are used currently to divert people's attention from the substantive issues, the same concerns and the same kinds of radical notions that were perpetrated on the floor of this House in the 1970's—they said you cannot give women the opportunity to buy their own car in their own name or to buy their own home in their own name or to indeed hold a credit card. The fact of it is, after women were given equal access to credit, guess what the banks found out. They found out that indeed, in general, women are the best credit risks, and it has stimulated the economy and increased the opportunities for women to participate in the economy.

We know from States that have done their studies and implemented their studies, like the State of Minnesota, we know from the testimony that we received, that it did not in any way hurt their economy, it not only stimulated their economy by making some few adjustments on how they treat their employees, it not only did that, but it added to the morale and to the productivity of their workers. Everyone feels a lot better about that situation.

I am pleased to have a number of Members, all male Members, who have asked that I submit their statements for the RECORD tonight, from all sections of the country. I am proud of these men, just as I am proud of all of the Members who have in the past supported this legislation. I think the women of this country, the minorities of this country, will be very grateful if we can pass this simple study this Thursday. It seems to me that what we are talking about, very basically, is fairness. It is that simple. And that is the American dream, to be fair to every single person in our country, and that is why we are the greatest country in the world. We want to continue to be the greatest country in the world, and that is why I think it is high time we took a look at how we classify our Federal workers.

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So I want to thank the Speaker and I am deeply grateful to all my colleagues who have been so considerate in this legislation. I would like to include my friends from the other side of the aisle as well.

I yield to the gentleman from Ohio [Mr. KINDNESS].

Mr. KINDNESS. I thank the gentlewoman for yielding.

For those of us who do not serve on your committee, there may remain some questions, and one that I would like to understand better is that there does not appear to have been a full-grown study since the origination of the civil service system of the categories of jobs.

Is it the case that there is an ongoing review and annual adjustment or periodic adjustment that does occur or has occurred during that period of time or is it a case of having no real adjustment during that 60 years?

Ms. OAKAR. The problem is that in 1923 you had less than 5 percent of the Federal work force who were clas-

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sified who happened to be women or minorities. So the stereotyped notion of classifications has not been removed. I could give the gentleman a series of examples. One good example is the fact that in certain categories it is capped and they usually are female-dominated jobs so you could work 40 years for the Federal Government and never have your salary raised by an adjustment that we, in fact, in Congress, occasionally vote ourselves a raise. So they do not have, in many cases, that access.

This is the kind of thing we are talking about. Any reasonable person would want a study done if you have not had a comprehensive one done in 62 years. It is that simple.

I yield to the gentleman.

Mr. KINDNESS. It causes me a little concern that we have had over the years a Civil Service Commission and now an Office of Personnel Management, and there has not been any study and adjustment from time to time, incrementally over the years, that would put us in a reasonable posture today.

Did your committee or subcommittee consider whether there is a need for any basic change in the way that we are handling our civil service categories and job classifications for the future, following on such a study?

Ms. OAKAR. I think that is what we are trying to do. I have been chairing this committee for about 4½ years, and that is one of the real frustrations. That is that when you try to deal with something comprehensive so that the Commission, which is a bipartisan commission, would make recommendations to the Congress, someone or other, very few I might add, uses inciteful tactics that really do not relate to the issue.

I think you should be concerned. I am concerned too. As you know, the system is pretty much overseen by whoever is in charge of the Office of Personnel Management. To me it is not a partisan issue. I am not casting any aspersions on the current Office of Personnel Management Director, whoever that may be.

Mr. KINDNESS. I guess this has been going on for 60 years.

Ms. OAKAR. Yes; that is the point. I think it is high time we took a look at it and let the bipartisan commission make recommendations if they have any. I would not want to presume anything because I think that is the purpose of this study. Just as they did, if I can say to the gentleman, in the city of Los Angeles, Mayor Bradley implemented some adjustments. We know that in the city of Colorado Springs, a very fine Republican mayor implemented some adjustments after looking at how his employees have been classified over the years. We know that corporations have done this. Corporations like AT&T and United States Steel, J. Byron & Son, a department store chain. This an evaluation that most good corporations do every day of the week. We really are a little bit behind the times in terms of taking a look at how we treat our employees relative to this issue.

That is what it is all about and no more or no less. I happen to feel very strongly that we should not pit men against women in this issue because that is not it at all. In fact, the study would recommend that we, and I put in the legislation purposely that we do not recommend changing a person's salary in terms of lowering it because that would be against the law if there were not proper need to do so.

We want this to be fair and objective and hopefully, the gentleman and many others on his side as they did last Congress in support of the legislation. Let us take a look at how we relate to this classified system.

Mr. KINDNESS. I thank the gentlewoman for the response to that question, but I am left with a bit of concern about whether the Office of Personnel Management ought to be changed somehow structurally for the future so that we do not find ourselves in the same situation a few years down the road, and would certainly hope that the committee might pursue that.

Ms. OAKAR. There have been several studies but never one really dealing with the comprehensive issues at hand. That is what we are after, and we want it to be cooperative, and we do not want it to be hysterical or confrontional or erratic in terms of various arguments.

You know, I find that the same people who oppose Social Security oppose this legislation. The same people who oppose fair credit to women oppose this legislation. It is an interesting phenomenon over the years that have gone by, and I do not think the issue is really fair credit or Social Security. I think it really is should we do a study on how we classify Federal employees that are part of the civil service classification system. We have not really taken a look at this since 1923.

I want to thank the Speaker for his indulgence, and I certainly hope that we will not distort the issue; that we will simply tell the truth about what the issue is. That is what it is all about.

● Mr. EDWARDS of California. Mr. Speaker, I am proud to be a cosponsor of H.R. 3008, Congresswoman OAKAR's bill which would mandate a study to examine Federal wage classifications.

Unfortunately, this study has been wildly distorted and portrayed as a potential threat to free enterprise, and as the vehicle for implementing comparable worth in the private sector. This simple piece of legislation is under attack by those who seem to have a hysterical fear of a study of Federal pay systems. Why this hysteria?

Let's take a look at exactly what this legislation proposes to do. The Federal Government, the largest employer in the United States, has not examined its wage classification system since its inception in 1923—over 62 years ago. Surely no business would or should conduct their operations in this manner.

The bill introduced by Congresswoman OAKAR simply and succinctly mandates an examination of the Federal Government's wage practices. Perhaps the study will determine that gender and race issues have invoked discriminatory policies. Perhaps not. But should we fear finding out the truth—nothing more, nothing less—by supporting the mandate of this study? The Post Office and Civil Service Committee's Subcommittee on Compensation and Employee Benefits, the expert subcommittee of jurisdiction, did not allow such a fear to prevent its endorsement of the study. The full committee has also shown bipartisan approval of H.R. 3008. We should all be happy and proud to do the same. Let's support H.R. 3008 when it comes before the full House for a vote.●

● Mr. EDGAR. Mr. Speaker, tomorrow the House will consider H.R. 3008, the Federal Equitable Pay Practices Act of 1985. All but six of my colleagues supported similar legislation introduced by my colleague and friend from Ohio, Congresswoman OAKAR last year. I would like to urge my 412 colleagues who voted for a study of Federal pay practices last year to join me in saluting the gentlelady from Ohio for her leadership on one of the most important issues this Congress will address.

Having done that, I am sure my colleagues will once again reaffirm that factors of sex, race, and ethnic background have no place in the determination of how Federal employees are paid. As the Nation's largest employer, the Federal Government must abide by the requirements of title VII of the Civil Rights Act of 1964 and section 6(d) of the Fair Labor Standards Act of 1938. To do less, in my opinion, would be to endorse the hear no evil, see no evil approach to enforcement of our equal employment opportunity laws that threaten to undermine our commitment to economic justice.

Principles of economic justice extend to those who serve the public and enforce our Nation's laws.

A SOUND APPROACH TO A SOUND STUDY

H.R. 3008 establishes a bipartisan Commission that includes Presidential and congressional appointees and the Comptroller General and the Director of the Office of Personnel Management. This group in turn selects a qualified consultant to conduct a two-part study. The first part of the study

examines the job-factors of male and female dominated jobs in order to isolate the factors that appear to make the most difference. The second part of the study, an economic analysis, examines the three major economic factors that determine pay.

This approach adopts the recommendations of the General Accounting Office [GAO], in its report "Options for Conducting a Pay Equity Study of Federal Pay and Classification Systems," March 1, 1985. I believe that Members who have reservations about the study proposed in H.R. 3008 ought to read this report carefully. It addresses just about all the questions and criticisms that have been raised about and leveled at this legislation.

My colleagues who attribute the fact that federally employed women earn $0.63 for every dollar earned by federally employed men to such "facts" as: One, women voluntarily select lower paying job categories because they derive nonmonetary satisfaction from such choices; two, married women have work histories that are shorter and less consistent than men; three, the supply of women for certain occupations exceeds demand and drives wages down; and four, women have a greater tendency to take dead-end jobs or similar temporary employment—ought to read this report and understand that all of these factors are going to be examined and taken into account.

The study is going to look at some factors that I disagree with and that my colleagues disagree with, but it's going to be comprehensive, thorough, objective, and statistically accurate. We are going to have the facts to explain why the average woman who works for the Federal Government earns $12,000 less than the average man.

JOB CONTENT ANALYSIS

Three-fourths of all major employers in both the public and private sector set wages by using some type of job content analysis. The most typical kind of job content analysis is the point-factor rating method which breaks a job down into its various components and subcomponents and assigns points to these factors based upon the value of each element to the employer. Factors include education, training, skill, experience, and relative convenience of working conditions.

For example, a Federal classifier may assign 100 points to a general skill, and add between 0 and 50 points for a particular technical skill, assign 0 to 30 points for managerial skills, and additional points for human relations skills the job requires. The analysis yields a total point value for a job that can be compared against another job.

The National Academy of Sciences reports that job evaluations "do provide a systematic method of comparing jobs to determine whether they are fairly compensated" and confirms that pay studies have served to reduce discriminatory differences in pay. So much for the theory that dissimilar jobs cannot be compared. Employers have compared dissimilar jobs for years.

The purpose of the job content study, then, will be to help isolate factors used in rating job content that are clearly gender related.

ECONOMIC ANALYSIS

Opponents of H.R. 3008 have charged that the legislation intends to isolate gender related factors and attribute the entire wage gap in Federal service to such factors. The economic analysis required by H.R. 3008 utterly refutes this contention.

The study would examine the three major factors that contribute to setting pay: First, the "human capital" an individual brings the job—his or her skills, experience, institutional memory, willingness to work certain hours and in a certain location, that is the sum of what the employee offers that an employer can use. Previous studies have demonstrated that human capital accounts for over 40 percent of the gap in wages between men and women; second, the relationship between occupational characteristics and wages. Whereas the job-factor study will isolate gender based characteristics, this part of the economic analysis will examine why men and women tend to dominate certain occupations. This analysis attempts to distinguish discriminatory from nondiscriminatory factors that go into this process of gender-based selection, factors including personal choice, oversupply, lack of access, and prejudice; third, the "institutional" elements of wage determination including the effects of supply and demand on pay. We know that supply and demand operate imperfectly in labor markets. For example, entry level jobs are far more influenced by supply and demand than positions an organization fills from within its own ranks.

Promotional systems, including how employee performance is evaluated, will also be examined to determine whether agencies have established male or nonminority dominated career ladders.

FISCALLY RESPONSIBLE REMEDIES

With all the factors that go into setting Federal pay before us, the Commission will recommend remedies to discrimination where it is found to exist. The Congress can then take action similar to that taken in States and localities that have completed studies of equitable pay practices. Working with employee representatives and other interested parties, fiscally constrained jurisdictions have developed long-term phased-in remedies that balanced taxpayers interests against the need to bring discrimination to an end.

Mr. Speaker, I urge my colleagues to confirm what we did last year when we took an important step toward economic justice. I might add that this step, when taken by both public and private employers, has generated a spirit of liberation, good will, and cooperation that has enhanced productivity and served the employer well.●

● Mrs. BOXER. Mr. Speaker, I would like to thank my friend from Ohio [Ms. OAKAR] for calling this special order on the critical issue of pay equity and commend her for the outstanding work she has done in this area.

A number of my colleagues have devoted an extraordinary amount of time and effort to state their opposition to H.R. 3008, the Federal Equitable Pay Practices Act of 1985. There has been implications of exorbitant costs, an over-turned marketplace, and a disastrous system of wage setting reaching far beyond the Federal Government into the private sector. This sort of over-reaction and exaggeration serves to make clear that these colleagues of mine have not spent a great deal of time familiarizing themselves with the exact provisions of H.R. 3008.

Mr. Speaker, H.R. 3008 does not give Congress the power to set the wages of employees in the private sector nor does it establish any sort of mandate for a national system of wage setting. What this reasonable and necessary legislation does do is simply call for a study of the Federal wage and classification system for evidence of discrimination based on sex, race, and ethnicity.

The Federal Government is the largest single employer in our Nation. Yet, in the more than 60 years that it has been established, the Federal job classification system has never been thoroughly studied for evidence of discrimination. As legislators, we have an obligation to battle discrimination wherever it may exist. What better place to begin than in our own front yard.

The Federal Equitable Pay Practices Act of 1985 will provide us with one valuable element—information. Based on the information the study provides, we can begin to make certain our own Government workers are free from job bias. The elimination of discriminatory practices at the worksite is a goal every employee and employer should strive to attain. Pay equity legislation such as H.R. 3008 brings us one step closer to achieving this goal and creating a more just society for ourselves, our children, and our grandchildren.●

● Mr. FAZIO. Mr. Speaker, I would like to join my colleagues in this special order to offer my support for H.R. 3008, the Federal Equitable Pay Practices Act of 1985.

I wholeheartedly support the concept of pay equity and believe that individuals performing jobs involving

similar types of training and responsibility should receive the same pay. The Federal Government, as the single largest employer in the United States should set an example in promoting equitable pay practices.

The American taxpayers have invested millions of dollars over the years in the Federal Government's job classification systems to ensure uniformity and accuracy. Yet, for as long as we have been developing these pay-setting systems, we have never done a review of them to determine their impact on women, minorities and ethnic groups. We have never tried to explain, for example, why the average pay for women who work for the Federal Government is $18,864, nearly $12,000 less than the average for men, $30,229.

I believe we also need to explain why women are clustered in the lower Federal ranking grades. The General Accounting Office reports that in 658 of 885 Federal job classifications, men hold 70 percent of the jobs. Women dominate just 77 job classifications—all at the lower end of the pay scale. H.R. 3008 says that Congress, as the Board of Directors of the Federal service, cannot simply shrug off these facts, but must join 34 State governments that have accepted their responsibility to answer similar questions.

H.R. 3008 would require the establishment of a bipartisan Commission of Presidential and congressional appointees that includes the Director of the Office of Personnel Management and the Comptroller General of the United States. It requires the Commission to select a qualified consultant to complete a two-part Federal pay equity study.

Please join me in supporting this measure and the concept of pay equity. As the distinguished chair of our Compensation and Benefits Subcommittee has been telling us all along, this study breaks no radical new ground. It simply puts us on ground already broken by most of the States. It does not rely on blue smoke and mirrors to engineer unwarranted and exorbitant pay increases for women, it simply requires the use of established statistical methods to examine the factors that contribute to the wage gap and to review the Federal Government's method of determining how job factors influence pay. It serves our right to know if the Federal Government's pay policies conform with title VII of the Civil Rights Act and with section 6(d) of the Federal Labor Standards Act.

I urge my colleagues to join ranks once again to take an important step on behalf of all Americans.●

● Mr. GEJDENSON. Mr. Speaker, I rise at this time to voice my strong support for Congresswoman OAKAR's Federal Equitable Pay Practices Act. As an original cosponsor of this legislation, I am proud to be part of this bipartisan congressional effort to continue this country's long tradition of eradicating discrimination of any kind in the workplace.

In considering this bill, I would like to remind my colleagues that it is not the radical measure which some of its opponents would have us believe. Rather, H.R. 3008 represents a recognition of the fact that women working in the Federal Government still earn far less than their colleagues and seem to be represented disproportionately in the lowest-paying jobs.

While many people assert that male/female wage discrepancies are due to historic tendencies to undervalue female labor, H.R. 3008 makes no such assumption. It tries, instead, to understand the reasons behind these discrepancies and to determine whether the Federal Government's official method of pay and job classification is in keeping with the Government's own statutes prohibiting discrimination on the basis of sex, race, and ethnicity.

In its evaluation, a professional consultant will take into account both job content and economic factors which interact to affect a particular job's level of pay. Job content and economic analysis were recommended in the General Accounting Office's report on methodologies for conducting pay equity studies. The economic analysis, in particular, should allay the concerns of those who feel that market forces be taken into account in evaluating pay and classification scales.

Finally Mr. Speaker, H.R. 3008 will not mandate salary levels either in the Federal Government or the private sector. It will merely provide the Federal Government with the knowledge it needs to eliminate wage differentials stemming from discrimination. Additionally, it will bring the Federal Government into the forefront of efforts to root out the last vestiges of workplace discrimination.

I urge my colleagues to support this most important piece of legislation.●

● Mr. DE LUGO. Mr. Speaker, I rise today to offer my support for H.R. 3008, the Federal Equitable Pay Practices Act of 1985. As an original cosponsor of what I believe is an improved bill over that passed by the House of Representatives last year, that now includes not only a study of Federal pay practices for women, but for blacks and Hispanics as well, I am urging my colleagues to offer their full support when this measure is considered.

There are those who question the need for examining the classification and payment practices of the Federal Government. There are those who attribute discrepancies between what men are paid and what women are paid to attitide differences between the sexes on work and achievement. And, there are those who contend that the predominance of blacks and Hispanics in lower paying positions is related only to qualifications.

But for myself and many others, however, these opinions are not sufficient. We need to know why these differences still exist.

Given the fact that 80 percent of all women employed by the Federal Government are concentrated in the lowerst paying positions, and that 85 percent of all men are concentrated in the highest paying positions, is an opinion really enough? Do we simply accept the fact that all three of these groups are overwhelmingly clustered in lower grade positions?

As those responsible for shaping this Nation's policies, how can we ignore these facts without questioning if, perhaps, the Federal Government classification and payment practices are discriminatory. I do not think that we can in good conscience.

That is why I believe that an objective study of the Federal wage and classification system is needed. Our society has changed dramatically since the classification system was established in 1923, and yet this system has not been reviewed since that time. H.R. 3008 would mandate a study using job content and economic analysis of Federal positions which are held by men, women, and minorities predominantly. It would also establish a bipartisan Commission to hire an independent consultant to carry out this study. It does not give the Congress the power to set wages, nor does it put into place a national employment or pay policy.

The Equitable Pay Practices Act of 1985 can help provide us with vital information that we need to effectively address issues of equal opportunity now and in the future. It can provide us with an objective measure of our progress. And, it displays a commitment from this Congress that we will continue to work toward a democratic society that encourages all of its citizens to achieve their full potential.●

● Mrs. SCHROEDER. Mr. Speaker, this week we will be voting on H.R. 3008, the Federal Equitable Pay Practices Act. I urge my colleagues to vote for this bill to ensure that our civil service wage and classification systems are free of bias.

H.R. 3008 would commission a study of the Federal pay and classification systems to determine if they are affected by discrimination based on sex, race, and ethnicity—Hispanic. It would empanel a bipartisan commission to choose an independent consultant to perform the study. The study would consider all compensable factors—including job content and market factors—to determine whether any wage differentials identified may be due to

discrimination. The bill does not presume that any existing wage gap is due to discriminatory practices.

I would like to share with my colleagues this Washington Post article describing the experience of the city of Colorado Springs, which has committed itself to end sex-based wage discrimination for its city employees. As Mayor Robert Isaac said: "We did something fair and just, and in return we got ourselves great employee morale, lower turnover and higher productivity. Isn't that what the private sector's always looking for?"

[From the Washington Post, Mar. 25, 1985]

CITY NEAR PEAK NO PIKER ON PAY

(By T.R. Reid)

COLORADO SPRINGS.—Can a staunchly conservative, heavily Republican nonunion city government find happiness with a bold new policy championed mainly by organized labor and feminists?

"You're darn right we're happy with comparable worth," says Robert Isaac, the loyal Reaganite who is mayor of this thriving city of 250,000 at the foot of Pike's Peak.

"Some of my Republican friends back in Washington have been pretty tough on this idea," says Isaac, immediate past president of the Republican Mayors' Conference. "But I tell them, if they'd try it, they'd like it."

Some government officials and business leaders back in Washington have indeed had harsh words for the concept of "comparable worth"—the idea that women working in traditionally female jobs should get the same pay as men in different jobs requiring comparable skill and responsibility.

Former White House economic adviser William A. Niskanen Jr. has called comparable worth "a truly crazy proposal." Clarence M. Pendleton Jr., head of the U.S. Civil Rights Commission, said the concept is "the looniest idea since Looney Tunes."

"Yeah, I heard that," says Isaac with a shake of the head. "We wouldn't call it loony here in Colorado Springs.

"But what we had before—where a secretary is doing a job that's just as hard and just as important as a truck mechanic, and she's getting $300 [a month] less—now, that was loony. It's just basically unfair."

The liberal notion of comparable worth hit this conservative city four years ago. A group of 36 City Hall secretaries, all women, went before the City Council to complain that city auto mechanics, all men, were scheduled to get a much higher raise than they were.

"I was sitting at that meeting and—boom! There was the issue," recalls Richard Zickefoose, the city's personnel director. "We didn't expect it to come up, but all of a sudden we were faced with comparable worth."

Zickefoose knew that the federal Equal Pay Act requires equal pay for the same work, regardless of the worker's gender. But the law does not apply to workers doing different jobs, no matter how "comparable" the jobs may be.

As the second-largest employer in town (the federal government is No. 1 in this military city), the city government was under minimal competitive pressure to take on the problem, and there was no public employes' union here to force the issue.

But as Zickefoose and Isaac looked into the secretaries' complaint, they came to agree that the city had no choice but to set up a comparable-worth pay scale.

"It was fundamentally a moral issue," Zickefoose says. "Sure, supply and demand would have provided us a clerical force at the lower salaries. But that market fact was a result of years of discrimination against women workers. We felt we had no right to take advantage of it."

That settled, Colorado Springs faced the problem that many critics of comparable worth consider insoluble: figuring out which jobs done mainly by women are comparable to different jobs done mainly by men.

"The question is, 'Is a secretary's job the same as a tire repairman's? Is a payroll clerk comparable to a tree trimmer?' And, sure, that's a tough question," Zickefoose says.

Colorado Springs drew its answers from the "Hay Guide-Chart Profile" devised by the Philadelphia consultants Hay & Associates. It assigns points to each job in four areas: know-how (the knowledge and skills required); problem-solving (the ingenuity required); accountability (the degree of supervision required) and working conditions (the degree of danger present).

This "Hay Scale" showed, for example, that the jobs performed by a secretarial supervisor and a probation counselor each totaled 208 points. In 1980, though, the traditionally male probation job paid $1,709 a month, while the female supervisor received $1,389. The women earned 23 percent less for "comparable" work.

In 1981, the city committed itself to eliminating almost all of that gap in four years. The comparable-worth scheme took full effect in January. Today, the secretarial supervior's pay is within 4 percent of the probation officer's.

The change brought considerable raises for about 500 female employes and increased the $90 million city payroll by about 2 percent—a relatively small burden for this fastgrowing, prosperous metropolis.

For this price the city earned deep appreciation from its female workers. "Morale is sky high," says Betty J. Ketterson, secretary to the public works director and one of the original 36 petitioners. "And when I need to hire somebody, our applicants are the pick of the crop."

But the government has earned the enmity of the local Chamber of Commerce and many businesses. They say the city bought a liberal bill of goods, flouted the free market and raised the pay scale for clerical workers here to astronomical levels.

Mayor Isaac, a real estate lawyer in private life, says the Chamber of Commerce should stop carping.

"We did something fair and just, and in return we got ourselves great employe morale, lower turnover the higher productivity," Isaac says. "Isn't that what the private sector's always looking for?"●

● Mr. MARKEY. Mr. Speaker, our esteemed colleague MARY ROSE OAKAR recently introduced legislation which would establish a bipartisan commission to study the executive branch wage and classification systems for sex, race, and ethnically based wage bias. Today, I would like to applaud Representative OAKAR's strides in bringing the struggle for civil rights into the 1980's and urge my colleagues to lend their support to this innovative piece of legislation.

In 1963, Congress passed the Equal Pay Act. In 1964, the Civil Rights Act. Yet, 20 years later, we are still trying to ensure equal pay for equal work among employed persons in this country without regard to sex, race, national origin, or religion. Is this such a difficult concept to accept?

Some people would have us believe that pay discrimination and any other inequities should best be left to market forces. Those same people would also have us believe that women in America are paid 64 cents on the dollar because they desire to work in jobs that are traditionally compensated for less than their male counterparts. Nothing could be further from the truth.

Representative OAKAR's bill would examine to what extent wage gaps exist between male and female workers. An economic analysis of pay differentials could provide the Congress with factors such as educational level, experience, and occupational differentials by sex in the Federal Government. Such information could be used to identify any unexplained cases of wage differentials.

Mr. Speaker, I find it hard to believe that my colleagues are opposed to a bill which would require a scientific, objective study to gauge the effectiveness of our attempts to eliminate wage discrimination. The criticisms that have come to light concerning this issue only serve to further cloud the simple intent of this legislation: to conduct a study that would determine where wage differentials exist. Are they afraid of finding out the truth? H.R. 3008 would not make "comparable worth" a nationwide regulation. It would merely determine what kinds of pay differentials exist within the Nation's largest employer, the Federal Government.

I strongly urge my colleagues to take rational, well-reasoned action on H.R. 3008. We should not have to wait another 20 years before taking the next step in the fight for civil rights.●

● Mr. STOKES. Mr. Speaker, I would like to thank my distinguished colleague from the State of Ohio, Congresswoman MARY ROSE OAKAR, for reserving this special order to discuss H.R. 3008, the Federal Equitable Pay Practices Act of 1985. Tomorrow, the House will vote on this legislation. I urge my colleagues, on both sides of the aisle, to vote in favor of H.R. 3008.

H.R. 3008, introduced by Congresswoman OAKAR, calls for a long overdue review of the Federal pay and classification systems to determine whether discrimination based upon sex, race, or ethnicity exists. The Federal classification system has never been reviewed since its establishment in 1923—62 years ago.

The House of Representatives cannot afford to delay this review process any longer. As the single largest employer in the Nation, the Federal Government should be a model for

equal employment opportunities compliance with Federal laws. H.R. 3008 attempts to move the Federal Government to that point.

Last year, the House and Senate agreed to a GAO study on this same issue. Preliminary figures compiled by the Government Accounting Office as an outcome of this report indicate that there is still much to be done to ensure equitable pay for all Federal employees. The GAO study concluded that a more indepth review by the Congress is warranted.

At this time, I would like to share some of the findings of that GAO report with my colleagues. GAO auditors reported that the average earnings gap between men and women working for the Federal Government is $9,000 per year. The report also notes that federally employed women earn an average of 62.8 cents for every dollar earned by their male counterparts. GAO found that black women fared worse with their average earnings being 62.2 cents for every dollar earned by men.

Furthermore, even though women comprise almost one-half of the Federal work force, approximately 78 percent of the female employees are clustered in the lower paying slots—grades 1 through 6. Eighty-five percent of the men employed by the Federal Government are concentrated in grades 10 through 15.

Mr. Speaker, these startling GAO figures should be enough incentive for the Congress to pass H.R. 3008. The 18-month study mandated by H.R. 3008, will give us a conclusive indication if certain Federal employees are victims of discrimination. By conducting this study, the Congress will reaffirm its commitment to the law of the land, which states that sex, race, and ethnicity are not factors that may be used to determine the rate of pay for any individual or for any position.

In closing Mr. Speaker, I commend my colleague, Congresswoman OAKAR for her diligence in pursuing the issue of pay equity. I urge my colleagues to vote in favor of this legislation.●

GENERAL LEAVE

Ms. OAKAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order tonight.

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

There was no objection.

A TRIBUTE TO DR. CAROLYNE DAVIS

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

Mr. PURSELL. Mr. Speaker, I wish to compliment a distinguished Federal employee in the employment of the President who is retiring. I want to take a few minutes to compliment a very distinguished public servant who is here tonight, Dr. Carolyne Davis. She is retiring after 4½ years.

Dr. Davis has spent 4½ years as the leader and the Administrator for the Health Care Financing System in America, principally on Medicare and Medicaid which now exceeds a budget of over $100 billion. I understand, if my figures are correct, that it is in the top five nations of the world as far as large budgets and responsibility of administration of critical health programs that have been directed by Congress and have undergone substantial reform in recent years.

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She has been given credit for being at the helm of that ship under the direction, obviously, of the Secretary of Health and Human Services, Peggy Heckler.

Tonight I just wanted to indicate my personal remarks about knowing her, as a Congressman from the Second Congressional District in Michigan, in which is held one of the largest world-class institutions, the University of Michigan, of which Dr. Davis was formerly a vice president and dean of nursing.

Since her appointment to the directorship and administration of our health programs here in America, coming from the University of Michigan, she has brought with her credentials of outstanding capability in the area of finance and budget reform, public policy changes in health, and also her extensive background in nursing as a former dean of nursing at the University of Michigan and her ties with the national nursing associations and Johns Hopkins University.

I believe it is very unusual that we have outstanding women who are in the field of developing public policy in the Federal Government at this high level. I personally think of her opportunities not only as an administrator but a potential in the years to come possibly at the Secretary level in the health field or some similar field related to developing good public policy for this Nation. It is very unique to find people of talent and budget skills and in development of legislation who have the tenacity and the long determination to offer testimony before many hundreds of congressional committees both in the House and in the Senate.

So it is with great pleasure on behalf of myself and my colleagues in the House of Representatives and the Senate of the United States to congratulate her for a job extremely well done, with future potential in years when she will return to public service for this great Nation.

Several Members have offered statements, Congressman JAMES BROYHILL, a letter from Margaret Heckler personally, a statement from Congressman BILL BROOMFIELD, a statement from Congressman GEORGE O'BRIEN of Illinois, a statement from BILL GRADISON of Ohio, a statement from HELEN BENTLEY of Maryland, and statements from RAY MCGRATH of New York, MATTHEW J. RINALDO of New Jersey, GEORGE C. WORTLEY of New York, CLAUDE PEPPER of Florida, and DAVID E. BONIOR of Michigan.

Dr. Davis is an outstanding American. We were proud to have her with us. We are sorry that she is leaving the office of the Secretary of Health and Human Services as the Health Administrator. Her opportunities in the private sector are great and I am sure that she will make a great contribution to whatever endeavor she looks at in the future in her professional career. I have been proud to have her serve this Nation.

Mr. ARMEY. If the gentleman will yield, let me take just a moment to express to the gentleman for his thoughtfulness to come down to the floor this evening at this late hour and to bring this to our attention. I appreciate the gentleman's concern and his commitment.

Mr. PURSELL. I thank the gentleman.

I know on behalf of Congressmen BOB MICHEL, and TRENT LOTT, BILL NATCHER, chairman of our HEW Subcommittee on Appropriations, and others, particularly in the House of Representatives, she has had a great forum here and they really appreciated her testimony, her credibility and her leadership and we are forever grateful for that effort on her part as one of the great leaders of this Nation.

Mr. Speaker, I include in the RECORD at this point a letter concerning Dr. Davis from Margaret Heckler, the Secretary of Health and Human Services.

The letter is as follows:

DEPARTMENT OF HEALTH
AND HUMAN SERVICES,
Washington, DC.

To my former colleagues in the Congress:

Today it is my great privilege to extend my heartfelt thanks and best wishes to Dr. Carolyne K. Davis, who soon will be leaving the Department of Health and Human Services after a distinguished four-and-one-half year "tour of duty" as Administrator of the Health Care Financing Administration.

Dr. Davis' sustained leadership has enabled our Department to inaugurate the most significant reforms in the 20-year history of government health care financing. She has been President Reagan's staunch ally in maintaining high quality health care for America's elderly, poor, disabled and others in need, while improving the cost-efficiency of health care delivery.

Today, the estimated 50 million Americans served by the programs Dr. Davis had administered since 1981 can rejoice in the realization that these programs are better

managed and more quality-conscious than ever before.

During her tenure at the Department of Health and Human Services, Dr. Davis has earned the admiration and respect of all of us who have worked with her. Her testimony "on the Hill" has been forthright, lucid and informative. She has kept the communication lines open between our Department and health care providers and consumers. She has been a constant source of knowledge and support to me; her counsel has been sound and thoughtful.

With a profound sense of gratitude and with all sincerity, I ask you to join with me today in thanking Dr. Davis for a job well done and in wishing her the very best and brighest future possible.

Thank you, Carolyne!

Sincerely,

MARGARET M. HECKLER,
Secretary.

Mr. PURSELL. Mr. Speaker, I also include in the RECORD the biography of Dr. Carolyne Davis.

The biography is as follows:

CAROLYNE KAHLE DAVIS, ADMINISTRATOR, HEALTH CARE FINANCING ADMINISTRATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES

EDUCATION

Ph.D., Higher Education Administration, Syracuse University, Syracuse, New York, 1972.

Master of Science, Nursing Education, Syracuse University, Syracuse, New York, 1965.

Bachelor of Science, Nursing, Johns Hopkins University, Baltimore, Maryland, 1954.

Liberal Arts Studies, Dickinson College, Carlisle, Pennsylvania, 1949 to 1951

PROFESSIONAL EXPERIENCE

Administrator, Health Care Financing Administration (HCFA), March 1981 to present

Major Responsibilities

Management of the Medicare and Medicaid health care insurance programs which provide for the health care needs of 50 million Americans who are elderly, disabled or poor. Development and implementation of detailed operative guidelines on reimbursement, eligibility and coverage, and management of the agency's budget which for FY 1985 was $99 billion, amounting to 10% of the total Federal budget and 29% of all health care expenditures in this country.

Administration of a $35 million research and demonstration budget focusing on long range policy development.

Supervision of 4,100 agency staff and 60,000 regional and State fiscal intermediary staff who coordinate HCFA programs at the State level.

Response to Congressional and other governmental agency requests for information, research studies, and testimony concerning HCFA programs.

Communication with provider and health industry groups, the media, and consumer groups regarding HCFA policies and directions for health care cost containment.

Specific Accomplishments

Reduced Medicare and Medicaid spending increases and improved agency efficiency through the successful efforts listed below:

Prospective Payment System (PPS): Implemented PPS using Diagnostic Related Groups (DRGs) as a new method for paying for hospital care under Medicare. Implemented in five months after passage of 1983 Social Security Act.

Medicaid State Flexibility Waiver Program: Implemented waiver program for States in 1981 (i.e., Home and Community-based; Freedom of Choice).

End Stage Renal Disease Program (ESRD): Implemented prospective payment rates.

Peer Review Organizations (PRO): Implemented new program assuring necessity, appropriateness and quality of care for Medicare beneficiaries.

Health Maintenance Organizations (HMO): Expanded access by implementing new provisions under Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA).

Hospices: Developed regulations and certified 110 hospices for participation in the Medicare program.

Early and Periodic Screening Diagnostic Treatment (EPSDT): Developed proposed regulations to eliminate burdensome requirements which impede health screenings and following-up care to children under Medicaid.

Intermediate Care Facilities for Mentally Retarded (ICF/MR): Reformed Federal surveys of large public ICF/MRs and required corrections of such standard conditions.

Common Billing (UB-82): Established a common billing term form for Medicare hospitals and another for physicians for all third party payors.

Medicare Physician Fee Freeze: Implemented legislation within three months after passage.

Participating Physicians and Physician Assignment Rate Lists (PARL): Expanded beneficiary information of suppliers and physicians who accept assignment.

Common Procedure Coding (CPT-4): Implemented common procedure coding for Part B billing under Medicare.

Third Party Liability (TPL): Reduced Medicaid costs through joint project with the Social Security Administration for improved collection of information on Supplemental Security Income (SSI) recipients.

Admission Pattern Monitoring (APM): Established a system to assure that only patients who need hospitalization are admitted.

Ambulatory Surgical Centers: Developed rules for coverage and reimbursement of ambulatory facilities as a cost-effective alternative to inpatient hospital services.

Medicare Contractor Performance: Improved peformance through enhanced audit and medical review criteria; more stringent performance standards; workload consolidation; and intensified overpayment collection and prevention procedures.

Improved Audits: Achieved reduction of $2.1 billion in reported costs by completing audits of PPS base period used for setting hospital rates.

Parenteral and Enteral: Simplified administration by designating two contractors and setting national instructions and pricing guidelines for these supplies.

Paper Reduction: Reduced paperwork burden on public by more than 25 percent.

Publications Cost Reduction: Reduced publication costs by 67 percent without affecting any beneficiary publications.

Reduced Agency Travel: Reduced agency travel by $500,000 (net) by expanding audio/video teleconferencing.

Centralized Freedom of Information Act (FOIA): Centralized FOIA activities, increasing workload from 2,000 to 30,000 yearly requests without increasing staffing.

New International Activities Program: Began International Health Briefings program in 1983 in coordination with State Department briefing over 30 nations and their representatives.

Technical Assistance to States: Began program helping States implement DRG type prospective payment systems for Medicaid programs.

Improved Ageny Productivity: Reorganized the agency, iproved HCFA productivity by raising work levels 30%, and improved timeliness in agency review and response to State Medicaid waivers.

Associate vice president for academic affairs (Inter Collegiate and Intra College Programs), the University of Michigan, Ann Arbor, Michigan, May 1975 to March 1981

Major Responsibilities and Accomplishments

Administration of the following special institutes and centers with a budget of $6 million from general funds and $7 million from grants, contracts, and earned income and over 500 employees: Institute for Public Policy Studies, Institute for Labor and Industrial Relations, Institute for Mental Retardation and Related Disorders, Institute of Gerontology, Center for Research on Learning and Teaching, Center for Human Growth and Development, Michigan Media Center, Michigan Historical Library, Clements Library, Museum of Art.

Supervised and coordinated activities between the University of Michigan Hospitals and the five health science schools: Medicine, Nursing, Pharmacy, Public Health and Dentistry.

Supervised and coordinated various international exchange programs, and initiated new exchange agreements with international universities in China, Germany, France, Italy, and the Netherlands.

Served as University of Michigan Congressional liaison for Education and Health Sciences from March 1979 to March 1981. Responsibilities included: (a) monitoring Federal legislation and appropriations related to University interests such as higher education, biomedical research, hospital cost containment, health manpower; (b) developing legislation with Congressional staff and members of Congress; and (c) developing and implementing legislative strategies alone and in collaboration with such groups as the American Association of Universities.

Reviewed all recommendations for faculty promotions and determined final candidates from the seventeen schools and colleges on the Ann Arbor Campus as well as the two branch campuses of Flint and Dearborn.

Participated in budget allocation decisions for the seventeen schools and colleges on the Ann Arbor Campus.

Coordinated interdisciplinary graduate programs for Bioengineering and Water Resources.

Developed and implemented program closure procedures and guidelines for the university's academic programs.

Dean, School of Nursing, the University of Michigan, Ann Arbor, Michigan, July 1973 to May 1975

Major Responsibilities and Accomplishments

Administration of nursing school involving the management of 135 faculty and 1,100 students with a general fund of over $2 million and $1 million annually in grants and contracts.

Development of Ph.D. program in clinical nursing research.

Institution of research and funding activities which moved the school from 30th to

10th in the national ranking of Federal funds received.

Participation in the development of a new statewide nursing research program which brought over $1.5 million in research funds to the University.

Development of an intercollegiate masters degree program with the School of Public Health for preparation of nursing service administrators.

Development of an off-campus multimedia instructional program lead in to a baccalaureate program for registered nurses with a $1 million Federal grant.

Implementation of upgraded criteria for review of faculty appointment, promotion and tenure.

Development of an elective course "The Consumer and His Health Care Needs" for non-nursing majors.

Professor of education and professor of nursing, the University of Michigan, Ann Arbor, Michigan, 1973 to 1981

Management teaching at the Center for Higher Education, School of Education.

Chair/committee member for doctoral student dissertations at the Schools of Education and Nursing.

Chairperson, Baccalaureate Nursing Program and Associate Professor of Nursing, Syracuse University, Syracuse, New York, 1969 to 1973

Administration of a baccalaureate nursing program involving the management of 35 faculty and 350 students.

Lecture and clinical instruction of various practice areas.

Development of an inter-institutional cooperative nursing education consortium for Upstate New York; Syracuse University and SUNY Upstate Medical Center Project, 1972 to 1973.

PROFESSIONAL COMMITTEE MEMBERSHIPS

Board Member and President, International Health Economics Management Institute, 1984.

Board Member, Nursing Economics, 1983.

Association of Academic Health Centers, Task Force on Health Manpower Planning 1980-1981.

American Association of Higher Education, Board of Directors 1980-1981.

Friends of Health (a Health Lobbying Group) 1979-1981.

AAU/NASULGC/ACE Joint Committee on Health Policy 1979-1981.

Michigan Health Data Corporation, Chairperson, 1978-1980.

American Council on Education: Commission for Leadership Development 1978-1981, Commission on Collegiate Athletics 1976-1979.

National League of Nursing: Board of Directors 1979-1981, Task Force on Cost Analysis for Nursing Education 1975-1978.

COMMUNITY SERVICE

Johns Hopkins University, Board of Trustees 1979-1981.

Michigan Heart Association: Board of Directors, 1973-1981, Executive Committee, 1979-1981, Finance Committee, 1979-1981.

United Way Campaign, Chairperson, University of Michigan, 1976-1977.

United Fund, Associate Chairperson—Syracuse University, 1972-1973.

Upstate New York Heart Association: Board of Directors, 1968-1973, Vice President, 1972-1973.

School Board (Elected—3-year Term), Fayetteville—Manlius System, New York, 1971-1973.

HONORS AND AWARDS

Honorary Degrees

Doctor of Law, Adelphi University, 1985.

Doctor of Science, University of Medicine and Dentistry of New Jersey, 1984.

Doctor of Literature (Humane Letters), Georgetown University, 1982.

Doctor of Science, University of Evansville, 1982.

Awards

Distinguished Alumni Award, University of Michigan Medical Center, 1984.

Leadership Award, Sigma Theta Tau, 1984.

Alumni Award, Syracuse University School of Education, 1984.

Certificate of Recognition, American Nurses Association, National League for Nursing, and American Association of Colleges of Nursing, 1984.

Distinguished Associate, Atlantic Economic Society, 1983.

Bronze Medallion (for outstanding performance), Department of Health and Human Services, 1983.

Distinguished Alumnus Award, Johns Hopkins University, 1981.

Change Magazine's 100 Top Young Leaders in the American Academy, 1978.

U.S. Public Health Service Traineeship, 1963 to 1965.

Cullen Prize for Nursing Administration, Johns Hopkins University, 1954.

Presidential Scholarship, Dickinson College, 1949 to 1951.

Honors

Fellow, American Academy of Nursing, 1978.

Phi Delta Kappa (Education Honorary), 1975.

Sigma Theta Tau (Nursing Honorary), 1965.

PUBLICATIONS

"A Political Appointee", Political Action: A Handbook for Nurses, edited by D. Mason and S. Talbott, (In Press).

"U.S. National Health Policy: A Federal Perspective", International Health Economics Management Institute, Edwardsville, Ill., (In Press).

"Organ Transplants", Public Welfare, Spring 1985.

"Holding the Line on Health Care Costs: An Administration Overview", IMC Journal, February/March 1985.

"The Impact of Prospective Payment on Clinical Research", Journal of American Medical Association, February 1, 1985.

"The ESRD Program: Finding a Better Future for Patients", Contemporary Dialysis and Nephrology, January 1985.

"Medicare", The Retired Officers, January 1985.

"HCFA is Not Imposing Quotas on PRO's, Administrator Says", Federation of American Hospitals Review, November/December 1984.

"Efficient Care Benefits All", Clinical Chemistry News, October 1984.

"The Reimbursement Revolution Implications for Physicians", Contemporary Dialysis, September 1984.

"The Chief Administrative Officer of the Academic Health Center—A Post of Growing Impact of Both Higher Education and Health Services Delivery", with S. C. Stolp-Smith and J.W. Dalson, Ph.D., The Journal of Health Administration Education, June 1984.

"The Time is Right", Guest Editorial, Nursing and Health Care, May 1984.

"The Status of Reimbursement Policy and Future Projections", Nursing Research and Policy Formation: The Case of Prospective Payment, American Academy of Nursing, Kansas City, Kansas, April 1984

"The Reimbursement Revolution: A New Agenda", Diagnosis Related Groups: The Effect in New Jersey the Potential for the Nation:, March 1984, (HCFA #03170).

"The Reimbursement Revolution: A New Agenda", Caring, February 1984.

"What Nurses Need to Know About the Prospective Payment Revolution", American Journal of Nursing, January 1984.

"A Federal Perspective: Nursing Under Prospective Payment", Health Care Cost Containment: Dilemmas and Solutions, Midwest Alliance in Nursing, Indianapolis, Indiana, 1984.

"Reforming the U.S. Health Care Financing System", and "Research and Demonstrations in Prospective Payment", with A. Esposito, Health Care: An International Perspective, edited by J.M. Virgo and G. Rutman, International Health Economics and Management Institute, Edwardsville, Illinois, 1984.

"Prospective Payment Background and Future Directions", Health Care Institutions in Flux: Changing Reimbursement Patterns in the 1980's Information Resource Press," Arlington, Virginia, 1984.

"National Legislation and Regulatory Action", Perspectives in Nursing 1983-1985, National League for Nursing, New York, N.Y., 1983.

Nursing and the Health Care Debates", (Editorial), Image: The Journal of Nursing Scholarship, Sigma Theta Tau, Summer 1983.

"A Government Administrator's Point of View", Pennsylvania Blue Shield Annual Report 1983, 1983.

"The Federal Role in Changing Health Care Financing, Part II: Prospective Payment and its Impact on Nursing," Nursing Economics, September/October 1983.

"Reforming the U.S. Health Care Financing System", with G.J. Schieber, Ph.D., Atlantic Economics Journal, September 1983.

"A Bold Step Forward", The Internist, August 1983.

"Prospective Payment: What it Means to Physicians", The Internist, August 1983.

"Carolyne Davis on Prospective Payment", Osteopathic Hospitals, August 1983.

"The Federal Role in Changing Health Care Financing, Part I: National Programs and Health Financing Problems", Nursing Economics, July/August 1983.

"Fixed Fees Reduce Costs, Add Incentives", (Editorial), U.S.A. Today, February 16, 1983.

"The Need to Contain Health Care Spending", Graduate Women, January/February 1983.

"Commitment and Cost Control in the Health Care System", American Psychologist, December 1982.

"The 1980s—Nurses' Decade of Political Power", Briefly Noted, American Academy of College for Nursing, Washington, D.C., August 1982.

"Home Health Care-Opportunity and Responsibility", Rx Home Care/Medicare Section, July 1982.

"Effects of Medicare and Medicaid on Community Hospitals", Healthcare Financial Management, July 1982.

"Federally Funded Health Care Progress and Their Impact on Corporate Health Care Costs", Health Care Cost Containment, Machinery and Allied Products Institute, Washington, D.C. 1982.

"Leadership for Expanding Nursing Influence on Health Policy", with D. Oakley and

J. A. Sochalski, The Journal of Nursing Administration, January 1982.

"Restricted Resources Ahead: A Test for Nursing Creativity", The Michigan Nurse, December 1981.

"Who Determines Health Manpower Policy", with P. Maraldo, Nursing in Health Care, August 1980.

"Wield the Ax with Courage and Sensitivity", Higher Education's Challenge, American Council on Education, Washington, D.C. 1980.

"How Can We Train Doctors to be More Humanistic?", Ethics, Humanism, and Medicine, Alan R. Liss, Inc., New York, 1979.

"Guidelines for Program Discontinuance", with Dougherty, Educational Record, Winter 1979.

"The Changing Role of Women in Academe", Dickinson Alumnus, February 1979.

"Our 14,000 Colleagues in Business, Industry and Government", American Association of Higher Education Bulletin, October 1978.

"Factors Affecting the Growth of Interdisciplinary Education", Craniofacial Growth Series, Monograph No. 6, Center for Human Growth and Development, University of Michigan, 1977.

"Nursing Education for Quality Nursing Practice", The Alumni Magazine, Johns Hopkins Press, January 1976.

"Some Methodological Problems in the IOM Study of Costs of Nursing Education", The Cost of Nursing Education, Monograph No. 14-1591, National League for Nursing, New York, 1975.

Relationship of University Preparation and Nursing Practice, NLN League Exchange Monograph No. 108, National League for Nursing, New York, 1975.

"NLN Task Force on the Cost of Nursing Education", Converting Threats into Challenges in Nursing-Adaptations in Baccalaureate and Graduate Education in Nursing, Department of Baccalaureate and Higher Degree Programs, National League for Nursing, New York, 1975.

"Changing Roles for Expert Nurses: Nurse Practitioners", Major Issues and Trends in the Provision of Health Care Services, Governors Conference on Health Care Services and Manpower, 1973.

Final Report of Feasibility Task Force on a University Nursing Education Center, A Consortium Planning Document, with R. Galbreath and M. Sovie, Syracuse University and Upstate Medical Center, New York, 1973.

"Anticipatory Socialization: Its Effect on Role Conception, Role Deprivation and Adaptive Role Strategies of Graduating Students from Selected Associated Degree and Baccalaureate Nursing Program", Dissertation, University Microfilms, Ann Arbor, Michigan, 1972.

RESEARCH ACTIVITIES

Academic Health Center Exploratory Study of Role of Chief Administrative Officer, with Drs. J. Dalston and S. Smith, The University of Michigan, 1980 to 1981.

Statewide System for Procedures of Program Discontinuance (with H. Miller), 1979-80 (Exxon support).

Leadership Competencies of Academic Administrators, with Dr. M. A. Swain, The University of Michigan, 1980.

Leadership Competencies of Deans of Nursing, with Dr. M. A. Swain, The University of Michigan, 1977 to 1979.

Developed the first American Heart Association cardiovascular nursing research fellowship program media, both television and radio, concerning Federal initiatives in health care reform.

Services for Mentally Retarded Persons, Senate Appropriations Committee, Handicapped Subcommittee, 6/27/84.

Medicaid Program "Freedom of Choice" Waivers, Senate Finance Committee, Health Subcommittee, 3/30/84.

FY 1985 Budget for the Health Care Financing Administration, Senate Appropriations Committee, Departments of Labor, Health and Human Services, Education & Related Agencies Subcommittee, 3/28/84.

FY 1985 Budget for the Health Care Financing Administration, House Appropriations Committee, Departments of Labor, Health and Human Services, Educaton & Related Agencies Subcommittee, 3/20/84.

Medicare Program Relative to Proposed Organizational Changes in the Social Security Administration, Congressional Panel on Social Security Organization, 3/16/84.

Medically Needy and the Medicaid Program Services for Children and Pregnant Women, House Energy and Commerce Committee, Oversight and Investigations Subcommittee and Health and the Environment Subcommittee, 3/16/84.

Transplantation in the Medicare End-Stage Renal Disease (ESRD) Program, The National Organ Transplant Act, House Ways and Means Committee, Health Subcommittee, 2/9/84.

Vision of Care Services and Eye Examinations under the Medicare Program, (statement for the record), House Energy and Commerce Committee, Health and the Environment Subcommittee, Baltimore, Maryland, 1/27/84.

Perspective on the Health Care Financing Administration (HCFA) Regarding the Medicare Financing Crisis, (statement for the record), House Select Committee on Aging, Boca Raton, Florida, 12/28/83.

Allocation of Human Organs for Transportation, Particularly as it Relates to Nonresidents Aliens, (statement for the record), House Science and Technology Committee, Investigations and Oversight Subcommittee, 11/7/83.

Systems Currently in Place for Making Organs Available for Transportation under Medicare End-Stage Renal Disease (ESRD) Program as Administered by HCFA, Senate Labor & Human Resources Committee, 10/20/83.

National Organ Transplant Act, (H.R. 4080), House Energy & Commerce Committee, Health and the Environment Subcommittee, 10/17/83.

Reimbursement for Transplant Procedures, (a Written Testimony for the Record by Carolyne K. Davis, Ph.D.), 9/23/83, California State Senate Select Anatomical Transplant Committee, Sacramento, California.

Implementation of the Provisions in P.L. 97-248, the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) which Provide Coverage for Hospice Care for Terminally Ill Medicare Beneficiaries, Senate Finance Committee, Health Subcommittee, 9/15/83.

The Administration's Reforms for Medicare, House Energy & Commerce Committee, Health & the Environment Subcommittee, 7/18/83.

Home Health Care Under the Medicaid Program and the Congressional Proposal, Senate Labor & Human Resources Committee, 7/13/83.

Departments of Labor, Health & Human Services, Education, Appropriations for 1984, (Part 5, HCFA), House Appropriations Committee Labor, HHS, Education Subcommittee, 4/27/83.

Systems in Place for Making Organs Available for Transplantation, House Science & Technology Committee, Investigations & Oversight Subcommittee, 4/27/83.

The Future of Medicare, Senate Special Aging Committee, 4/13/83.

Departments of Labor, Health & Human Services, Education, Appropriations FY 1984, (Part 2, HCFA), (H.R. 3913), Senate Appropriations Committee, Labor, HHS, Educaton Subcommittee, 4/8/83.

The Future of Medicare: N.J., House Aging Committee, Human Services Subcommitte (Princeton, N.J.), 3/28/83.

Overview of the Administration's Entitlement Policies, House Budget Committee Task Force on Entitlements, Uncontrollables, and Indexing, 3/10/83.

Medicare Hospital Prospective Payment System, House Ways & Means Committee, Health Subcommittee, 2/15/83.

Quality Assurance Under Prospective Reimbursement Programs, Senate Aging Committee, 2/4/83.

Prospective Reimbursement for Hospitals, House Energy & Commerce, Health & the Environment Subcommittee, 11/22/82.

Nursing Home Survey & Certification: Assuring Quality Care, Senate Aging Committee, 7/15/82.

Recommendations for Legislation to Achieve Required Cuts in the FY 1983 Budget for Medicare, House Ways & Means Committee, Health Subcommittee, 6/15/82.

The End Stage Renal Disease Program, (Part 2, Treatment Standards & Methods), House Government Operations Committee, Intergovernmental Relations & Human Resources Subcommittee, 4/28/82.

Proposed Regulations Governing Reimbursement under the Medicare End-Stage Renal Disease Program, House Ways & Means Committee, Oversight Subcommittee, 4/22/82.

Impact on the Elderly of Proposed Medicare & Medicaid Cuts, House Aging Committee, Health and Long-Term Care Subcommittee, 3/19/82.

Proposed Prospective Reimbursement Rates for the ESRD Program, Senate Finance Committee, Health Subcommittee, 3/15/82.

HCFA Appropriations for 1983, (Part 3), Senate Appropriations Committee, Labor/HHS/Education Subcommittee, 3/18/82.

HCFA Appropriations for 1983, (Part 5), House Appropriations Committee, Labor/HHS/Education Subcommittee, 3/5/82.

Impact of the Administration's Proposed Budget Cuts on Children, House Ways & Means Committee, Oversight Subcommittee and House Energy & Commerce Committee, Health & the Environment Subcommittee, (statement for the record), 3/5/82.

Kickbacks in Clinical Laboratories, House Energy & Commerce Committee, Oversight & Investigations Subcommittee, 3/5/82.

Administration's proposed Budget Cuts Affecting the Medicare Program, House Ways & Means Committee, Health Subcommittee, 3/2/82.

Budget Issues for Fiscal Year 1983 (Volume 1), House Budget Committee, 2/25/82.

The End Stage Renal Disease Program, (Part 1—Management of the Program), House Government Operations Committee, Intergovernmental Relations & Human Resources Subcommittee, 2/24/82.

End-Stage Renal Disease, Senate Finance Committee, Health Subcommittee, 9/28/81.

HCFA Appropriations for 1982, Part 5, HCFA House Appropriations Committee,

Labor/HHS/Education Subcommittee, 4/27/81.

Proposed Budget Cuts in the Medicare Program, House Ways and Means Committee, Health Subcommittee, 2/20/81.

The Professional Standards Review Organization (PRSO) Program, House Ways and Means Committee, Health and Oversight Subcommittees, 3/24/81.

Phaseout of PSRO's & Utilization Review Requirements, Senate Finance Committee, Health Subcommittee, 3/23/82.

Nurse Shortage & Its Impact on Care for the Elderly, House Aging Committee, Health & Long-Term Care Subcommittee, August 1980.

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Frank H.T. Rhodes, Ph.D., President, Cornell University, Ithaca, New York.

Harold T. Shapiro, Ph.D., President, The University of Michigan, Ann Arbor, Michigan.

● Mr. BROYHILL. Mr. Speaker, at a hearing before the Select Committee on Aging this morning, Dr. Carolyne K. Davis delivered her final testimony in a long and distinguished career as Health Care Financing Administrator.

In her own words, Dr. Davis has been the "caretaker of Medicare and Medicaid over the past 4½ years.

What Dr. Davis modestly declines to add, is that she has had the longest tenure of any Health Care Financing Administrator since the agency was founded.

I first became acquainted with Dr. Davis and her impressive command of health policy when she testified many years ago at a Health and the Environment Subcommittee hearing on the Nurse Training Act. Subcommittee members were quickly impressed with the abilities of the nurse from Michigan, and over the years we looked to her time and time again for well thought out and reasoned testimony on health issues.

The President also recognized those outstanding qualities, and in February 1981 Dr. Davis was appointed Health Care Financing Administrator.

The position of Health Care Financing Administrator is not to be taken lightly. Surely it must outrank even the heads of the largest corporations in duties and responsibilities.

As the head of HCFA, Dr. Davis commands over 4,000 agency staff and scores of regional and fiscal intermediary staff. Fifty million citizens count on her to get their benefits—and I might add these citizens are among the country's most elderly, disabled, and poor.

In the coming fiscal year, the Health Care Financing Administration expects to spend almost $100 billion in benefit payments. Its research budget will be $22 million. Imagine the machinery to run an organization that large.

Imagine the grasp of policy to run programs as diverse as end stage renal disease and Medicaid State flexibility waivers.

And imagine trying to run an agency that large, with so many programmatic responsibilities, during such an important period in the reform of health policy.

It is without question that Dr. Davis' stewardship of HCFA was the linchpin upon which the Medicare reimbursement reforms, the prospective payment system, were formulated and implemented. Under the steady management and capable command, this radical change in Medicare reimbursement has been implemented successfully, injecting a long-needed measure of competition into the health care marketplace. And under Dr. Davis' supervision, the law mandating this new PPS system was implemented in only 5 months.

By her own estimation, Dr. Davis has testified before the Congress almost 70 times. The majority of those were as Health Care Financing Administrator.

It is seldom that the Congress has an opportunity to benefit from the viewpoint of one who is so capable, confident, or persistent. Dr. Davis has run HCFA tirelessly for 4½ years, and has done a superb job. I join with my colleagues today, on the 20th anniversary of Medicare and Medicaid, in thanking Dr. Davis for her selfless efforts and for wishing her well in her future endeavors.

With her past record, I am certain Dr. Davis will continue on the path of success—and I know the Energy and Commerce Committee will continue to count on her for cogent, compelling, and now seasoned testimony.●

● Mr. BROOMFIELD. Mr. Speaker, on the 20th anniversary of Medicaid and Medicare, it is especially appropriate that we should recognize the achievements of the retiring head of the Health Care Finance Administration, Dr. Carolyne K. Davis.

Dr. Davis manages a $99 billion budget, which accounts for 10 percent of the total Federal budget and 29 percent of the Nation's health care expenditures.

More importantly, Dr. Davis's performance has been in every way commensurate with her responsibilities. When Dr. Davis took office in 1981, the Medicare trust fund faced the prospect of bankruptcy by 1986; Dr. Davis, however, has significantly prolonged the life of the fund.

Dr. Davis has overseen a thoroughgoing reform of her agency. She has implemented the prospective payment system, an innovative approach to cutting health care costs. She has also reshaped peer review organizations, expanded access to health maintenance organizations, and accomplished myriad other reforms which have produced a more efficient and cost-effective agency.

Dr. Davis has arguably managed to improve the Nation's health care while simultaneously cutting costs.

Mr. Speaker, as the senior member of the Michigan Republican congressional delegation, I am particularly proud of the role I played in helping my colleague Congressman PURSELL to bring Dr. Davis from the University of Michigan to the Federal Government. I commend her for the outstanding job she has done and wish her every future success.●

● Mr. O'BRIEN. Mr. Speaker, I am pleased to join with my colleagues in speaking of the Honorable Carolyine Kahle Davis, Administrator of the Health Care Financing Administration.

In the next few days, the Reagan administration will lose one of its unsung luminaries when Dr. Davis leaves Federal service after 4 years at the helm of one of the most important agencies of the Government.

Dr. Davis has shouldered the responsibility of managing the system that plays a crucial role in serving the needs of the 51 million elderly, disabled, and poor who depend upon Medicare and Medicaid. The agency budget which for fiscal 1985 was $99 billion, amounts to nearly 10 percent of the total Federal budget and 29 percent of all health care expenditures in our country. The agency staff which she supervised totals 4,100 individuals and another 60,000 regional and State fiscal intermediary staff who coordinate HCFA programs at the State level.

During her tenure, she has overseen the institution of a major Federal Government reform program and process—the prospective payment system—which has had, and will continue to have, a profound impact on the Federal Establishment and, naturally, the beneficaries of Medicare. Dr. Davis began the implementation of the system in October 1983, and by October 1984, roughly 5,400 hospitals were being paid under the new system.

Dr. Davis, a distinguished public servant, began her career as a registered nurse. She moved into administration at Syracuse University and

later as associate vice president for academic affairs at the University of Michigan at Ann Arbor. She earned her Ph.D. at Syracuse University and has been honored with doctorates from Adelphi University, University of Medicine & Dentistry of New Jersey, Georgetown University, and the University of Evansville. Her awards, honors and publications are too numerous to list. Suffice it to say that she has made a impressive contribution to the literature of health care in the United States.

Dr. Davis has been in the forefront of developing a new awareness and appreciation of the public policy implications of rising health care costs, and has been the spokesman and general of the revolution to bring health care costs under control during this administration.

The Reagan administration is losing a loyal and experienced administrator, but I am sure that Dr. Davis will continue to make her mark on public policy in her new endeavors.

Her friends throughout the executive branch, the Congress, and the industry wish her well, and look forward to her future assistance to the task of bringing health care costs under control.●

● Mr. GRADISON. Mr. Speaker, it is entirely appropriate that we have chosen today, the 20th anniversary of the Medicare and Medicaid programs to honor Dr. Carolyne Davis.

Not only has Carolyne Davis served as administrator of HCFA, the agency that oversees these two important programs, longer than any other individual, but she has done an outstanding job in what is certainly one of the most challenging and difficult positions in this town.

In 1981, which was when Carolyne Davis arrived at HCFA, the Social Security trustees predicted that Medicare's hospital trust fund would be bankrupt within 5 or 6 years. Earlier this year, the trustees projected that the trust fund would be solvent through 1998.

While this encouraging trend cannot be attributed solely to the efforts of Carolyne Davis, it has been under her leadership that these two massive health programs have undergone their most sweeping changes.

Under the intense pressure and scrutiny of numerous interested parties including other Federal agencies, health industry groups, consumer representatives and Congress, Carolyne Davis has developed and implemented far-reaching, detailed operative Medicare and Medicaid guidelines. She has managed an agency that provides for the health care needs of 50 million Americans who are elderly, disabled or poor. HCFA's current budget of $99 billion amounts to 10 percent of the Federal budget and represents nearly one-third of all health care expenditures in this country.

As ranking Republican on the Ways and Means Health Subcommittee, I have worked closely with Carolyne Davis. My admiration and respect for her have continued to grow. In short, she is going to be a very tough act to follow.●

● Mrs. BENTLEY. Mr. Speaker, it is my pleasure to honor Dr. Carolyne Davis this evening. She is not only one of the more prominent graduates of Johns Hopkins University in our State, but she has also served on the university's board of trustees with distinction.

We are proud of her work as administrator of the Health Care Financing Administration—from a point of near bankruptcy in 1981—she has brought the program to fiscal stability. It has been a grand job which reflects well on her education, her experience and her character.

I am always impressed by the performance of most appointed officers in government, having been one myself. It is the most difficult of chores to come into an on-going operation, fully staffed, picking up programs and problems—already in place—and be effective.

Carolyne Kahle Davis has obviously been effective and that is what good governance is all about.

We owe Dr. Davis for her service to the country. We thank her and wish her Godspeed.●

● Mr. McGRATH. Mr. Speaker, I would like to join my colleagues in saluting the efforts of a dedicated public servant, Dr. Carolyne Davis, who will soon leave Government service.

During my freshman term in Congress, Dr. Davis made her first appearance at a congressional hearing before the Government Operations Subcommittee on which I served. She spoke then on a complex and volatile Medicare issue. Since that time, she has distinguished herself in numerous forums as an articulate and informed leader in the field of health care.

Under the stewardship of Dr. Davis, the Health Care Financing Administration has assumed tremendous responsibility in reshaping Federal programs to meet stringent fiscal requirements while maintaining quality services for millions of Americans. Dr. Davis has responded to these challenges with great vigor and attention to detail.

While we have lost a tireless and trustworthy ally in the executive branch, her legacy of service and accomplishment will remain. I wish her the best of success in future endeavors, and extend my heartfelt gratitude for her efforts.●

● Mr. RINALDO. Mr. Speaker, I am pleased to take part in this special order to commend Dr. Carolyne Davis for her work over the last 4½ years as head of the Health Care Financing Administration.

She has done a tremendous job working under terrific pressures. She has not only had to work to keep the Medicare system solvent, but she also brought to her job a commitment to providing the senior citizens of this Nation the health care benefits they need and deserve.

Only 2 years ago, it was predicted that the Hospital Insurance Trust Fund would be broke by the end of this decade. Today, however, the system is predicted to be solvent nearly to the end of this century.

This improvement is due in large part to the reduction in health care inflation.

More importantly, however, the new DRG system offers us the prospect of long-term relief in holding down health care costs, and Dr. Davis was instrumental in getting Congress to approve this system.

While she has headed the Health Care Financing Administration, Dr. Davis has overseen innovative new programs go into effect, such as the 2176 waiver program under Medicaid, the preventive health demonstration grants under Medicare, the hospice program for terminally ill Medicare recipients, as well as the fundamental change brought about by the prospective payment system.

Mr. Speaker, Dr. Davis has clearly left her mark at HCFA.

She has served longer than anyone else in that position, and she has done so with distinction and a dedication which deserve the commendation of Congress and the administration.

I wish her the best of luck as she returns to the private sector, and wish to extend my heartfelt thanks for a job well done.●

● Mr. WORTLEY. Mr. Speaker, I am proud to participate in this special order honoring one of the ablest administrators that the Health Care Financing Administration has ever had.

I have known Carolyne Davis since she was a professor of nursing at Syracuse University in the early 1970's. She has been a friend, neighbor, and volunteer extraordinaire.

Carolyne has always been at the forefront of good causes, bringing her enthusiasm, knowledge, and leadership capabilities to bear on community efforts. I had the honor and the privilege of serving with Carolyne as officers of the Upstate New York Heart Association. She also served with distinction as the associate chairperson of the United Fund at Syracuse University. As an elected member of the Fayetteville-Manlius School Board, Carolyne played a major role in shaping the school district into one of the finest in New York State.

Administrator Davis has shown the same dedication and perseverence at

the Health Care Financing Administration. During her 4½ years, she has promoted and overseen dramatic changes in the Medicare and Medicaid systems. In very difficult circumstances, HCFA under her leadership has succeeded in curtailing the rate of growth in the cost of the Medicare and Medicaid Programs while at the same time serving more people than ever before.

Specifically, Carolyne has overseen the design and implementation of the prospective payment system, the Medicaid State Flexibility Waiver Program, and peer review organizations. Access to health maintenance organizations have been expanded, regulations, for hospice participation in Medicare have been developed, and the paperwork burden on the public has been reduced by more than 25 percent. These are just a few of the accomplishments of HCFA under Carolyne Davis.

As a member of the House Select Committee on Aging, I have especially appreciated all of the times Carolyne has testified before the Aging Committee and its various subcommittees. It has been a long and hard battle from her first appearance before the committee to her farewell appearance at today's hearing honoring the 20th anniversary of the Medicare and Medicaid Programs.

August 8 is officially Carolyne's last day as Administrator of the Health Care Financing Administration. Her strong work ethic, managerial expertise, and extensive knowledge and deep concern about health issues will be missed. I hope she will return to government service in the future to give us the further benefit of her talents. America needs such talented people in her service.

In closing, let me just say, "Well done, Madame Administrator."●

● Mr. PEPPER. Mr. Speaker, I would just like to take this moment to recognize the fine work of a dedicated public servant, Dr. Carolyne Davis, Administrator of the Health Care Financing Administration who has recently announced her plans to leave the Department.

Dr. Davis has led a distinguished career at the helm of an agency of great importance to all senior citizens. For in the hands of the Health Care Financing Administration is the Medicare Program which today protects some 31 million elderly and disabled Americans from the high costs of health care. She has lead this agency admirably through a tenure of turbulent times. Dr. Davis served her country for 5 years in this position, longer than any of her predecessors.

On many occasions I have had to call upon Dr. Davis personally for assistance with problems faced by my constituents. Her door has always been open. In every instance she did everything in her power to best assist me. This goes beyond partisanship. Dr. Davis has proved not only a dedicated and talented administrator by a compassionate and understanding person.

I wish Dr. Davis the best of everything in whatever future endeavors she may undertake. I know that she will carry with her those personal and professional characteristics which marked her distinguished service at the Health Care Financing Administration.●

● Mr. BONIOR of Michigan. Mr. Speaker, Dr. Carolyne K. Davis, after 6 years of distinguished service at the University of Michigan, joined the Health Care Financing Administration [HCFA] in 1981 as its Administrator. Dr. Davis took charge at a time when the agency was in the throes of a nearly complete overhaul, the revamping of a major American industry—health care financing. Under her leadership, Medicare and Medicaid underwent the most sweeping changes since their founding. In spite of the stormy seas she has had to sail, Dr. Davis has held her ship on course.

Dr. Davis is not only a leader but a health care professional who knows how to lead. Originally a nurse, she earned a Ph.D. degree in higher education administration, and went on to run nursing departments at Syracuse University and the University of Michigan where she ultimately served as associate vice president for academic affairs before joining HCFA in 1981.

Today, July 30, 1985, marks the 20th anniversary of Medicare and Medicaid. It seems fitting to me that on this day, Dr. Carolyne K. Davis should be honored. I would like to add my voice to those honoring Dr. Davis and wishing her continued success in her future endeavors.●

● Mr. CONTE. Mr. Speaker, 20 years ago today, President Johnson signed into law one of the most important pieces of legislation ever enacted—legislation to establish the Medicare Program which created a system of affordable health care for senior citizens in America. I was privileged to have been in Congress in 1965 when this legislation was passed, and was pleased to be able to vote in favor of it.

Currently, Mr. Speaker, nearly 95 percent of senior citizens in this Nation are entitled to Medicare benefits under part A of the program. Over the years, the program has expanded from hospital benefits (part A) and physician services (part B) first enacted in 1965 to include home health care, skilled nursing facility benefits, hospice care, and health maintenance organizations. And, over the past 20 years, Congress has made changes in the administration of the program to make it more responsive to the needs of its beneficiaries. Perhaps the most notable change was the 1983 amendments, which established the prospective payment system.

Clearly, the Medicare Program has lived up to its noble goals. Health care costs for the elderly—while still a significant percentage of income—are much lower than they would have been had Congress never enacted the Medicare Program. The compromise struck in the 1965 legislation—hospital care under part A for all beneficiaries financed by a small portion of the Social Security tax and part B for those beneficiaries electing to pay a small monthly premium—has insured that our senior citizens need not fear that their health problems can not be taken care of because of huge medical costs. Medicare was a natural and logical extension of the Social Security Program.

Mr. Speaker, over the past 4½ years, the Health Care Financing Administration, which administers the Medicare Program, has been under the able stewardship of Dr. Carolyne K. Davis. Dr. Davis has served with distinction as the director of HCFA, longer than anyone has ever held that position. It is appropriate today, on the 20th anniversary of Medicare, to commend her for her efforts.

Earlier in this decade, the predictions were that Medicare, the cornerstone of health insurance for older Americans in this Nation would be bankrupt by 1986. Those dire predictions have been proven wrong, and the wolf at the door has been put off for many years, and the reason is the leadership provided by Dr. Davis.

She has taken it upon herself, with remarkable success, to restore fiscal rationality to Federal health care programs. She has presided over the most fundamental restructuring of the Medicare system since it was created, the prospective payment system. She has sought, through regulatory reform, to curb excessive growth and abuse, saving billions of dollars, without compromising the health care of the American people.

She has gone after these goals with intelligence and determination, all the while under tremendous pressure from all those rightly or wrongly threatened by change, under constant pressure from the Congress to do more or to do less, and under constant pressure from other agencies of the Government like the Office of Management and Budget. She has performed admirably, and this Nation owes her a debt of gratitude.

As the ranking minority member of the House Appropriations Committee and of its Subcommittee on Labor, Health and Human Services and Education, I have had the privilege of working with Dr. Davis on the budget for the Health Care Financing Agency, and of having her appear before the subcommittee each year to

testify on the Health Care Financing Administration's proposed budget. Because of her knowledge and expertise, Dr. Davis had the complete confidence of the subcommittee. Every year, it was Dr. Davis speaking on behalf of the provision of health care to millions of older Americans and disadvantaged Americans, and I can tell you that those millions of Americans slept better at night knowing Dr. Davis was speaking on their behalf.

Four and a half years is a long time for anybody to serve in as pressurized an environment as Administrator of HCFA. That represents a tremendous sacrifice of salary and personal life that Dr. Davis made in the service of this country of ours in one of the most important positions in the Government. We have been tremendously fortunate to have someone as skilled as Dr. Davis in this position, doing such good work, and we will all miss her very much.

I have often said that people who make the sacrifice of public service deserve a medal, but, Mr. Speaker, Dr. Davis deserves a bushel of medals for the service she has performed.

I want to wish Dr. Davis Godspeed in her future undertakings, but most of all, I want to say thank you, Dr. Davis, for a job well done. It has been a real pleasure to have worked with Dr. Davis. I will miss her, and I know the American people join me in wishing her the best.●

GENERAL LEAVE

Mr. PURSELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order tonight.

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

There was no objection.

COMPARABLE WORTH

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

Mr. ARMEY. Mr. Speaker, let me address the question of comparable worth. We just heard, I think, a very interesting discussion of the subject a few minutes ago and certainly in the last couple of weeks we have heard a good deal about this notion. One of the gentlemen who discussed the notion not long ago confused me even further, because as I sat and listened to the discussion, I heard the gentleman make the point that this is not comparable worth, this is pay equity, and yet, as I listened to the discussion, the comparable worth language continued to come up.

I think this was reflective of the kind of curious circumstances of confusion we have here. I am very well aware of the comparable worth concept. It has been around for many years. If I can take a minute to present it in a nutshell, it is true that not too many years ago in this House we did pass legislation that gave to all Americans, irrespective of sex, or race, or religious conviction the guaranteed right to achieve equal employment opportunity and equal pay for equal work within the job category. That is to say, we have guaranteed to American citizens individual that they cannot be asked to work alongside another person in the same or even a similar job and suffer a pay differential that is based on some criteria such as sex or race.

The fact of the matter is, the legislation that we passed historically that guarantees equal employment opportunity opened access to jobs of all categories by all people, irrespective of race or sex, and that guarantees equal pay for equal work within a job category, irrespective of race or sex.

This legislation has had a tremendous impact on employment practices in the Nation, bringing about a changing occupational pattern for all Americans, patterns that have had enormous impacts on the home, such things as time-sharing arrangements, leaving not only mothers who feel compelled by economic circumstances to work, but also fathers to have greater opportunities to spend with their families.

Women in America in the last 10 years have broken new ground in larger numbers in a greater variety of new occupations not traditional to women in America, as have men broken new ground in nontraditional occupations. The freedom of the American individual, male or female, to cross traditional sex-determined occupational roles has been exemplified by the fact that they have been doing it, enormous progress that must be respected.

In all of those cases, we have given the fundamental guarantee that this Nation was founded on—equality of opportunity and freedom from discrimination that is based on arbitrary preferences regarding sex or race, and the progress has been felt.

Now we have a new concept, and it is fundamentally different in two ways. One, this new concept which emerged as comparable worth, existed as comparable worth, was debated as comparable worth, not only here in this body but in bodies across the Nation, and only recently has earned the new name—pay equity. It is the proponents of H.R. 3008 who changed the name of it, not us, who are asking for time to consider.

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But what has happended here? We have made two fundamental changes. No. 1, we are talking about changes in the administration of wage by the Government, not the market. Wages would not be determined by the market forces reflecting the free will of individuals moving freely between jobs, changing supply, affecting the demand, and resulting in a price—a market that has served us so well and built the country so strongly.

When I see any piece of legislation that tampers with the fundamental market economy by which this Nation achieved such unparalleled prosperity, I have a sense of caution, a reserved sense of question: What is this legislation? Whom may it help, and whom might it hurt? What are the benefits to the national economic well-being, and what are the potential dangers?

We know very fundamentally indeed that it is impossible to take an economics course in this country, even at the most elementary level, without realizing very clearly that when you set a price that is different from the market price, depending on whether or not you set that price higher or lower, you are bound to create either a shortage or a surplus. And indeed this Government should have drawn that lesson from its meddlesomeness in its administration of price in a hundred other categories and markets so they would not risk it so cavalierly with respect to that very important labor market where clearing of the market goes hand in hand with the realization of equality of opportunity, along with equal pay for equal work.

So I have a sense of caution, then, Mr. Speaker, regarding anyone who would want to shuttle the market aside and put in its place a government price control agency.

Now, my second point: As we look at the possibility of implementing this new concept of wage determination by Government fiat, we are not talking about equality for individuals within jobs, but we are talking about setting equal pay rates for different jobs. We are now suggesting that we can endow this Government agency with the wisdom, and the understanding, and the ability to measure the worth of competing jobs, and to issue a fiat statement of the worth of those jobs. So that they may, as they have done, suggest that laundry workers and truckdrivers performed work of equal value; that librarians were almost twice as valuable as carpenters; that nurses held in the State of Washington the most valuable jobs of all—all of these decisions made arbitrarily on the basis of a model that had within that model only four variables, Mr. Speaker, of wage determination. So yes, I have a sense of caution.

Now let us address how this has emerged in this session of Congress. During the Fourth of July break, while I was working in my district, I

found out that the emergence of comparable worth on this floor was imminent, that a bill had been introduced by the gentlewoman from Ohio and been assigned to the subcommittee that she chaired, and that it was going to be passed through that subcommittee posthaste.

Mr. Speaker, I grew up in the West, and in the West we saw railroads moving fast, many, many times, and we learned to recognize them. This had all the symptoms of the Great Northern moving westward. It was going to happen, I was sure, so I decided that I had to come back, because of my concern and my commitment and see if we could slow that train down and see if we could get some investigation, some examination. And, yes, I did speak to some of my colleagues, and, yes, I did get 20 or so of these colleagues to give 1-minute speeches raising questions and raising reservations. I did have another 20 or so of my colleagues talking to other Members and asking: "Do you know what this is? Do you have any idea what the potential of that might be?" Perhaps we have slowed that train somewhat, but it is moving forward now.

There are a lot of questions I would like to address. No. 1, let me point out that it is simply not true—and this is important—it is simply not true that the Office of Personnel Management has not performed a study. They have performed a study in the last year. According to the Washington Times in an article just in the last week, the sponsors of H.R. 3008 are well aware of and have in their possession the study that was done by the Office of Personnel Management.

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

Mr. ARMEY. First, let me finish this point.

I have seen that study. I have it in my possession. I have read it. It has a lot of conclusions. One question I must ask is: Did the committee that reviewed this subject review the study done by the Office of Personnel Management, or did they shunt it aside, as they did the 400-page study done by the Civil Rights Commission?

We do not know the answers to these questions. Here is a study that is bought and paid for. It is done, it is completed. The study, by the way, has a regression model of 27 variables, not 4 variables. It is a rather thorough and scientific study. A regression model of 27 variables is a pretty impressive regression model.

Mr. Speaker, I would like to come back to that in a moment, but let me for a moment yield to my friend, the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding.

I just wanted to stay on top of this and ask a couple of questions. Do I understand that what the gentleman is saying to us is that despite the fact we are going to have a bill before us that indicates we ought to spend thousands of dollars, perhaps millions of dollars, on a study, that study has already been completed by the Office of Personnel Management? Is that what the gentleman is telling us?

Mr. ARMEY. Not only am I telling the gentleman that a study has been completed, but I also have no way of knowing whether or not the committee has examined that study or taken it into consideration because I have not yet even been able to see the report of the committee. It has not been issued yet.

Mr. WALKER. That is a problem, and we ought to deal with that in a moment. But let me ask the gentleman this:

Did the study done by the Office of Personnel Management come to the conclusion that the Members sponsoring the legislation would like it to come to?

Mr. ARMEY. Quite the contrary. As a matter of fact, it came to the conclusion that I spoke about earlier today. And it was a rather interesting conclusion, because it came to the conclusion that if you try to implement such a program, you will have a class conflict that can be generally described as a conflict between white-collar workers and blue-collar workers.

Mr. WALKER. All right. So I think the gentleman is telling me that the study has been done, but it did not come to the conclusion and did not come out the way the Members sponsoring this legislation on the floor would like it to come out. That is also true of the study done by the Civil Rights Commission. Is that not the case, that the study was done, but it did not come to the conclusion the Members who are sponsoring this legislation would like it to come to? Is that not right?

Mr. ARMEY. Absolutely. Here we have two cases where studies have been done. It has been studied by university professors and by think tanks. How many of these studies have been considered?

Mr. WALKER. The point I am driving at here is that both of those studies were done at taxpayer expense; is that right?

Mr. ARMEY. That is right.

Mr. WALKER. So it seems to me that what we have here is a bill that is being brought to the floor that is telling this House that we ought to spend as much money as necessary to come to the conclusion that the Members who are sponsoring this legislation want us to come to. It is not a question of whether or not it has been studied.

It has been studied, and we have gotten conclusions reached at taxpayer expense, but what these Members are saying is: "We don't like the conclusions, so, therefore, it becomes important for us to have another study." So it seems to me that even in a time of multibillion-dollar deficits, what we have is a House of Representatives that is saying, "Well, we don't like the outcomes of those other studies, despite the fact they have been done by the Office of Personnel Management and despite the fact they have been done by the Civil Rights Commission. We simply don't like the conclusions, so we are going to continue to spend the taxpayers' money until we get conclusions that we want."

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Mr. ARMEY. As a matter of fact, the conclusion the gentleman has just come to is not too farfetched if we look within the bill and take a look at the mandated commission within the bill, the mandated requirements for Members to be on the commission, 11 commissioners. It is absolutely imperative by the language within the bill that 6 of the 11 commissioners will have to be people who have already been on record as being proponents of comparable worth. It is quite likely that what they are looking for then is a study that might generate their conclusion that it is a desirable alternative.

Mr. WALKER. Well, if I understand the gentleman, then what we have got happening here is we have an impartial study done by the Office of Personnel Management. You have got an impartial study done by the very distinguished Civil Rights Commission, a commission that we have often referred to on this House floor over a period of years as being the ultimate arbiter of what is needed to be done in civil rights. You have got those two studies already in hand, paid for by the taxpayers.

Now we have this study that is also going to be paid for by the taxpayers if we pass this legislation where they are driving the conclusion with the bill they are writing.

In other words, it is not really a study. It is really an outcome that is predetermined by the legislation that we pass here so that they can trump the two studies that were done by impartial panels. Is that what I hear the gentleman saying?

Mr. ARMEY. Well, that is a conclusion that I think is not at all illogical, given the facts as I have seen them.

Again, there is a missing link. I have no information by which I could argue against the gentleman's conclusion because I have not seen the committee's report. I have no idea what the committee did examine by way of information before coming to the decision to vote this bill out and on to the floor.

Mr. WALKER. Well, now, wait a minute. We have to have that report before we are going to consider the

bill. Does the gentleman mean we do not have a report from the committee?

Mr. ARMEY. No.

Mr. WALKER. Even though the bill has been scheduled on the calendar?

Mr. ARMEY. No, because the chairwoman of the committee asked for and received a rule from the Rules Committee today that waives that requirement.

Mr. WALKER. That waives the rules of the House?

Mr. ARMEY. Yes.

Mr. WALKER. Well, the rules of the House are very, very clear. We are suppose to have a report 3 days before we consider the legislation.

Is the gentleman saying that the committee did not prepare that report so that we would have it to look at?

Mr. ARMEY. Well, the committee making the request for the rule obviously felt there was no need for the Members of the House to see the report that they made and apparently the Rules Committee agreed with them that we could go ahead with this legislation, whether the rest of us here in the House saw their report or not.

Again, I have so many questions that I would like to have answered regarding even the proceedings of the subcommittee.

Mr. WALKER. Well, does the gentleman suspect, as I do, that there might be things done in that report that they just as soon the Members of Congress not see?

Mr. ARMEY. Well, the gentleman from Texas recognizes that when the Great Northern goes by at 70 miles an hour it is pretty hard to see every dimension of that train that is sweeping on by. If you cannot slow down the train so the passengers can get on and take a look at what you are running, it is pretty easy to come to the conclusion that perhaps whoever is running the train does not want to look at it very carefully.

Mr. WALKER. Well, let us understand now that we have a bill being brought before us that is an attempt to spend taxpayers' money to trump two studies already done at taxpayers' expense. It is being brought to us under a rule that waives the rules of the House with regard to the 3-day rule so that the Members will not have adequate time in order to study the committee report and that it is a bill being brought to us under circumstances then that are less than desirable, just before the House is due to go on recess, so that the pressure will be not to even examine it very carefully with the amendment process.

This gentleman begins to suspect that there is more to this than meets the eye. The gentleman from Texas has been most articulate in presenting to the House I think reasons for raising questions about comparable worth.

I will tell the gentleman that the comparable worth bill flew through here in the last Congress just like the speeding train to which he referred. I think the bill was more than 400 to 6.

I would tell the gentleman that I was one of those who made a mistake and voted yes when that train was coming through the last time.

In large part, I think the gentleman has helped define some of the issues for us and he is to be congratulated for that.

I must say, I am shocked beyond belief at the kind of process that is being used in order to deny this House an opportunity to fully study this issue before we get sucked into the process once again.

I want to thank the gentleman for taking this special order. He has done a tremendous job in terms of outlining the issue.

I think this body should understand that the proponents of this bill simply cannot allow their concept to stand the scrutiny of any particular body. When the Civil Rights Commission looks at it, when the Office of Personnel looks at the concept, they find out it is pretty bad, so they write reports saying that we have to come back with another report that we have to waive the rules of the House to consider it on the House floor. I find it disgusting, and I thank the gentleman for yielding.

Mr. ARMEY. Well, I thank the gentleman for his comments. I certainly would not disagree with them.

Understandably, each and every Member of the House moves forward with their programs, with their initiatives, with the greatest amount of conviction and oftentimes courage, but it is the tradition of this House that we always give everything very careful and close scrutiny. That indeed is what I am working for here is to suggest to the Members of the House that we ought to hold up on this, study it, get the report of the committee and perhaps even see what these other commissions have studied.

Mr. KINDNESS. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. Yes.

Mr. KINDNESS. Would the gentleman be able to tell me what the rationale is for the appointment of a commission to contract to have a study done, a commission that does not exist today, other than what has been discussed here, that is, creating a commission that is aimed toward a particular result, I suppose. At least that has been inferred. If the Congress or a committee of it does not trust a study that has been done by an existing commission or contracted to be done for an existing commission for two or three or however many of the years may have been done, the Congress could contract for its own study, could it not?

Mr. ARMEY. Yes, it could. I think committees could do so. We could do so I am sure in other ways.

The gentleman raises an interesting question, why commission a study? I do not know why that is necessary. I can think of a couple reasons that we may want a bipartisan commission and on the surface this looks like it could be that.

We may want a commission that is composed of a definitive balance of the membership that are comparative worth advocates.

On careful examination, it is almost impossible to come to any conclusion that this commission would be anything other than that, so it is possible that we might suggest that the franchising of a commission is an effort to shroud a little smoke around the whole venture.

We have to remember that in Washington State a commission was authorized by the State legislature. It carrier out the study. It reported back the study. The State legislature accepted the study. Then an interest group, a collected body of workers, filed a class action suit against the State of Washington and got into a case under the jurisdiction of District Judge Tanner where the plaintiffs made their case and the State's 11 witnesses were disallowed from testifying and indeed the implementation of comparable worth was compelled onto the State of Washington by the district judge, on the argument that the authorization of the study and the acceptance of it was an admission of guilt.

It is conceivable to think in terms of somebody understanding this process well enough to realize that if we could get this House to commission a study and move fast before, by the way, the appellate court looks at that Washington case during the month of August, that we might be able to drop the Federal Government into that same tar pit that the State of Washington now finds itself. That is a possible explanation for why we need the commission study and need the bill passed before the month of August.

Mr. KINDNESS. Is the gentleman aware of any costs being associated with the appointment of a commission, other than the contract cost for the study to be done?

Mr. ARMEY. Well, again this is something I pored over in the bill and I did not find very clearly stipulated. It is language that runs in the basic genre of "such sums as are needed" kind of language, so the cost of the study is not clearly specified nor limited in the bill, or the resolution, as I read it.

□ 2040

Mr. KINDNESS. But it is specified, is it not, that there would be one con-

tract for one entity to do the study. Is that correct?

Mr. ARMEY. The commission is authorized to hire up to 5 expert witnesses.

Mr. KINDNESS. But they would function together to perform this study, is that correct?

Mr. ARMEY. That is not clear to me, and again, having no information on the manner in which these issues may or may not have been discussed within the committee, I have very little information by which to respond to the gentleman's question.

Mr. KINDNESS. Well, you are going to be considering this on Thursday, are you not, and so am I. We should know, should we not?

Mr. ARMEY. Absolutely. There is no question about it.

We have an hour for debate and time to discuss such amendments as one ruled germane.

Mr. KINDNESS. I want to express my thanks and appreciation for the work the gentleman has done, if he will yield for just one moment further, in bringing these questions to light. Frankly, I do not feel very satisfied with the preparation that may be made by any of the Members of the House of Representatives between the time the measure came out of the committee and the time it is to be debated on the House floor with such a fuzzy picture presented on some pretty basic questions. So I appreciate the gentleman's work in bringing these questions forward, and for taking this special order to emphasize them to the Members.

I appreciate the gentleman yielding and thank him.

Mr. ARMEY. I thank the gentleman and I appreciate his comments.

I hope it is fair to characterize the gentleman's comments as that you feel perhaps a little befuddled or perhaps overwhelmed. Let me remind you that I have a Ph.D. in economics, and I have studied the concept and the various notions and applications and arguments for comparable worth for several years. And it falls exactly into my research area that I had at the university for 20 years. The dirth of information about this particular resolution, these particular hearings, these particular amendments that move so fast has me, even with all of the substantial background that I have, and professional training that I have, feeling somewhat befuddled. So the gentleman should not feel that the fault, or the confusion, or the reason for the confusion lies within himself. It lies in the very fundamental thing that this House is being asked to make a decision that is basic to the nature and structure of the American economy and we do not have the information to make the decision. That is critical.

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

Mr. ARMEY. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, has the gentleman ever been told when we are going to get this report?

Mr. ARMEY. No; I am sorry, I have not been.

Mr. WALKER. Do you think from what you hear that we might have it available by the time we consider the bill?

Mr. ARMEY. It is altogether possible, and I do not anticipate having the report of the committee before we look at the bill on the floor. But again, we are not talking here about a very simple, easy, cut-and-dried issue. We are talking about an issue that people wrote Ph.D. dissertations on.

Mr. WALKER. The gentleman himself, who is a Ph.D., might have some ability to understand the language of the report if we had a report in front of us. But if I understand the gentleman, we may not ever get a report because we are waiving the requirements to have the report here.

Mr. ARMEY. Certainly. And I would have the ability to understand the report if I could have the report, as I did finally when I got the report, by the way. By the way, it is not an easy thing to get your hands on the report that was done by the U.S. Office of Personnel Management with the new Director or Acting Director that we have there. This report is not emerging in full view of everybody.

But even then we were only made aware of the existence of this report by the Washington Times last week.

Mr. WALKER. When did the committee, if I can ask the gentleman, when did the committee complete its deliberations on this bill?

Mr. ARMEY. I believe the full committee completed its deliberations, which were very accelerated, on perhaps Thursday or Friday of last week.

Mr. WALKER. Thursday or Friday of last week. So normally around here if you have a weekend like that, the committee goes ahead and prepares its report. By early in the week, we have a report available to us.

I mean, that is done all of the time. As a matter of fact, we have had instances where conference committees have finished the night before and we have had a conference report on the floor by the next day.

So this is not taking place here. We have got them hiding the report; is that what is going on?

Mr. ARMEY. With all due respect, I think we want to be fair here because the sponsor of the bill, the subcommittee chairwoman I am sure, did not, if my understanding is correct, did not anticipate that the House would have a need for this report, because it was their anticipation that they would have this bill on the Suspension Calendar for today. So I am sure they felt there would be no need to get this information out to us, since I am confident that their original plan was to have this moved very quickly on the suspension calendar where we would not stop and ask questions.

Mr. WALKER. I think the gentleman raises a point, however. The schedule was announced last Friday and the bill was announced last Friday on the schedule as being a bill that was not going to be on the suspension calendar, but was going to be on the regular calendar, subject to a rule being granted. That is the way in which I got the calendar last week.

So having known that, it seems to me that under the normal process around here what you would have done is have the committee staff work this weekend getting the report ready, getting the report printed, and having it available to the Members at least by today when we went to the Rules Committee to ask for a rule. I mean, that is the way the normal process works. If they are not working under that process, then I have to believe that there is some attempt to try to hide from the House the information that is in that report, so that people like the gentlemen that might have some ability to understand what it is they are saying, cannot, in fact, have a chance to read through it thoroughly.

Mr. ARMEY. I believe there would be some reality base for such a conclusion, and I certainly have no information by which to take exception to the suggestion the gentleman has made.

Mr. WALKER. The Rules Committee was not worried about that today?

Mr. ARMEY. The motion was made and voted on, and the majority of the Members of the Rules Committee obviously had no concern because they voted to go ahead and waive the 3-day rule.

Mr. WALKER. That is a problem we have around here too many times when the people who run this place and are concerned with scheduling, and concerned about rules, could care less about the rules of the House.

I thank the gentleman.

Mr. SWINDALL. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I yield to the gentleman from Georgia.

Mr. SWINDALL. Mr. Speaker, first of all, I want to commend the gentleman for his appearance and testimony before the Rules Committee. I had the good fortune of hearing the gentleman's testimony.

While I was there, though, I was puzzled by part of the bill I saw, and that is specifically in section 7, paragraph 3 of the bill, there is a restriction on what this commission, once formed, can and cannot do. Specifically, if I remember the language correctly, the commission is prohibited from reducing salaries. Am I correct in that?

Mr. ARMEY. It can never reduce the salary, correct, or recommend the reduction of a salary.

Mr. SWINDALL. Is that not kind of loading the deck on the front end? In other words, we asked for a commission to bring back a disinterested, objective report, and yet at the front end, there is a restriction that requires something irrespective of the conclusions that this commission may draw.

Mr. ARMEY. And if you are an economist, and you are aware of the possibilities of the cost-push inflation, and especially the relationship of that through Government expenditures, a red flag immediately goes up that there could be a detrimental impact on the American economy from such a provision that allows Government employees to have only pay increases.

Mr. SWINDALL. If the gentleman will yield further, that is the kind of thing that concerns me. That type of language, I would dare say, most folks are not even aware is in the bill. I for one did not know it, but for the fact that I accompanied the gentleman to the Rules Committee, and for the first time saw a copy of the bill as proposed, and that jumped out at me simply because it does seem to appear that they are really not asking this commission to go out and come out with a disinterested, objective conclusion when you ask on the front end that certain things be restricted.

Mr. ARMEY. I could not agree with you more. I have personally felt the handicap of the lack of information. I have pored over this resolution, word for word, and I have looked at it from every possible way trying to see anything such as you have mentioned. I feel rather inadequate. I have only been able to come up with 14 amendments. I wonder if I had full information such as the committee report perhaps if I might be able to make even more improvements in the legislation.

Mr. SWINDALL. One other quick point that I wanted to raise, and that is under the rule there will be some issue as to the germaneness of a number of the issues, I would assume, that the gentleman intends to introduce. And unless you get a specific waiver in advance from the Rules Committee, which must be voted on by the Rules Committee, you may well be hampered when you come to the floor, even under an open rule, in terms of offering a number of the 14 amendments that you have already drafted.

□ 2050

The rule does have a germaneness requirement. Of course, any amendment we offer we also have to consider may be potentially ruled out of order. Again even trying to determine the germaneness of a suggestion I might have could be facilitated if indeed we had the report of the committee to check the considerations that were given in committee proceedings on this.

Mr. SWINDALL. I thank the gentleman.

Mr. ARMEY. It is a pleasure to yield to my good friend from Texas.

Mr. BARTON of Texas. I want to thank my distinguished colleague neighbor in Texas for hosting this special order. I was back in the cloakroom and heard what Congressman SWINDALL was talking about and I assure you I plan to offer the amendment tomorrow or Wednesday or whenever the bill comes up for consideration, to delete section 7, paragraph 3, which prohibits the commission from doing anything that would require a decrease in pay or decrease in grade in this study. If you are going to have a study and try to come up with some sort of a pay equity or comparable worth or whatever terminology you wish to use, if you really are trying to do if properly, obviously there are going to have to be adjustments made, and some of those adjustments would be downward as well as upward. So when you go in and load the deck that the only changes that could be made are up, you are not really being aboveboard, scientifically accurate or anything like that. I want to assure the gentleman I do plan to offer that amendment. I cannot imagine it would not be ruled germane, since it is an amendment to strike something from the bill. I believe that is about as germane as you can get.

I am going to work hard to make sure the amendment does pass.

Mr. ARMEY. I thank the gentleman from Texas and appreciate your perceptiveness in spotting that and getting right to it. Let me again thank all you gentlemen for helping to clarify these issues. Let me address some of the things I am concerned about.

I want, in fact I demand and I require for people that are so close to me and for whom I have so much love as my own wife and daughter, that we have equal employment opportunity and equal pay for equal work.

If there is anybody in this country today that is not receiving that, that is having the right abused, then I think it is incumbent upon the Federal Government and its agencies to enforce that law and if indeed there is a failure of the agencies of this Government to enforce that law, then that is where we should direct our energies.

My concern is that the Federal Government has limited resources. That is not a point always recognized around here, but nevertheless it is one that is true. If indeed we dissipate our resources in extending the scope of the law in an ambiguous and in an ill-defined and a controversial manner, will we not risk taking all of that Federal energy and all of that ability and all that authority that we could use to guarantee the right for equal pay for equal work and equal employment opportunity, could we not lose that trying to do what is impossible to do when we failed to do what it is imperative that we do? It is the working men and women of America and their rights, fundamental, guaranteed rights that were worked for so hard by so many that are in jeopardy by a continued pursuit of this initiative.

I will give you an example: In the State of Illinois, where they have tried this concept, it was determined that the nursing profession that was over 70 percent staffed by women was suffering from discrimination in comparison with the profession of prison guard, which was over 70 percent staffed by men.

And even though the prison guards' union had negotiated them a raise in pay for the following year, through the intervention of the equal pay, or the comparable worth act in that State, those guards lost their wage increase and their wages were frozen while the wages of the nurses were being raised. Now the people that suffered the most were the women guards, those women who had broken with tradition and found in the pursuit of higher wages a nontraditional female occupation, in response to the promise of all that legislation earlier passed.

I yield to the gentleman from Pennsylvania.

Mr. WALKER. Is the gentleman saying that in this case the collective bargaining process was broken by the comparable worth concept?

Mr. ARMEY. Again, this is another one of the questions we are addressing here. Apparently the whole process of collective bargaining can be in jeopardy here at least insofar as Federal contracts direct are concerned—Federal employees direct are concerned. But then who knows where it may go from there?

Mr. WALKER. Let me understand. In other words, a union can go out and negotiate with their employer, come to some agreement within the collective bargaining process that has served this Nation pretty well over a period of time, with some problems but nevertheless served the Nation pretty well, then go out and negotiate, and then some paper-pushing bureaucrat from the Government can come along and simply negate the collective bargaining process using comparable worth as the hook on which to interfer?

Mr. ARMEY. Absolutely. I mean, again we know that this problem has prevailed in areas where they have tried it in the past. We do not know for sure what will happen with this because we do not have any information to make a decision or to make an examination.

Mr. WALKER. Well, is there a protection in the bill?

Mr. ARMEY. None whatsoever.

Mr. WALKER. There is no protection in the bill that we are going to have to protect the collective bargaining process against this kind of situation?

Mr. ARMEY. No.

Mr. WALKER. Let me make my point. I will tell the gentleman I am going to offer that amendment. I will get that amemdment drafted and I will get that amendment passed because we are going to make doggoned certain that the collective bargaining process is protected under this thing. That is an atrocity that you are going to have a bunch of bureaucrats sitting around in Washington, DC, taking a look at contracts negotiated in good faith between employers and employees and then some bureaucrat is going to come along and say, "Oh, no, baby, you are not going to be able to do that, because we are beaking that contract before you even get a chance to have it go into effect." There are a lot of people with a lot of hopes riding on that contract they negotiate in good faith and there is no way that some idiot here in Government sitting back with his comparable worth paper ought to be able to break that. And I think that is an amendment that is needed.

Mr. ARMEY. I applaud the gentleman for his commitment and his conviction. I can only say please do offer the amendment. If, indeed, it is not ruled nongermane you may, in that case, have a chance to protect these people who have chosen this bargaining process and their right to continue with that process.

Mr. WALKER. The gentleman thinks if I would offer an amendment that would attempt to protect the collective bargaining process against interference by the comparable worth advocates, that they would rule that nongermane?

Mr. ARMEY. Of course I could not begin to speculate on what would be the decision of either the Parliamentarian or the Rules Committee. But it is possible, in my estimation it is possible, even probable, that your amendment could be ruled nongermane if you were to offer it. Now again that is my judgment.

Mr. WALKER. We are going to try very hard to come up with a germane amendment in that case, because if the gentleman is correct that we already have examples where the collective bargaining process was broken by the comparable worth concept, and if in fact we are creating a study here that could lead to further interference with the collective bargaining process, we had better stem that flood right away and we had better make doggoned certain from the outset that you do not get that kind of interference. You know, it is my understanding that a bunch of the union bosses around this town are supporting this bill. I cannot understand, with their support, that they have not at least gotten the workers out across the country who are tied to those collective bargaining processes, some protection. In other words, what did they get for their support if they cannot even protect their workers against the interference of a bunch of Government bureaucrats?

□ 2100

Mr. ARMEY. Do you not suppose it is altogether possible: First, that either the train left the station so fast they did not know what the cargo being carried was; or second, since indeed some of these people, perhaps some of the people here in town that would be quickest to spot these problems are some of the people who would be on the commission?

Mr. WALKER. They probably have not seen the report, either.

Mr. ARMEY. Well, again, I do not think that it is hard for me to understand who has got what information. All I know is that I have got very little information.

Mr. WALKER. I thank the gentleman.

Mr. ARMEY. And I am making a decision on Thursday that is going to affect the fundamental structure of employment practices of this country whether it be in the free market without unionization, or in the market where we have collective bargaining, any market system by which we traditionally negotiate wages either individually or collectively, is in jeopardy by this Act.

Mr. WALKER. I bet there are a lot of union workers around the country that have not been told by their union that a bill is being endorsed that has the potential of breaking the union contracts that have been signed in plant after plant after plant across the country, where people may have walked a picket line in order to get a contract signed, and then you can have the Government bureaucrat step in and say, "Forget it guy, that contract is not valid because it does not meet our comparable worth criteria."

I will bet you that blue-collar workers and white-collar workers around the counry have no idea that the bill that we are about to consider on this floor jeopardizes that process and I think that they would be appalled to find out that it does.

Mr. ARMEY. The gentleman, by the way, has given a graphic illustration of exactly the kind of class conflict that the Office of Personnel Management suggests may happen with respect to blue collar and white collar, because the evaluation procedures that we have seen so far in efforts to test this idea have demonstrated a clear bias in favor of white-collar workers and the credentialism.

That is to say, if indeed you have a college degree, you get more points than you would get if you had served an apprenticeship as a tool and die maker. You may be a very skillful machinist who can cut an important piece of equipment down to the one one-thousandths of an inch and never make an error, that all the years of skill and training that went into that get very little consideration in this process that puts so much emphasis on the kind of credentialism that goes along with such things as college degrees and so forth.

Mr. WALKER. I know the gentleman from Ohio [Mr. KINDNESS] is waiting, but let me just say to the gentleman: That is the problem. The paper-pushing bureaucrats who make these evaluations are white-collar workers themselves, and they tend to see things from their own standpoint rather than from the standpoint of the guy who works and sweats for a living in a factory somewhere or in a machine shop or in a foundry and so on; many of the people who are going to make the decisions have never been in a foundry, and have never been in a casting mill, or have never done any of that and have no idea what that job is all about and have no idea of the amount of training that might go into those kinds of positions and so they are making decisions based upon a lack of experience.

So sure, they end up ruling for the kind of thing that they know, and not the kind of thing that they do not know.

I thank the gentleman.

Mr. ARMEY. The gentleman is absolutely right.

Let me yield to the gentleman from Ohio.

Mr. KINDNESS. I thank the gentleman for yielding. I realize his time is limited at this point, but I may have missed something, and I want to be sure that I understand how this legislation could have an effect in the private sector.

I had not realized that it had the potential for being a union-busting bill until this discussion was being carried forward.

How would the bill affect these relationships of employer and employee in the private sector?

Mr. ARMEY. First of all, by the extension of the market. You know, the market is going to be there whether we try to overrrule it or not, in the first instance, even if it is confined to Federal employees.

We have to understand that the Federal Government competes in the same labor market for the same people, the same skills, as General Motors or anyone else. So by extension, the Federal Government being as

it is such an enormous employer, hires a large share of the market for any labor category out there, and any wage determination they make is going to affect that market.

Second, as we know, and it is tradition in this country that every, as it were bad practice that the business community obtains is one they learned from the Government; whether it be cost-plus pricing or any number of bad practices.

The Government first takes a bad idea, or one that is counterproductive; innovates it, and then in effect projects that idea, either by way of gentle persuasion or sometimes by gentle fiat.

We have to understand there are at least two references to civil rights legislation in H.R. 3008. Civil rights legislation is not directed at public employees alone, but affects public and private employees. The passage of this may very well be construed, then, as an extension of existing civil rights legislation, a new concept of implementation for existing civil rights legislation; I dare say it has even been suggested to be that in some of the discussions I have heard on the floor.

And if that be the case, then we are all going to be stuck on the same stick, whether public or private.

Mr. KINDNESS. Would the gentleman yield further. Would he care to explain the possibility or potential for involvement of the employees of Government contractors as an essential fallout of this legislation and whether perhaps the Davis-Bacon Act, which requires prevailing minimum wage being applied in Government contracts came into play directly, too?

Mr. ARMEY. The gentleman has gotten into a real circular area here; in this case of the Government setting the wage and then the Davis-Bacon Act requires prevailing wage, which is generally understood to be a union-negotiated wage, but if the union-negotiated wage is overridden by the comparable worth wage, it is difficult to see how anybody is going to come up with any wage except, I can almost predict, the blue collar worker is going to get a lower wage or a frozen wage, while some white collar worker gets some benefits.

SCHOOL PRAYER AMENDMENT

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

Mr. BARTON of Texas. Mr. Speaker, earlier this evening we heard from our colleagues about the anniversary of a very important agreement that is supposed to uphold the basic human rights. I refer to the Helsinki agreements that were signed 10 years ago today.

Of course, it has been made clear earlier this evening, the Communist countries of Eastern Europe, led and forced by the Soviet Union, have cynically and blatantly violated the basic rights of free speech, free press, and the free exercise of religion. For this we rightly condemn them.

The rights of the majority have been taken away by a tiny, ideological minority that is backed by the terrifying power of the state; the historic traditions and practices of nations and peoples have been declared null and void by the fiat of a dictatorial body.

This came home to me, Mr. Speaker, in a very personal way 3 years ago when I had the privilege to serve as a White House fellow for President Reagan. As part of that experience, myself and the other 13 White House fellows took a tour of the NATO countries in Western Europe.

Part of that tour was a stopover in West Berlin where we were able to view the Berlin wall "up close and personal" as they say on television, and we had a breakfast at a newspaper office that is built right on the wall; the newspaper building itself is a 13-story building. At the top of that building is a room with plate glass windows where you can look out; and the building is within 100 feet of the Berlin wall.

We went up, before the breakfast, and we were able to look out; you could look over to the right and there was East Germany, East Berlin, and people were standing in lines; everybody was dressed in gray; there did not appear to be much friendliness, we did not see too many people smiling.

We looked to the left and could see the people of West Berlin, and they were driving many makes and models of automobiles, modern clothes, and a lot of laughing and it just really brought home to me the difference between living in a free society and the difference in living in a controlled society.

At the end of the breakfast, our West German host said, "You Americans are always complaining about us here in Europe, that we don't take our freedom seriously; that we don't back you up." He said, "You don't have to worry about us, because every day we live with the fear and the threat the Soviet Union is going to come across that wall, or East Germany is going to come across that wall."

□ 2110

Well, we are involved in a situation here in our own country that I think potentially could lead to the sort of situation that we have behind the Iron Curtain. We are here tonight to discuss a blatant violation of one of our basic rights, and that is the right of free speech and free exercise of religion. And keep in mind that in a totalitarian society, as controlled by communism, there is no such thing as religion, there is no such thing as free speech and the exercise of religion.

We, on the other hand, in this country have always had a history of allowing free speech, free exercise of religion. Our country was founded on that tradition. But we have gotten to the situation where, because of some very restrictive court rulings, the first one beginning in 1962, where our Supreme Court ruled unconstitutional the right of our school children to pray in the public schools, that one of these basic tenets of our free society has been taken away from us because a very tiny minority of our population is opposed to the free exercise of prayer in the public schools. When I say a tiny minority, I would like to point out that many national polls, the latest one conducted last September, show that the American people favor by an over 80-percent margin the ability of our schoolchildren, if they wish voluntarily, to pray in public schools.

In my own district, a recent poll that I conducted back in the spring, shows that 68 percent of my district, the Sixth District of Texas, favors vocal voluntary prayer in the public school system.

Because the American people have traditionally allowed and encouraged the free exercise of religion and the free exercise of speech, which included the ability to voluntarily pray in the public schools, and because some of our court cases have restricted that right, many of my colleagues in this Congress and in previous Congresses have begun to try to reconstruct, to resurrect that basic American right. So far we have not been successful. My colleague from Ohio, the Honorable TOM KINDNESS, has got a constitutional amendment that is supported by the Reagan administration that would allow this basic right to once again be exercised in public schools. I would like to read Congressman KINDNESS' amendment. Very briefly, it states:

> Nothing in this Constitution shall be construed to prohibit individual or group prayer in public schools or other public institutions. No person shall be required by the United States or by any State to participate in prayer. Neither the United States nor any State shall compose the words of any prayer to be said in public schools.

So this amendment does not establish a state religion; this amendment does not require anyone to pray in school who does not wish to; this amendment does not allow the Federal Government or the State government or any government to determine what shall be said or how it shall be said or even whether anything shall be said. It strictly and simply states that nothing in the Constitution shall be construed to prohibit individual or group prayer in the public schools or other public institutions.

Now, many may ask: Why do we have to resort to a constitutional amendment to accomplish such a simple and obvious task that so many of our citizens in this country approve of? And, quite simply, we have to resort to such a situation because this tiny minority in our country that I spoke of earlier, through parliamentary procedures and other artifacts, have been able to prevent the Congress and the legislative bodies from doing what needs to be done. So I think it is very important this evening as we debate the issue that we highlight some of the things that need to be highlighted.

This is not something that has just come along. The Northwest Compact of 1789, which was legislated and approved by our Founding Fathers, who also wrote our Constitution, very specifically allows for religion in public schools that are created in the Northwest Territories.

Many of our Presidents down through the years, both Republican and Democratic, have encouraged prayer. I would like to quote from President John F. Kennedy, in his inaugural address of 1961. He said:

> I have sworn before you and Almighty God the same solemn oath our Forefathers prescribed nearly a century and three-quarters ago, and yet the same revolutionary beliefs for which our Forebearers fought are still at issue around the globe, the belief that the rights of many come not from the generosity of the State, but from God.

Last evening I had the honor and the privilege to host the second annual prayer vigil in our Nation's Capital. Last year Congressman DUNCAN HUNTER from the great State of California instigated this vigil, and we had decided that we are going to conduct a prayer vigil at least once a session in this body, in this building, until we are able to overturn the restrictions that are on the ability to party in the public schools. And at this second annual prayer vigil last evening we had students from all over the United States. We had some students from the State of Alabama that had come, that had been prevented from praying in their schools on a voluntary basis, in spite of the fact that they got 545 signatures out of a potential 549 signatures in their school. This is in Leeds High School, in Leeds, AL. And because an attorney from the American Civil Liberties Union threatened a lawsuit if they continued the voluntary expressions of their faith, they were unable to do so.

We had students from as close as McLean VA, right here near our Nation's Capital, who tried to put a poster up on the school wall, telling other students that they were having a prayer group at an individual's home in the evening, and they were prevented from doing that, they were not actually engaging in any kind of voluntary prayer or religious ceremony or religious meeting in the confines of Langley High School, they were merely putting a little poster up telling students where to come later in the evening if they wanted to participate in a prayer group. They were prevented from doing this.

These kinds of examples could go on and on. But the main point is that we have got to realize that if we are going to maintain our freedom, we need to maintain the basic freedoms, and one of the basics is freedom of religion, freedom of expression, and to do that I think that we are going to have to get this constitutional amendment before this body in public debate. And if we can do that, we will be able to pass it overwhelmingly.

Now, some may ask: What is the problem? Why can we not debate the issue in the Halls of Congress?

The reason is because in order to get the amendment out into the public debate we have to get it out of committee, and for reasons that are unknown to myself we have not been able to do that.

Mr. ROBINSON. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I yield to my distinguished colleague, the gentleman from Arkansas.

Mr. ROBINSON. I thank my colleague from Texas for yielding.

Mr. Speaker, I want to commend the gentleman, also our fine colleague, Mr. KINDNESS, and Mr. SWINDALL and our other fine colleagues, for calling this special order tonight.

You have put together a very fine factsheet, not only stating the legalistic arguments, but the commonsense approach and reference to why our children should be allowed to pray in school.

I asked the gentleman to yield because I would like to take part in the debate tonight and have my remarks directed toward what we can do.

□ 2120

Let me state at the outset that there are many on my side that want to vote for this amendment. However, we find ourselves in a position that we are being forced now to walk down to the well and sign a petition of discharge. I want you to know that I have signed that petition of discharge. It takes a little bit of courage to walk down and do that, because it tends to put one in disfavor with many of the committee chairmen. But at this point in time, if you look at the history of this institution, if you look at the history of our Federal judiciary, one has to draw the conclusion that the Judiciary Committee and the Federal courts complement each other.

One could say well, why are we not down here introducing legislation under article 3, section 1, which gives us the power to determine what the Federal courts can review. That all sounds good, but the truth of the matter is when one introduces a bill that deals with the Federal judiciary, one immediately finds his bill going into the "Graveyard Committee;" the Judiciary Committee. I certainly am not casting any aspersions toward the Judiciary Committee. We have some liberal Democrats as well as liberal Republicans on that committee. I am not just necessarily picking on them tonight, but the truth of the matter is the liberals cause most of the bills to be bottled up and buried in that committee.

In my opinion, we have a responsibility at this point in time to bring this on the floor for a vote, because if we do not, I think the people of this great country, and we are only a couple States short at this time of the needed number, to call a constitutional convention. Once that happens woe be unto the Judiciary Committee and to the Federal courts. I make mention of that because I do not think that is necessary. When it gets to that point, it is a clear indication that we are not doing our jobs. That is truly representing the people of this country.

Gentlemen, let me share with you, and I truly believe this in the bottom of my heart, the people are right more often than we politicians and Federal judges, and they are crying out. Our young people, as you mentioned, are crying out: "Let us pray in the schools." They are teaching us everything, basically, in school that we do not want to know anyway, about all the other secular problems. We want an opportunity to acknowledge that there is a God. We all grew up in schools in which we prayed. We even pledged allegiance to the flag. Our flag; our country.

I want to close then allow any of my colleagues to ask me questions, by saying that I am proud tonight to be here. I know it is very seldom that we see someone on my side participate in a special order on that side, but I want to assure you, gentlemen, our party is made up of a lot of fine men and women, fine Christian men and women who want to do right. But they are a little bit concerned about what will happen to one if you step up and step out and you sign that petition.

I want to assure my colleagues of one thing: Nothing is going to happen to us. The people of the Second District of Arkansas elected me to represent them. They did not elect the chairman of the Judiciary Committee, and he is a fine man; I do not have anything against him. I just do not agree with him politically; I do not agree with the way he runs his committee.

I want to say this, and I am directing my comments to my colleagues. The people of this country deserve the right to vote on this amendment. They

can vote on the amendment through their Representatives. I want to encourage all of my colleagues please sign the petition of discharge. I hate that we have to go to this length to bring this bill out, but the truth of the matter is we do. We are going to see more petitions of discharge until some on that committee wake up and realize there are some of us sick and tired of a Judiciary Committee only looking out for the minority viewpoint. That is what we are confronted with here today.

The Supreme Court could care less about the majority of the people in this country and their viewpoints. They are more concerned about the minority. You brought up the ACLU. I had a strange letter from them and I am going to interject this. I made some reference back in my district, about homosexuals. I got this scathing letter from ACLU, the same ACLU that went to Skokie, IL, and defended the Nazis, chastising me for making reference to homosexuals.

After I thought about it, I started to call up the director of the ACLU and remind her that I had first amendment rights, but gentlemen, we are wasting our time when we argue with people like that. It is sort of like some of our judges. I have watched some of them up here. They walk around with these very expensive, $150 U.S. Government briefcases, and they have got four U.S. Government pens in their pockets, and they have got a big, fat paycheck for the rest of their life, no matter what they do. When they open up their briefcases, there is nothing in there but a ham sandwich.

Those are the type of people that are telling us that we cannot pray to God. Gentlemen we need to demonstrate to the Supreme Court and the people of this land that we are a responsible body, both on my side and on your side. I think it is time that we vote on school prayer. I will guarantee you, if we ever get that bill out of committee or any other bill and it comes to the floor, it will be like the vote today to stop funding abortions in the District of Columbia; it is going to pass.

I want to commend you. I think you are doing something that should have been done a long time ago. It is not in a partisan way. I want to commend the gentleman. All of my colleagues should read your factsheet. I never knew that an "Aggie" could put something together as well prepared as this. You did a commendable job, and I want to thank you for allowing me once again to interrupt your special order. I, for one, have signed the petition, as I have stated. I, for one, if the bill is brought to the floor of this House, will very vociferously help you in debating for approval of this amendment.

Mr. BARTON of Texas. I want to commend the gentleman from Arkansas for participating in this special order and I want to assure the gentleman that I have personally visited with many Members of your party, and this is a bipartisan effort. It has support on both sides of the aisle. I am very confident that before this legislative session is over, we will have the 218 signatures necessary to get the amendment discharged from the Judiciary Committee, and we will be able to debate it. I look forward to working with my distinguished colleague from Arkansas on the bill. I am sure that we will have much success.

I yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding.

I thought it was significant that he started off his remarks referring to the Berlin Wall, because the opponents of school prayer have also erected a wall. It is called the wall of separation between church and state.

They have said that we have a "constitutional" wall of separation in this country. Well, I have gone back to the Constitution on numerous occasions, and I have read the phrases in the Constitution that refer to religion in the first amendment. It says, and I have it right here in front of me, it says:

"Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

Now, what the opponents of school prayer have done over the years is they have taken the first phrase there, "Congress shall make no law respecting an establishment of religion," and they have said that that erects a wall of separation. Now, the wall of separation was in a letter that Jefferson wrote at one point in his career. He referred to a wall of separation. They have taken that letter and transposed it into the Constitution, ignoring the second part of the first amendment with regard to a religion, where it says: "* * * or prohibiting the free exercise thereof." The part of the amendment to which the gentleman from Texas referred.

I think it is important to recognize that the opponents of school prayer want to ignore the fact that Congress is supposed to make no law prohibiting the free exercise of religion, and have concentrated purely on the clause with regard to establishment of religion. And have said that the clause with regard to establishment is far more important than the free exercise.

□ 2130

I would contend that if you go back and look at the whole history of the Constitutional Convention, if you take a look at the entire pattern of the formulation of the Constitution and of the laws of the land early, you find out that the free exercise clause was, in fact, what our forefathers were attempting to put in place as a permanent part of the body, and that the establishment clause was tied directly to the free exercise clause; that their experience with the Church of England was such that they wanted to make certain that there was no doubt that there should not be a state religion that prohibited the free exercise of religion.

We have turned the whole thing on its ear in recent years in this country. We have had the establishment clause driving the free exercise clause and, in fact, driving it out of existence, because with regard to public institutions and with regard to public bodies, we now have a situation where we are saying that the free exercise of religion is to be prevented.

Mr. BARTON of Texas. I would agree with the gentleman from Pennsylvania and would think that if our Founding Fathers were here today, they would be appalled at the way the Constitution has been interpreted by the Supreme Court. As it is, I would assume that they are turning over in their graves because a nation that was founded on religious freedom, that our Founding Fathers, many of them, came to this country because they could not have religious freedom in Europe, and to realize that in our public schools today we cannot even recite nursery rhymes, and I have some examples that later in the evening I am going to recite that have been ruled as unconstitutional and as some sort of a prayer, they would be totally appalled, and I am so glad to have the support of the gentleman from Pennsylvania for this amendment and throughout this great country, because as the gentleman from Arkansas stated, if we can get the amendment onto the floor of the House, it will pass because the people of this country so overwhelmingly support it.

Mr. WALKER. The gentleman is absolutely correct, and I thank him for taking this special order to help define the issue.

Mr. BARTON of Texas. I would like to yield to my distinguished colleague, the gentleman from Georgia [Mr. SWINDALL].

Mr. SWINDALL. I thank the gentleman for yielding, and I want to thank you for taking this special order because I am one of those individuals who is on the Judiciary Committee. One of the reasons that I selected the Judiciary Committee as a choice among the various committees in this House was my concern about this specific issue, as well as my concern about the abortion issue. Both of those, as the gentleman from Texas knows, presently are before our Judiciary Committee.

I came tonight to speak for the simple reason that I have yet to have the opportunity to address the bill of my colleague from Ohio in that Judiciary Committee, so I come here tonight and I would like to just expound a little bit more on the point that the gentleman from Pennsylvania made with respect to understanding the first amendment, because unquestionably, if you look at the first amendment, and I found this in running for office as I would talk to individuals, there is a great deal of misunderstanding about what the first amendment says to begin with. As he pointed out, it says Congress shall make no law respecting an establishment of religion.

When I first read that in my constitutional law class a number of years ago, the first thing that I decided to do was to check to see what the word "establishment" meant. One of my habits is not to go to some great legal treaties but, rather, just to go to a common dictionary. I went then to the Webster Seventh New Collegiate Dictionary, last edited in 1970, and I found there under the word "establishment" that the first definition was "something that has been established," and the second definition is, "established church."

I did not know exactly what established church meant so I went and found right above it established church, and it says, "a church recognized by law as the official church of a nation and supported by civil authority."

In that context, it became very obvious what the drafters of the Bill of Rights intended. They did not want to see repeated in these new states the same problem that they had had in England where there was, in fact, an established church supported and financed by the state. But also they were concerned about the freedoms of religion and exercising it, and there is a world of difference between freedom of religion and toleration of religion. We did not want to be merely tolerant of other religions; we wanted individuals to be able to exercise their particular religious beliefs and creeds without any restraint, and it was for that purpose that the first amendment was drafted.

It was ratified in 1789, in September 1789, in this Congress, and on the same day that it was ratified, interestingly enough, Congress also established a national day of prayer and fasting. I say that because another lesson I learned in law school was, if you want to find the intent of a bill, lest there be any ambiguity about the bill itself, look at the surrounding discussion at the time the bill was passed.

When the first amendment to the Constitution was passed, on the same day if they established a national day of prayer and fasting, very clearly it could not have been their intent for the first amendment to mean what the Supreme Court has now read into it.

I would like to show you the absurdity of the most recent Supreme Court decision by reading just the first page of Chief Justice Burger's dissent, because I think he says it far more eloquently than I could. There, and I am quoting, he says:

> Some who trouble to read the opinions in this case will find it ironic, perhaps even bizarre, that on the very day we heard arguments in this case the court session opened with an invocation for Divine protection.
>
> Across the park, just a few hundred yards away, the House of Representatives and the Senate regularly open each session with a prayer. These legislative powers are not just one minute in duration, but are extended thoughtful invocations and prayers for Divine guidance. They are given, as they have been given since 1789, by clergy appointed as official chaplains and paid from the Treasury of the United States.
>
> Congress has also provided chapels in the Capitol at public expense where Members and others may pause for prayer and meditation, or a moment of silence.
>
> Inevitably, some way is bound to say that the court's holding today reflects a belief that the historic practice of the Congress and this court is justified because Members of the Judiciary and Congress are more in need of Divine guidance than our schoolchildren. Still others will say that all this controversy is much ado about nothing, since no power on earth, including this court and Congress, can stop any teacher from opening the day of school with moment of silence for pupils to meditate, to plan their day, or to pray if they voluntarily elect to do so.

The point I would like to make is, that is an argument that we hear quite frequently, but I would also like to remind individuals who make that argument that that argument is equally applicable today in the Soviet Union, behind the Iron Curtain, where in fact you may pray wherever and whenever you want to, provided you do not let anybody know about it.

That is precisely the problem that we are trying to deal with here tonight, and that is, America was founded on the precept that you do not have to do these types of things in secret.

One of the points that I would also like to make is that there is a great deal of lack of understanding about what we mean when we use the term "prayer in school." Are you for prayer in school? I found that because I have found that for as many individuals who asked me my opinion on school prayer, there are probably at least that many separate definitions of what prayer in school means.

Let me just take the correspondence that I received only last week from one of my constituents, and in it she was basically chastising me for a statement that had appeared in one of the local papers, and in it she says, "The interview reads 'He thinks everyone agrees there should be prayer in schools.' The question is what form it should take," and then at that point she goes on to blast me about making that statement and being presumptuous. But then in the same paragraph, she says, "A child can pray individually in school any time he or she likes, and I agree with that," she says.

□ 2140

My point is, after telling me that my statement when I said that we all agree that children should be able to pray in school, it is just a question of in what form, she then goes on to say that she disagrees but then says she does agree that children should be able to pray in school.

What I am trying to get at is that we have this misperception, because in reality I think that what people are dealing with are two extremes of the argument. There is one extreme, and it is an extreme that we must admit that we took in this country for a number of years where we decided the verbiage, the time, the method and the manner of prayer. Obviously, that is something that I disagree with because I do not want my children praying based on what some legislative body may dictate to be the verbiage of a prayer. Some might ask why I would do that, and I would say that it has to do with Scripture. If you go back to Matthew 6—and I will be very brief—there is an admonition there. In verse 5 it says, "When thou prayest, thou shall not be hypocritical, for they pray standing in synagogues and on the street corners that they may be seen by men." It goes on to say that basically we should not pray with vain meaningless repetition. I agree with that.

But there is a further extreme and that is the extreme that the pendulum has now swung to where basically we say, "You may not pray because of this cloak of neutrality that the Jaffry versus Wallace court decision deals with." And as Justice Burger goes on to state, he says we have taken that cloak of neutrality and in fact turned it into a sword of hostility, where now, again, without getting into great detail, it is very obvious that the examples you mentioned here tonight are happening throughout the United States.

I was a young life leader in the Atlanta area for 8 years. In that position I dealt with a least five separate high schools, and in each of those high schools I was told that the administrators and the teachers were operating in a climate where they were very uncomfortable because they were not sure under this new state of the law as interpreted by the Federal courts—and there was a Federal court decision in Atlanta, in Clayton County that went far further than the Jaffry case—and under those circumstances they were uncomfortable and, as a result, in spite of the fact that they did not want to

do so, they had to begin to restrict religious freedoms and activities.

And it is for that reason that I came tonight to say that I do not want to support either extreme. But what I do want is to see that basic freedom return to this country, and the President's language that has now been offered by way of an amendment by Mr. KINDNESS states it exactly the way I believe 99 percent of all Americans, if they are fair and honest with it, would like to see it stated.

Mr. BARTON of Texas. I would like to thank the gentleman for his comments.

I would like to point out that one of the problems that we have when we mention the word "prayer" is what is the definition of prayer. Some view a silent meditation, a silent thought to be a prayer. Others feel that prayer involves a vocal expression of religious sentiment.

And what Congressman KINDNESS' amendment does is it says we do not have to worry about the definition basically, that we cannot prohibit it, nothing in the Constitution shall prohibit. That way whether you believe as some do that silent meditation is prayer or whether you feel that you need to vocally express one's self in order for it to be a prayer, it really does not matter.

I am thankful that the gentleman from Georgia would come and quote from the most recent Supreme Court case, and would hope that if we have time he could actually quote the law from the State of Alabama that was struck down.

Mr. SWINDALL. If the gentleman would yield, I think that it would be very relevant right now because that law was simply for a moment of silence or in the disjunctive, voluntary silent prayer.

So we are not dealing with the same issue that came before the Supreme Court in the Engel versus O'Hair case in 1962. We are now talking about the precise issue. Can you voluntarily and silently meditate or pray in a school? And the Supreme Court says that in this country you may not.

Mr. BARTON of Texas. That is a very good point.

I would be happy to yield to my distinguished colleague from California.

Mr. HUNTER. I thank the gentleman for yielding and for taking this time, and also all my other colleagues for the efforts they put out.

As I walked into the Chamber I was listening to the gentleman from Georgia [Mr. SWINDALL] and it appeared to me that he was talking about the confusion that presently reigns throughout America's school systems about what you can and cannot do. I think it is the most misunderstood concept in America today in our education system. It is, what is the separation between church and state? That is what makes the teacher feel constrained to stop the little girl from saying her rosary on the school bus on the way to school, because somewhere she heard about the separation between church and state and there is a symbol of church, and this is the state and, therefore, I must stop her.

I think that is the precise reason that we need Mr. KINDNESS' resolution to pass, so people know what you can do.

Many times Members get up on the other side of the aisle and say, "But you can already do this." Well, that may be true that you can do a lot of things in school. Perhaps I think that JOHN MCCAIN mentioned in his prisoner of war camp in North Vietnam they had the right to silent prayer essentially. But most teachers do not know what you can do and what you cannot.

Mr. BARTON of Texas. If I may interrupt, one sometimes wonders what some of our colleagues would do if they could control the mind. It is impossible even given our highly advanced state of technology to control what one thinks. They have to allow us to pray silently now. But one does wonder if we had the technology and the ability as in George Orwell's 1984 to read people's thoughts, there might be an effort by some in our society to also control that.

Mr. SWINDALL. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman.

Mr. SWINDALL. I would like to respond to something the gentleman said about the separation of church and state, and it was raised previously by the gentleman from Pennsylvania, about the origination of that phrase.

It was originated in 1802, in January when Thomas Jefferson wrote to a Baptist church in Danbury, CT, that was very concerned about the Federal Government, this new creature that was little understood, coming in and getting involved in their affairs.

Interestingly it was that phrase that was years later drafted by the Supreme Court, but at the time that the Constitution and the Bill of Rights were drafted, Thomas Jefferson was not even in this country. He was in France. So he certainly could not have intended for that to in any way be implied into the first amendment as now the Supreme Court has so generously done for us.

One other point I would like to make is it says, "Congress shall make no law respecting establishment of religion." Congress had never made any laws in this area. It is the Supreme Court that is making these laws. I think that is a very relevant point. Why in the world is the Supreme Court making these laws, and why is it that some of our liberal friends who believe that this is the greatest debating society and should be open for all types of debate using this closed rule that will not even let us bring forth things here in the regular business, when in fact they are the ones that so frequently say that we ought to debate these issues openly.

Mr. BARTON of Texas. I think that is an excellent point the gentleman makes, and it brings out the point that the reason that we feel, some of us feel, we must resort to a constitutional amendment because we have decided that is the only piece of law in this country that the Supreme Court holds higher than itself and, if we could change the Constitution, then they would have to agree that our school children could voluntarily pray in school.

Mr. SWINDALL. Is it not true that if we were to pass a bill other than a constitutional amendment that under the various lines of cases from Engel versus O'Hair forward that it itself would be held unconstitutional by the Supreme Court?

Mr. BARTON of Texas. That is my understanding, although I am not an attorney, but in reference and in conversations with those who are, that is the understanding that I have.

I see the distinguished gentleman from New Hampshire. I understand the gentleman has some very specific comments that the gentleman would like to make about this issue. Before the time gets away, I would like to give the gentleman that opportunity.

Mr. SMITH of New Hampshire. I thank the gentleman.

I am very pleased to participate and I want to commend the gentleman for bringing this matter to the national attention, and I commend my colleague, Mr. KINDNESS, for introducing this amendment.

I think that one of the frustrating things that I dealt with not only as a Member of Congress, but for years watching the operation of Congress before I had the privilege of being elected to serve here was watching this particular issue be thwarted by a small group of individuals in this Congress. I point out that I believe the American people are very much aware of this.

It is ironic that just today I received my own survey back in my district on this particular issue and I share this with the gentleman and some of my colleagues. Our polling came back, and the question was very simply, do you support the right of voluntary prayer for children in public schools? The answer was 84 percent in favor. I think that pretty much falls in line with the statistical information that you gave at the beginning of your special order.

I think that the interesting thing when we look at it—Mr. WALKER made the point about we should not be denying the free exercise thereof—when you really stop to think about this it goes much beyond denying the free

exercise of little children to bow their heads in voluntary prayer at the beginning of a school day. We are really saying if we cannot support this amendment and we cannot even allow it to be debated on the floor of this Congress, what we are really saying is that these children are threatening, these little children who cannot pray in school and cannot bow their heads in silent prayer or bow their heads and say a vocal prayer voluntarily, we are sayng that they are a threat somehow to the U.S. Constitution.

□ 2150

Think of that. With all of the problems we have today in Central America, and the Soviet Union, and all of the deficits, and all of the problems we have we are now saying that little children saying a voluntary prayer in school is so critical, and is such a threat to the constitutional process that we will not allow it to be debated on the floor of Congress.

I hope that the American people are going to be looking at this situation and looking at individuals who are serving in this body and judge them on the basis of this kind hypocrisy. I would be specific and say when I say hypocrisy, I mean hypocrisy.

The President of the United States takes an oath of office. He is a part of this Government, elected by the American people, and at the end of that little oath, he says, "So help me God."

Right behind the gentleman and behind the Speaker's chair are four words "In God we trust." That same phrase "In God we trust" is on our coins.

When we go into court, we swear to tell the whole truth, nothing but the truth, so help us God.

You know, it really is hypocrisy, and many Members in this body attend a prayer breakfast pretty much on a weekly basis. I find it ironic that some of those Members who attend that breakfast cannot see fit to support our discharge petition.

I think the hypocrisy runs rampant, and I really believe that the American people want this bill. And I certainly commend my colleague for putting it out here for all of us to see, and I would encourage all of us to devote our energies to getting this discharge petition signed, and get this thing out on the floor, as my colleague from Arkansas, Mr. ROBINSON, said earlier, get this thing out on the floor where we can get a vote on it up or down. I think that one of the real problems in this body is the fact that there is a reluctance on the part of some people in it to not allow us to have our say on an issue.

As I said earlier, if little children bowing their heads in voluntary prayer is a threat somehow to American society, or to our whole constitutional process, then we are really in bad shape.

Again, I want to compliment my colleague for calling this special order, and I am pleased to be a participant.

Mr. BARTON of Texas. I would like to thank the gentleman from New Hampshire for participating. I would like to point out to some of my colleagues who may not know what a discharge petition is, that basically all one has to do, if you are a Member of Congress, and you are in favor of a particular piece of legislation, you merely go to the desk, right over here to my right, in this particular case it is discharge petition No. 1, and you sign your name on the line, and that says that you agree with whatever the piece of legislation is that you are attempting to get discharged from the committee. And you feel that it should be debated on the House floor.

There are evidently some of the Members of this body who do not understand that, and I am sure that once they do, they will be happy to sign the discharge petition.

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

Mr. BARTON of Texas. I am happy to yield to my distinguished colleague from California [Mr. HUNTER].

Mr. HUNTER. I thank the gentleman for yielding. Something that my colleague from New Hampshire [Mr. SMITH] said, raised a note in my consciousness. I know I have a number of military bases in my district, and we have a number of churches in our military bases which I think, strictly speaking under this interpretation that has been in place on our school system with regard to school prayer probably are considered unconstitutional under that interpretation, because there is nothing more representative of the State than a military installation. Yet, we could not survive but for our churches on our military installations and bases, and involving our churches, and our synagogues. We could not survive because those people have to go out on a daily basis, even during peacetime, and undertake very strenuous, very dangerous activities.

If you have ever watched a carrier operation, night operation when the crew is out there on the decks of a carrier, and those F-14's are shooting off of there, very few ships or carriers go their tour of the Indian Ocean without having at least one plane go down and one or two people killed. It is a part of the job. One of our Blue Angels was killed the other day in a collision during one of their shows that they put on just in peacetime.

And yet, if you look at the challenges that our school children are facing now that we never saw, the drug challenges, and the challenges of promiscuity, and all of the things that they are facing, that are driving young people to a high rate of suicide, and high rates of pregnancy, high rates of drug addiction, they face immense challenges at least equal to those faced by our military people who we realize must have, even though they are on military, State-owned bases, must have access to a place to worship. Yet we deny our children that sort of faith and strength.

They made a sweep in my schools, some of my schools in San Diego recently. We did not think we had a big drug problem. We found an enormous drug problem. We found an average of one dealer per classroom. So in some San Diego high schools, there is one dealer per classroom, but you cannot have one prayer per classroom.

Mr. BARTON of Texas. Or Bible either, as I understand it.

I thank the gentleman from California. I especially want to thank him for beginning last year the prayer vigil. I say to my colleague from California, Congressman HUNTER, that was a tremendous idea on your part, and it is something that earlier I said I would host this year, and I am willing to host it as many years as necessary until we can get this issue resolved. I want to thank you for your leadership.

Mr. HUNTER. If the gentleman will yield further, it looks to me like you have the swing of things now.

I understand the gentleman from Texas, Mr. DELAY, is going to recite some of the Federalist Papers here shortly, and so we can all understand a little bit more about our Nation and our roots.

Mr. BARTON of Texas. We all wait with anticipation to hear the remarks of my distinguished colleague from Texas [Mr. DELAY].

Mr. SMITH of New Hampshire. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. At this time, I yield to the distinguished gentleman from New Hampshire [Mr. SMITH].

Mr. SMITH of New Hampshire. I think it is interesting to point out some of these local decisions, and some of these decisions that have been effected at the local level in these last 15 to 20 years in this so-called movement away from prayer in school. It is interesting, in an effort to avoid disputes around the country, local jurisdictions have passed statutes which have, among other things, forbidden a minister to pray at a public school sporting event. That is one. Secondly, forbidden religious leaders to attend a public school function. And thirdly, barred religious-affiliated counselors from meeting with public school students.

I think a constitutional amendment is necessary to reverse these atrocities, and I cannot believe that we have to have it to do that. That in itself is a disgrace. But we need it.

I would just point out one final comment. I know my colleague is anxious to speak.

I pointed out earlier the phrase "In God we trust" is up on the wall behind the gentleman in the well. If the gentleman would look straight ahead, back up over the gallery, the greatest lawmaker of all time's picture is on the wall, Moses. Again, repeating my point of hypocrisy, I think it is hypocrisy, and any individual who stands in the well of this body and opposes what we are trying to do, which is merely have voluntary prayer in public schools, in my opinion, is guilty of hypocrisy when they can stand between those two, one a phrase and one an individual who was the greatest lawmaker of all time, stand between those two and make those comments. I think it is a sad commentary on America. I think it is a sad chapter in a book on America, and I think we ought to close it, and get Madelyn O'Hair out of the book. Let us end the chapter, and let us start the new chapter in a new book, and get on with the problems that we have to deal with in this country that are critical problems, and not have to worry about something that we should never have lost in the first place.

Mr. BARTON of Texas. I totally agree with the gentleman's sentiments, and I would like to point out that the first order of business every day that this body meets is to begin with a prayer. Sometimes it is a Protestant prayer, sometimes it is a Catholic prayer, sometimes it is a Jewish prayer. Whatever, but that is the first order of business every time this body is opened for business.

I thank my colleague from New Hampshire for his comments.

Mr. COBEY. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. I recognize my distinguished colleague from North Carolina [Mr. COBEY].

Mr. COBEY. I thank my colleague for the recognition, and for taking this special order, for caring so much about your country that you would provide leadership on this issue.

□ 2200

It is difficult to even comprehend the fact that we are even having this special order and having to debate this issue given the rich religious history of this country and how God has so blessed this country. But I think it is symbolic of the very moral erosion of our country which is reflected in all sorts of perversion that we are having to deal with. Our Pledge of Allegiance to the flag acknowledges "One Nation under God." We have heard our colleagues say earlier that our motto, "In God We Trust" is right above the Speaker's chair there tonight. It is also on our coins. Today both the Congress and the Supreme Court invoke God's name and ask his blessings at the opening of their session. And until 1962 there was a widespread practice of allowing prayer in our public schools.

This practice was not performed, I believe, to coerce anyone to any particular beliefs. It is a significant part of our Judeo-Christian beliefs upheld in this country. Prayer was banned from the public schools in 1963 by a Supreme Court decision. Madelyn Murray O'Hair filed the suit which brought about the banning of school prayer in our public schools. She was furious that students had to recite a prayer at the beginning of each day. Now the reference I have is on this little card that I have carried around as to the school prayer that they had to recite. It was: "Almighty God, we acknowledge our dependence upon thee and beg Thy blessings upon us, our parents, our teachers, and our country," followed by a silent period.

Her son, Bill Murray, was a 14-year-old freshman at Woodburn Junior High School in Baltimore. Bill Murray recently revealed in a news conference that his mother's real basis for the suit was her own active commitment to the Communist causes and encouragement from the Soviet Embassy officials. And this same Bill Murray whose name was used in the suit is actively, I might say, fighting to restore voluntary prayer in the schools. And he has exciting testimony and witness to what has gone on.

In 1960, Mrs. O'Hair renounced her American citizenship and tried to emigrate with her two sons. The Soviet Embassy personnel intercepted them in Paris and persuaded this atheist leader to return to the United States where "her efforts on behalf of the world revolution were more needed."

Mrs. O'Hair was involved with the Socialist Workers Party, the Communist Party, the Communist Workers Party, the Fair Play for Cuba Committee, and other organizations of that type.

In fact, to finance her school prayer case up to the Supreme Court, the Communist Party actually provided a job for Mrs. O'Hair, now known as Mrs. Murray. She was the manager of the New E-r-a, New Era Bookshop in Baltimore which her son, Bill Murray, identified as an official bookshop of the Communist Party in the United States. The first amendment of the Constitution provides, "Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof." This provision was never intended to restrict Americans from making religious observances in the course of their daily lives or was it intended to protect people from religion.

Yet the Supreme Court has drawn a broad and inaccurate conclusion in the Engel, which in 1962, and Shemp in 1963, decisions forbidding a State from fostering prayer or Bible reading by students in public schools.

What this amendment is proposing to do, and I really commend my colleague, Mr. KINDNESS, the text reads, "Nothing in this Constitution shall be construed to prohibit individual or group prayer in public schools or other public institutions. No person shall be required by the United States or by any State to participate in prayer. Neither United States or any State shall compose the words of any prayer to be said in the public schools."

So the issue is not even this little card that I had this prayer that was recited, because we are saying that this type of thing cannot happen anymore, where a prescribed prayer is said in vain repetition every day. Even as innocuous as this is, I do not see that this would harm anybody and certainly we are not talking about that.

Mr. BARTON of Texas. I totally agree with my colleague from North Carolina. I would like to thank him for his views. We have about 1 minute left to go and I would like to finish, if I could. I appreciate your participation and look forward to working with you on this issue.

I would like to spend this last time by reading a prayer that was declared unconstitutional in the case of Despain versus DeKalb County School District in 1966. Kindergarten children in a public school in DeKalb County, IL, were required by their teacher to recite the following poem before their morning snack:

We thank You for the flowers so sweet,
We thank You for the food we eat,
We thank You for the birds that sing,
We thank You for everything.

Now that was declared unconstitutional. And when we reach the state of affairs that something like that is declared unconstitutional, it is time to amend the Constitution. And I would like to finish this special order by sharing with my colleagues the prayer that I say every evening before I retire for the evening. It is very simple. It is:

"Dear God, give me the wisdom to know the right thing to do, give me the courage to attempt the right thing, and the strength to accomplish it. Amen."

We need the wisdom to determine what is the right thing to do in this issue. We need courage to attempt it, and the strength to accomplish it.

I thank my colleagues.

SCHOOL PRAYER AMENDMENT

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

Mr. KINDNESS. Thank you, Mr. Speaker.

Mr. Speaker, the hour grows late, the expressions that have been made concerning House Joint Resolution No. 279 and Discharge Petition No. 1 are important expressions for all Members of this body to think about, I think, but I would like to just take a moment, as we continue our discussion of those matters, to focus on all of the first amendment to the Constitution, article 1 of the Bill of Rights. Bear in mind that a number of the States, the original States would not ratify the Constitution without an assurance that the First Congress would put forward a Bill of Rights which included, most importantly, the first amendment, which in its final form reads, "Congress shall make no law respecting an establishment of religion"—we have heard about that this evening—"or prohibiting the free exercise thereof"—there has been discussion of that—"or abridging the freedom of speech"—and there is much more to be said about that, although it has been mentioned, that is "or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."

There in a nutshell are some of the most important concepts that were felt so deeply by leaders in the formulation of our country's Constitution that they were a necessary part of the Bill of Rights before the Constitution would be ratified.

□ 2210

We have heard about the establishment clause, the free exercise clause, and not enough really about the free speech clause. I would like to focus for a moment on the free press clause, the freedom of the press clause.

I think it is incredible that there is such a lack of attention paid by the fourth estate to those elements of the first amendment that have been seriously undermined by Supreme Court decisions and other Federal court decisions concerning school prayer, and most particularly by that decision of the slim majority of the Supreme Court in the Alabama case which has been discussed here earlier; its most recent school prayer case.

It is ironic that an institution that is so ready to take up the call when the basic right of freedom of speech, or press is imperiled would be so reticent to adequately analyze and publicize the potential effect that the Court's recent Alabama decision might have on those rights.

In other words, surrounding the freedom of the press are these issues that we have been discussing right there in the first amendment. In other words, we might also say in common experience, when someone else's ox is being gored, ladies and gentlemen, look out, you are liable to be next.

If the courts are willing to limit the right of freedom of speech in the first amendment, and the right to peaceably assemble, and the right to free exercise of religion, if the words of prayer are involved, if that is the manner of speech, and if the setting where peaceable assembly takes place is a public school setting, then what is next?

What is next in terms of freedom of the press? It is a little hard to imagine that the Court would rule that a newspaper did not have the right to print a prayer, perhaps daily, in its newspaper; on its masthead perhaps.

However, if we allow the deterioration of our constitutional rights, court decision by court decision, then perhaps we will face that prospect in the future.

There is more that can be said about the position of the fourth estate, but I would certainly like to recommend to the members of the fourth estate that they look closely to their freedom of the press in relation to what has happened in court decisions affecting the freedom of speech, the freedom to exercise their religious practices, and the right to peaceably assemble in that part of our Nation's life that involves public schools and words of prayer.

I now yield to the gentleman from North Carolina [Mr. COBEY].

Mr. COBEY. Mr. Speaker, I thank the gentleman from Ohio [Mr. KINDNESS] for bringing this issue forward, having this special order; bringing this constitutional amendment to the attention of this House, and getting the discharge petition moving.

As I said earlier, it is hard to believe that we are even here, but I guess the price of freedom is eternal vigilance, and all of our freedoms are likely to be under attack if we do not reverse what we have here.

Because we have to recognize that this is an open, hostile act; that this has been promoted from day one by people who reject God; athiests, acknowledged atheists. Madelyn Murray O'Hair. They want God out of the public schools.

If you wanted to send this country down a road without God, without acknowledging God, make it an atheist state, that is exactly where you would want to drive out God from would be the public schools.

I would like to warn them when they do that sort of thing that they may in fact destroy our country. Because we have been uniquely blessed by God; this has been acknowledged as one Nation under God ever since its inception, and I think that we ought to recognize that this has been hostile aggression on this country in the form of these suits that the Supreme Court has upheld, and it is essential to the prosperity of our country; spiritually, morally, economically, militarily, whatever; the very survival of our country depends on our acknowledgement of God and it is important that we restore this right to the schools and give these children the opportunity to initiate prayer and Bible study.

This is a right that is protected under the first amendment. They are being discriminated against. As I have heard said recently, this is a students rights issue, and I hope the students of America recognize that, and will speak out. We have case after case after case of where they have been openly discriminated against; not allowed to freely assemble in their schools for prayer and Bible study.

Again, I want to commend my colleague for taking this leadership on this issue, and I am glad to be able to support the gentleman in his effort and sign this discharge petition and get it out of that black hole we call the Judiciary Committee.

Mr. KINDNESS. I thank the gentleman for his participation, his support and his leadership also in this matter, but I trust that the gentleman would agree that there is a law of physics which I think applies also in social conduct, or the interaction between people that says something to the effect that, for every action there is a equal and opposite reaction.

Over the years that I have served in the Congress and that the school prayer issue has been building, I have observed that the equal and opposite reaction has been dispersed, as Supreme Court decisions and other Federal court decisions have come along, further restricting the free exercise of religion.

I think we have seen that if there is an equal and opposite reaction, it has been spread out and not brought together. I think the Supreme Court's decision in the recent case coming out of Alabama has brought forth the coalescence of those who are greatly concerned and deeply and conscientiously interested in this issue so that we are going to get that equal and opposite reaction concentrated; that is what we have been missing.

The time is at hand, I think, for us to really pull it together, all of those various elements that have been perhaps dispersed in recent years. We have now got a focus that is much clearer.

I might mention that there was a time in this House of Representatives when my colleague from Ohio, CHALMERS WYLIE had gotten the school prayer issue to a vote in the House. It was different, a constitutional amendment. In fact, many thought it was flawed in its wording.

□ 2220

I have to believe that it was not perfect and it failed of passage because many could not support it in its form at that time.

This proposed constitutional amendment has been so thoroughly worked over by legal scholars, by theologians and religious leaders and people of all walks of life who are interested in the subject that I think we finally have another part of the puzzle put together, a coalescence of support behind that approach.

Let me just take one more moment to make a comparison. With all due respect to those who support a constitutional amendment that would provide for the freedom of meditation, silent meditation, that would be limiting our freedom of speech guaranteed in the first amendment. We would be constitutionally reducing our first amendment rights. I do not support that approach. Those who do I am sure do so in good conscience. But they do so without regard to our first amendment right of free speech. That, I think, is too important to pass up.

I would yield to the gentleman from Texas.

Mr. DELAY. I thank the gentleman from Ohio mainly for his courage and work in developing and writing his constitutional amendment and staying up at this late hour. It is now 10:20 in the evening. And I asked myself as I was standing here: Why are so many Members of Congress staying up so late at night on such an issue?

And I think it brings out many, many issues. If I may, trying to summarize a little bit about what I have heard this evening and get a little philosophical and a little more basic and fundamental about what we are talking about, the gentleman from Ohio has pointed out in the Constitution that our freedom of religion and our freedom of voluntary prayer in schools are based on freedom of speech, freedom of the press, freedom of religion. And I think it gets even more basic that that.

Why are we up at this late hour, so dedicated to such a basic premise of freedom? And that is what we are talking about here—freedom. I do not know whether we are really talking about prayer in schools. I think we have coalesced around prayer in schools, but it is more basic than that, and it comes down to freedom and not only freedom but the Constitution, and it comes down to, I think, ever since 1936 in the Butler case, a total disregard of our Constitution. This Congress, the Supreme Court and indeed the President of the United States have all disregarded the Constitution and the rules by which we play.

When you go out there and play on the football field, what kind of a game would it be if we did not play by the rules? And ever since 1936, when the Supreme Court, stacked by FDR, decided that whatever, under the Constitution and the statement "the common good," whatever the Congress decided, that is good in the common good of the people of America. And we come back to that one premise. We have spent money, we have developed programs in violation of our constitutional rights, and now we have pulled away one of the basic freedoms that founded this great, great country of ours, and that is our freedom to express ourselves in whatever religion we are talking about.

Is it not sad that Americans right now are fighting for their religious freedom against their own Government, whether it be the Supreme Court or this Congress because we cannot get a constitutional amendment to this floor to be voted on? It really is a testimony of where we have come from since 1936 and that we do not have the ability to play by the rules and we have to fight and stay up at these late hours fighting to bring your amendment to this floor. It is a sad day for Americans when we have to fight our own Government. We are just talking about freedom. We are not talking about creating a government religion. We are not talking about making it the Baptist religion of the United States of America or the Methodist religion of the United States of America. We just want to be able to practice our religion wherever we deem and see fit.

If I want to put up a nativity scene in the courthouse in Houston, TX, I should have the freedom to do that, and I should not have the right to stop someone else from putting up a Star of David or someone celebrating the Koran in that same courthouse.

It was just recently that we—"we" being members of Harris County, in Houston, TX—wanted to dedicate a park to our Vietnam veterans, and part of the monuments of this park were crosses and Stars of David. People who see fit in restricting our freedom, the ACLU, in particular, came along and sued us and stopped us from dedicating a park to our veterans of the Vietnam era. What was so sinister about dedicating a park to our veterans of the Vietnam war, even though we put up crosses and Stars of David to commemorate those who died for our freedom in Vietnam?

What is so bad about a little child praying in school? The Boy Scouts of America recently, in their own creeds and oaths, being violated by a court. Just recently I saw on television, I think it was yesterday, that a Boy Scout decided that he would refuse to use the Lord's name in the oath of the Boy Scouts, and our own Government is coming to the Boy Scouts and saying you have to remove those kinds of names or you have to let this boy into Boy Scouts, a private organization. That is how far it is going. I think it is a sad day in America when we do not have the freedom to exercise our religion wherever we want to exercise it.

We are not talking about shoving religion down children's throats. We are talking about basic freedom that this country was built on.

If I may take just 1 more minute, and I may be criticized for this, I think the Constitution was divinely inspired, because there are stories that are told about the writing of our Constitution back when, and they came to an impasse, and Benjamin Franklin—well, I have to back up a little bit. You had to pay preachers at that time to pray, and the Constitutional Convention had no money, so they could not pay preachers to open the Constitutional Convention every day, so they went on, among themselves, and they came to an impasse, and it seemed that it was all over and they could not write the rules under which to govern themselves. And Benjamin Franklin stood up and said, "Let's all go home and pray to the Almighty God that we may be able to write this Constitution for the good of mankind in the future." They did. They went home and they prayed, and the Constitution was finished in 3 weeks and ratified within a year.

It just goes to show you that our country was built on religion, whether it be Christianity or Judaism, or whatever it is. It is built on the freedom to express ourselves to some moral being or some truth, all truth, whatever you call that. And when individuals come and try to destroy that for Americans, I think it is a travesty to this country and it also points out that we are trying to destroy the basic freedoms provided to us by the Constitution because we have total disregard about our Constitution.

In going to many town meetings that I have held every month in my district, people are asking me, "Well, we sent you there, but what else can we do? What can we do?" And those Americans who are watching this special order and watching the courage of the gentleman from Ohio, I tell them that if they really want to do something, if they really want to make an effect, if they really want their freedom back, then they should write their Congressman—and I think the gentleman from Ohio will agree with me—and demand that their Congressman sign this discharge petition so that we can bring basic freedoms back to the American people.

Mr. KINDNESS. I thank the gentleman very much. I acknowledge that fact that under the rules and operations of the House of Representatives it is not always easy for Members to make the decision that they should, to sign a discharge petition. But I think it is abundantly clear that House Joint Resolution No. 279 will not come to the floor for consideration without a discharge petition procedure. It requires 218 signatures of Members. But

there is nothing heretical about signing a discharge petition. It is my belief that there are among the Members of the House of Representatives many who are fairminded people who will sign the discharge petition even though they may not be persuaded that they would vote for the adoption of House Joint Resolution No. 279.

□ 2230

In the belief that it must be debated, it must be considered, and it must be voted upon. Fairmindedness, and we hear so much about fairness in the political arena these days, fairness certainly includes allowing such an important subject to be decided upon by the elected Representatives of the people from throughout this country.

Discharge Petition No. 1 sits at the Clerk's desk awaiting the signatures of about 203 more Members. I think what people can do throughout this country is to persuade their elected Representative that they should be among those signing Discharge Petition No. 1.

Whether they believe that House Joint Resolution 279 should be adopted by the House of Representatives or not, in fairness, it should be debated and voted upon. Our courts have their part of a three-part government to conduct. I respect our court system as I do our Constitution, and I respect those who earnestly endeavor in the Federal judiciary to reach the right decisions. But they are not infallible.

In the present circumstances that we are discussing, the only way for their judgment, that is a judgment of the majority of the Members of the Supreme Court to be changed or overridden is by a constitutional amendment. That is why it is necessary. It is not through disrespect for Federal judges or for the Federal judiciary system. But it is only one of three parts of our Government. A system that is ingenious in the way that it was established in our Constitution.

The Congress and the President together enact legislation. Or the Congress can do it alone by overriding the veto of a President. The courts are there to interpret and apply the law and the Constitution. I cannot agree that they have done so correctly in some of the decisions affecting school prayer. The infallibility of the courts is not in question, because they are fallible. They are human institutions.

I yield to the gentleman.

Mr. DELAY. If the gentleman would permit me, they are humans that sit on that court, and sometimes we let our own prejudices come out no matter who we are, and I agree with that. But would it not be a wonderful day and I think the gentleman would agree that over the years, and I have only been here a short time, the gentleman has been here a long time. Over the years, you have seen when the people want something bad enough, if they write enough letters, things will change.

Just recently, around February, there was an overwhelming letter writing campaign on what seems to be a small issue and that was contemporaneous recordkeeping. This Congress was inundated with letters against contemporaneous recordkeeping. It was passed by both Houses and signed by the President in less than 60 days.

A year ago, for instance, the Harris poll indicated that 60 percent of the surveyed population favored a constitutional amendment to allow us the freedom to exercise our religion. It was recently sustained by a poll a few months ago, that the entire poll sample, 61 percent, supported religious freedom. If only that 61 percent of the Nation would write their Congressman, I think the gentleman would agree that this amendment and religious freedom would come to the floor of this House immediately.

Mr. KINDNESS. It is a matter in which the people throughout this country play the most important role as usual; if they will but act, I think we will see the kind of action that needs to be taken in this House of Representatives on this issue.

I thank the gentleman so much for his participation at this late hour this evening.

Mr. Speaker, I have two kinds of discomfort inside me this evening: one is the lack of dinner, and the other is a hunger for the opportunity to have this matter debated before this House of Representatives and I feel confident that we will reach that goal through diligence and hard work and the help of the American people getting their elected Representatives on board as a part of this effort.

Mr. Speaker, I would like to take this time to discuss the incredible lack of attention paid by the fourth estate to those elements of the first amendment that have been seriously undermined by the Supreme Court's recent school prayer decision.

It's ironic that an institution that is so ready to take up the call when the basic right of freedom of speech is imperiled would be so reticent to adequately analyze the potential effect that the Court's recent decision might have on that right.

One need only focus on the language of the first amendment to see that it guarantees the free exercise of religion, the freedom of speech, the freedom of the press and the right to peaceably assemble. The scribes, who freely debate the issues of the day on the pages of our Nation's newspapers, sit idly by while fundamental rights that are similarly situated, in the Constitution and conceptually, are routinely infringed on by the Federal courts.

Is the right to free exercise of religion protected by a Supreme Court that declares words of prayer to be illegal? Is the right to free speech protected by a Supreme Court that says that words of prayer are not sanctioned under the Constitution when said in the confines of a public school? Is the right to peaceably assemble protected by a Supreme Court that denies that right to our schoolchildren? Is the fourth estate oblivious to these infringements. Perhaps they'll react when the Supreme Court rules that the right to a free press is limited when the words to be printed are those of a prayer.

It would seem to me though that our first amendment rights are in danger and that the journalism profession is one that has as much to lose as anyone if such limits are allowed to remain the law of the land. The conceptual proximity of those rights, curtailed by the Court's decisions, to freedom of the press and the failure of the fourth estate to champion those rights raises serious questions as to how sincere the national community of journalists is about protecting those rights as a matter of principle.

I would ask my friends in the fourth estate to look closely at the language of the first amendment and to consider how their freedom of the press will look 20 years from now if the present trend goes unchecked. I submit that it would be well worth their time.

GENERAL LEAVE

Mr. KINDNESS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order this evening.

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

There was no objection.

PRESIDENT OF TIME INC. CALLS EXCESSIVE MILITARY SPENDING THE ROAD TO ECONOMIC RUIN

(Mr. SEIBERLING asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. SEIBERLING. Mr. Speaker, I recently obtained a copy of a speech delivered by J. Richard Munro, the president and chief executive officer of Time, Inc., to the Robins School of Business of the University of Richmond, on April 10, 1985. Charging that U.S. military spending has gotten out of control, Mr. Munro called upon American business executives to bring "the same critical judgment to bear on defense policies as we do to our own corporate policies." The alternative is

economic stagnation and ultimately less military strength, he said.

Mr. Munro noted that defense spending in constant dollars is now as high as it was at the height of the Korean war and the Vietnam war and by 1990 will be a third more than it was in either war. He added that if the economy falters and growth falls short, the defense share could easily reach 10 percent of GNP.

The effect of the increasing militarization of our economy will be to "find guns winning not only over butter—but over factories and machinery, capital formation, and skilled labor supplies." The effect of the severe cuts in education and human service programs is that "we are disinvesting in people, disinvesting in our future work force," he said. He went on to note that the share of GNP spent on education in America has fallen steadily from a peak of 8 percent in 1975 to an estimated 6 percent next year, yet "education is hands-down the single most important engine of productivity growth."

Worse yet, Mr. Munro notes, military projects are absorbing an increasing share of resources like industrial capacity, research and development funds, and scientists, engineers, and technicians. While the Japanese are marshalling their research laboratories to take on our computer and other high-technology industries, our research laboratories are making new weapons.

In addition to reforms in defense procurement and staffing and the military retirement system, Mr. Munro concludes that the most important need is the achievement of mutual arms reduction agreements to stop the arms race with the Soviet Union. This conclusion has seemed obvious to many of us for a long time. Perhaps these words of a hardheaded businessman will begin to penetrate the thinking of those conservatives who have up until now been favoring more and more military spending.

Mr. Speaker, the full text of Mr. Munro's address follows these remarks:

REMARKS BY J. RICHARD MUNRO

Thank you for the kind introduction. I'm delighted to be here, for what is now my third visit to this campus as CEO of Time Inc. There's something about a polite invitation that I find irresistible.

Being here also reminds me of something that happened recently in a third world country.

Rebels had captured three businessmen—one French, one Japanese, and one American. They decided to execute them all. But first they gave each a last wish.

The French businessman asked to sing "La Marseillaise" for one last time. The Japanese businessman asked to give a lecture on Japanese management.

But when it came his turn, the American broke into tears and begged, "Shoot me first, I can't stand another lecture on Japanese management."

In keeping with that spirit, I promise not to talk about Japanese management or related subjects.

Instead, I want to talk about a different challenge. It might seem remote from daily business concerns. But it's crucial to our continued success in business and to our prosperity as a nation.

That's the problem of U.S. defense policy—especially military spending.

It's simply gotten out of control. And if we don't control it, we will reap a bitter harvest of waste and mismanagement, economic stagnation, and ultimately less military strength than we have now.

The stakes for American business are high. And business executives need to bring the same critical judgment to bear on defense policies as we do to our own corporate policies.

Let me begin with some recent history.

Defense spending since World War II has accounted for a large share of our national wealth, rising during wartime and falling during peacetime.

Defense spending in constant dollars now is as high as it was at the height of the Korean War and the Vietnam War. By 1990 it will be a third more than it was in either war.

By the late 1970s, spending rose again, and has taken off sharply since the Reagan Administration began what has become the equivalent of a wartime military buildup.

Put another way, we've already spent a trillion dollars on defense since 1980. And in the next five years, we'll spend another $1.8 trillion.

Military spending in 1990 will take about 8 percent of our GNP, nearly as high a percentage as the peak Vietnam years.

Moreover, that share of GNP assumes that the Reagan Administration's economic forecast of endless economic growth will come true. If the economy falters, and growth falls short, the defense share could easily reach 9 or 10 percent of GNP.

In short, under current leadership, we have the equivalent of a wartime spending policy. Our economy is being increasingly militarized.

And the more we pursue these policies, we will find guns winning not only over butter—but over factories and machinery, capital formation, and skilled labor supplies.

Now, you may ask, isn't all this necessary to confront the Soviet military buildup? Especially after years of declining spending?

Yes, the Vietnam War drained our military resources in losing battles, at the expenses of our readiness everywhere else. We had major deficiencies which were painfully obvious by the late 1970s.

But the rebuilding of our military strength was already underway, with spending growth at sustainable rates, before President Reagan took office.

At the same time, ironically, Soviet military spending growth has been declining. Despite dire warnings from the Pentagon each year at budget time, the CIA estimates that recent real growth of Soviet military spending has been around 2 percent annually.

The answer, then, is, yes, that we needed to rebuild our defenses. But that we didn't need to hit the panic button, which is what happened. And we don't need to obligate ourselves to such enormous future costs.

Current budget estimates don't include such things as cost overruns we can reasonably expect on new weapons. They probably underestimate future operating and upkeep costs for such things as the 600-ship navy we are building.

Moreover, we have shifted priorities so that we are underpreparing to fight a conventional war and overprepared for a nuclear war. We are also wasting a lot of money because of simple mismanagement.

Plainly, we will squander much of the three trillion dollars we're spending in this decade—unless we have a thorough overhaul of defense policies. That overhaul isn't yet in the cards, however.

We have already seen a small part of the defense procurement mess. We have enormous cost overruns already in projects like the B-1 bomber—weapons that are worthless because they are too complicated—or that simply don't work—and even outright fraud by some defense contractors.

Also, we can already see the enormous and unnecessary burden that military personnel policies are becoming.

For example, the military retirement system is a tremendous problem—not just because of direct costs—but also because it results in our most productive officers and noncoms retiring just when they hit their stride.

Imagine a company that retired at half-pay most of its career managers and skilled workers at age 41, after spending millions of dollars each to train many of them.

Imagine a company that has to set aside half of its base salaries for future pension costs. The average for U.S. companies is about 10 percent.

Imagine a company in which five out of six of its pensioners are younger than 65, and two-thirds are working fulltime, often at the same job they had in uniform, collecting a pension and a paycheck, or working for outside defense contractors.

That's how the military retirement system works today.

Consider the benefits for a typical lieutenant colonel who retires today at age 42. He can expect to live another 35 years. By my calculations, he'll get nearly $1.5 million, assuming the pension keeps pace with a modest rate of inflation.

That doesn't include free medical care, cut-rate groceries and shopping, and subsidized officers' clubs.

In short, the system stinks.

At this point, you may be asking yourself why I'm not talking about the communications industry or something more directly related to your future business careers.

Well, I have been talking about your future—and everybody else's.

The defense buildup is taking place as if it were in a vacuum—and had nothing to do with the rest of our economic and social needs. Yet it can—and will—cause severe economic dislocations affecting every industry in America.

Let me put it this way: The shift toward more military spending in the 1980s will change our economy as deeply as the oil price explosion changed us in the 1970s—beginning with the share of GNP which it is taking from the rest of our economy.

Consider the massive shift already in federal budget priorities. Think of that as a mirror into the future which shows what the rest of our economy will be like.

For example, we have severely cut education and human services programs, and state governments are following suit. In effect, we are disinvesting in people, disinvesting in our future work force.

As this happens, we should ask, where will all the skilled workers come from to help us fulfill the optimistic Administration forecasts for future prosperity?

They don't just walk out of the woods and into the front doors of our offices and factories.

They came up through our system of schools and colleges, public and private. They received nutrition and health care that keeps their bodies whole. Their families received aid to keep them housed and clothed. They get help—these are not just poor kids, either—at every step by public spending programs which have in the last half-century helped create the world's most productive work force.

It's an expensive system. But as Derek Bok, president of Harvard, once said, "If you think education is expensive, try ignorance."

As we've often heard, there's no free lunch. We won't be the most productive much longer, if we keep doing what we're doing now.

The share of GNP spent on education in America has fallen steadily from a peak of 8 percent in 1975 to an estimated 6 percent next year. And education is hands-down the single most important engine of productivity growth.

In other words, the "butter" we're neglecting today for the sake of guns is more than an expendable condiment. Our neglect of education and human services will put a heavy burden on business in the future in the form of shortages of skilled labor, lagging productivity growth, and inflationary pressures.

Moreover, military projects are absorbing an increasing share of resources like industrial capacity, research and development funds, and scientists, engineers, and technicians.

While the Japanese are marshalling their research laboratories to take on our computer and other high-technology industries, our research laboratories are making new weapons.

Not only that, we can already see the results of this tradeoff between national productivity and military spending.

In the last 20 years, U.S. defense spending averaged 7½ percent of GNP, while manufacturing productivity rose an average of 2½ percent in each of those years.

Great Britain spent an average of 5½ percent on defense, while its productivity rose 3½ percent a year. West Germany spent 4 percent on defense, while its productivity rose 5½ percent.

And Japan, which spent less than 1 percent, enjoyed a 9 percent annual increase in manufacturing productivity—year after year, in its relentless expansion into world markets.

It's no coincidence that, in those years, Japan has amassed trade surpluses that are the envy of the OPEC oil producers, that five out of the top 10 international banks are now Japanese, and that its GNP sometime this year will surpass the GNP of the Soviet Union.

Also, the defense buildup reaches even more deeply as a direct cause of our massive federal deficits. It's not the only cause, of course. The over-generous tax cuts must share the blame. But everything else comes in a distant second.

The budget deficits and high interest rates in turn have caused a huge trade deficit, which has cost two million American manufacturing jobs already, and maybe another two million more in a few years.

For the first time since World War I, we are no longer a net creditor nation. We're becoming a net debtor this year. Next year, at the current rate, our foreign debt will be larger than Brazil's. And a year after that, our debt will be bigger than Brazil's, Argentina's and Mexico's combined.

Beginning now, instead of living beyond our means, supported by net overseas earnings, we will be living below our means to pay our creditors back.

More and more of our business decisions will be made in Tokyo and London, and not New York or Washington.

In the words of Blanche DuBois, we'll depend on the kindness of strangers for our standard of living.

Now, I happen to believe that problems like these are meant to be solved. And I think that we can, given the concern and the will to do it.

We can begin by following the advice of the Business Roundtable, which has advocated a return to 3 percent real growth in defense spending in the next few years.

The President and Senate Republicans took a small, tentative step toward that last week in announcing defense budget cuts, among many others.

But I think we must go further by setting goals of, say, 5 or 6 percent of GNP for defense, matched by thorough reforms. They should include a brandnew procurement system, a hard look at the effectiveness of new weapons, cutting back the number of officers on active duty, and retirement system reforms.

There's no earthly reason why we can't have a strong national defense on a budget that amounts to less in real dollars than we spent in each of our last two wars.

Most important, we need mutual arms reduction agreements to stop the arms race now underway with the Soviet Union.

Both of us have had enough military might to destroy each other, and the world with us, for many years. It's time to come to our senses and to bargain seriously for new arms control agreements.

In closing, if all these matters seem remote and arcane to you, they shouldn't be.

A poster I saw recently showed a dressed-for-success Yuppie looking out her window, exclaiming, "Oh no, nuclear war! There goes my career!"

That's an overstatement, of course. But your future, the future of American business, and of our society is tied very closely to what we decide in the next few years about the role of defense spending and the military in our country.

I say that we strike a new balance, that we begin to appreciate how a more rational approach can yield a more prosperous America and a stronger national defense.

A quarter-century ago, President Eisenhower had this to say, "There is no safety in arms alone. Our security is the total product of our economic, intellectual, military, and moral strength."

That applies just as well today, and I urge you to inform yourself and to get involved in solving this key problem for our future.

Thank you.●

CONFERENCE REPORT ON H.R. 2068

Mr. MICA submitted the following conference report and statement on the bill (H.R. 2068) to authorize appropriations for fiscal years 1986 and 1987 for the Department of State, the U.S. Information Agency, the Board for International Broadcasting, and for other purposes:

CONFERENCE REPORT (H. REPT. 99-240)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2068) to authorize appropriations for fiscal years 1986 and 1987 for the Department of State, the United States Information Agency, the Board for International Broadcasting, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Foreign Relations Authorization Act, Fiscal Years 1986 and 1987".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.

TITLE I—DEPARTMENT OF STATE

Sec. 101. Authorizations of appropriations.
Sec. 102. Permanent authorizations of appropriations.
Sec. 103. United Nations peacekeeping forces.
Sec. 104. Security earmark.
Sec. 105. Liaison by the National Commission on Educational, Scientific, and Cultural Cooperation.
Sec. 106. Australian Bicentennial.
Sec. 107. World Commission on Environment and Development.
Sec. 108. Earmarking of refugee assistance funds.
Sec. 109. International Committee of the Red Cross.
Sec. 110. Limitations on use of migration and refugee assistance funds.
Sec. 111. Restrictions on foreign assistance not applicable to migration and refugee assistance.
Sec. 112. Personal services abroad relating to migration and refugee assistance.
Sec. 113. Audits of U.S. funds received by the United Nations High Commissioner for Refugees.
Sec. 114. Authorized uses of appropriated funds.
Sec. 115. Assistant Secretaries of State.
Sec. 116. Under Secretary of State for Economic and Agricultural Affairs.
Sec. 117. Detail of officers and employees.
Sec. 118. Certain individuals employed abroad deemed to be employees of United States for certain purposes.
Sec. 119. Appointments to the Senior Foreign Service by the Secretary of Commerce.
Sec. 120. Pilot project for Foreign Service associates.
Sec. 121. Feasibility study of a lateral entry program into the Foreign Service for businessmen and farmers.
Sec. 122. Health care benefits.
Sec. 123. Foreign Service Institute facilities.
Sec. 124. International Center.
Sec. 125. Special agents.
Sec. 126. Extraordinary protective services for foreign missions.
Sec. 127. Protecting United States interests under the Foreign Missions Act.

Sec. 128. Peaceful resolution of international disputes.
Sec. 129. Furnishing of excess Government-owned property by the Secretary of State.
Sec. 130. Official residence of Secretary of State.
Sec. 131. Strengthening the personnel system of the Bureau of International Narcotics Matters.
Sec. 132. Sharing of information concerning drug traffickers.
Sec. 133. Extradition treaties.
Sec. 134. Establishment of a travel advisory on the state of Jalisco, Mexico.
Sec. 135. Commendation of Ambassador to Mexico.
Sec. 136. Soviet employees at United States diplomatic and consular missions in the Soviet Union.
Sec. 137. Responsibility of United States missions abroad to provide support for United States businesses.
Sec. 138. Responsibility of United States missions to promote freedom of the press abroad.
Sec. 139. Emergency telephone service at U.S. consular offices.
Sec. 140. Responsibilities of United States representatives to international organizations.
Sec. 141. United States responsibilities for employees of the United Nations.
Sec. 142. United States contributions to the United Nations if Israel expelled.
Sec. 143. United Nations organizations reform in budget procedures.
Sec. 144. Limitation on assessed payments to the United Nations.
Sec. 145. International Jute Organization.
Sec. 146. INTELSAT.
Sec. 147. Soviet and Communist disinformation and press manipulation.
Sec. 148. Murder of Major Arthur D. Nicholson, Junior.
Sec. 149. Inter-American cooperation in space, science, and technology.
Sec. 150. Department of State Inspector General.
Sec. 151. Employees of the United Nations.
Sec. 152. Representation of minorities and women in the Foreign Service.
Sec. 153. Board of the Foreign Service.
Sec. 154. Damages resulting from delays in the construction of the United States embassy in Moscow.

TITLE II—UNITED STATES INFORMATION AGENCY

Sec. 201. Authorization of appropriations.
Sec. 202. Modernization of Voice of America.
Sec. 203. Radio broadcasting to Cuba.
Sec. 204. Funds for educational and cultural exchanges.
Sec. 205. Funds for worldwide book program initiative.
Sec. 206. Funds for exchange activities associated with the 1987 Pan American Games.
Sec. 207. Funds for international games for the handicapped.
Sec. 208. Ban on domestic activities by the USIA.
Sec. 209. Private sector funding for USIA's private sector program.
Sec. 210. National Endowment for Democracy.
Sec. 211. Promoting democracy and an end to the apartheid policies in South Africa.
Sec. 212. Distribution within the United States of the USIA film entitled "Hal David: Expressing a Feeling".
Sec. 213. Distribution within the United States of three USIA films relating to Afghanistan.
Sec. 214. Notification of program grants.

TITLE III—BOARD FOR INTERNATIONAL BROADCASTING

Sec. 301. Authorization of appropriations.
Sec. 302. Improvement of facilities.
Sec. 303. Radio Free Afghanistan.
Sec. 304. Management of RFE/RL, Incorporated.
Sec. 305. Role of the Secretary of State.
Sec. 306. Task force with respect to broadcasts to Soviet Jewry.

TITLE IV—THE ASIA FOUNDATION

Sec. 401. Authorization of appropriations.

TITLE V—IRAN CLAIMS SETTLEMENT

Sec. 501. Receipt and determination of certain claims.
Sec. 502. Deductions from arbitral awards.
Sec. 503. En bloc settlement.
Sec. 504. Reimbursement to the Federal Reserve Board of New York.
Sec. 505. Confidentiality of records.

TITLE VI—UNITED STATES SCHOLARSHIP PROGRAM FOR DEVELOPING COUNTRIES

Sec. 601. Statement of purpose.
Sec. 602. Findings and declarations of policy.
Sec. 603. Scholarship program authority.
Sec. 604. Guidelines.
Sec. 605. Authority to enter into agreements.
Sec. 606. Policy regarding other international educational programs.
Sec. [illegible] Establishment and maintenance of counseling services.
Sec. 608. Board of Foreign Scholarships.
Sec. 609. General authorities.
Sec. 610. English teaching, textbooks, and other teaching materials.
Sec. 611. Reporting requirement.
Sec. 612. Funding of scholarships for fiscal year 1986 and fiscal year 1987.
Sec. 613. Latin American exchanges.
Sec. 614. Feasibility study of training programs in sizable Hispanic populations.
Sec. 615. Compliance with Congressional Budget Act.

TITLE VII—ARMS CONTROL AND DISARMAMENT

Sec. 701. Supplemental authorization of appropriations for fiscal year 1985.
Sec. 702. Authorization of appropriations for fiscal years 1986 and 1987.
Sec. 703. Reports on adherence to and compliance with agreements.
Sec. 704. Pay for Deputy Director and Assistant Directors.
Sec. 705. New building in Geneva for the use of the United States arms control negotiating teams.
Sec. 706. Study of measures to enhance crisis stability and control.
Sec. 707. Policy toward banning chemical weapons.
Sec. 708. Policy regarding a joint study by the United States and the Soviet Union of the consequences of nuclear winter.

TITLE VIII—MISCELLANEOUS PROVISIONS

Sec. 801. Termination of national emergencies by joint resolution.
Sec. 802. United States Institute of Peace.
Sec. 803. Ex gratia payment to the Government of Switzerland.
Sec. 804. Policy toward application of the Yalta Agreement.
Sec. 805. Policy toward treatment of Soviet Pentecostals.
Sec. 806. Democracy on Taiwan.
Sec. 807. Increase United States-China trade.
Sec. 808. Use of United States owned rupees.
Sec. 809. Refugees in Thailand.
Sec. 810. Policy regarding foreign exchange intervention.
Sec. 811. Commending Mayor Teddy Kollek of Jerusalem.
Sec. 812. Japan-United States security relationship and efforts by Japan to fulfill self-defense responsibilities.
Sec. 813. Diplomatic equivalence and reciprocity.
Sec. 814. United States International Narcotics Control Commission.

TITLE I—DEPARTMENT OF STATE

SEC. 101. AUTHORIZATIONS OF APPROPRIATIONS.

The following amounts are authorized to be appropriated for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) ADMINISTRATION OF FOREIGN AFFAIRS.—For "Administration of Foreign Affairs", $1,828,088,000 for the fiscal year 1986 and $1,873,790,000 for the fiscal year 1987.

(2) INTERNATIONAL ORGANIZATIONS AND CONFERENCES.—For "International Organizations and Conferences", $534,074,000 for the fiscal year 1986 and $534,074,000 for the fiscal year 1987.

(3) INTERNATIONAL COMMISSIONS.—For "International Commissions", $28,704,000 for the fiscal year 1986 and $25,824,000 for the fiscal year 1987.

(4) MIGRATION AND REFUGEE ASSISTANCE.—For "Migration and Refugee Assistance", $344,730,000 for the fiscal year 1986 and $344,730,000 for the fiscal year 1987.

(5) BILATERAL SCIENCE AND TECHNOLOGY AGREEMENTS.—For "United States Bilateral Science and Technology Agreements", $2,000,000 for the fiscal year 1986 and $2,000,000 for the fiscal year 1987.

(6) SOVIET-EAST EUROPEAN RESEARCH AND TRAINING.—For "Soviet-East European Research and Training", $4,800,000 for the fiscal year 1986 and $5,000,000 for the fiscal year 1987.

SEC. 102. PERMANENT AUTHORIZATIONS OF APPROPRIATIONS.

(a) OTHER AUTHORIZATION OF APPROPRIATIONS.—

(1) Except for authorizations cited in paragraph (2), the only amounts authorized to be appropriated for any fiscal year for the accounts described in section 101 are those amounts specifically authorized to be appropriated for those accounts.

(2) The other authorizations of appropriations referred to in paragraph (1) are those contained in section 24 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696), relating to increases in employee benefits authorized by law and to adverse fluctuations in foreign currency exchange rates and overseas wage and price changes, and in section 821 of the Foreign Service Act of 1980 (22 U.S.C. 4061), relating to the Foreign Service Retirement and Disability Fund.

(b) NOTIFICATION TO AUTHORIZING COMMITTEES OF CERTAIN REQUESTS FOR APPROPRIATIONS.—In any fiscal year, whenever the Secretary of State submits to the Congress a request for appropriations pursuant to the au-

thorizations described in subsection (a)(2), the Secretary shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of such request.

SEC. 103. UNITED NATIONS PEACEKEEPING FORCES.

The Act entitled "An Act to authorize United States payments to the United Nations for expenses of the United Nations peacekeeping forces in the Middle East, and for other purposes", approved June 19, 1975 (89 Stat. 216), is amended by striking out "there is hereby authorized to be appropriated to the Department of State" and inserting in lieu thereof the following: "the Secretary of State may, to the extent funds are authorized and appropriated for this purpose, make payments of".

SEC. 104. SECURITY EARMARK.

Of the amounts authorized to be appropriated for "Administration of Foreign Affairs" by section 101(1), not less than $311,000,000 for the fiscal year 1986 shall be available only for security-related capital projects and improvements and the salaries and expenses associated with security-related personnel.

SEC. 105. LIAISON BY THE NATIONAL COMMISSION ON EDUCATIONAL, SCIENTIFIC, AND CULTURAL COOPERATION.

Of the amounts authorized to be appropriated for "Administration of Foreign Affairs" by section 101(1), $250,000 for fiscal year 1986 and $250,000 for the fiscal year 1987 shall be made available to the National Commission on Educational, Scientific, and Cultural Cooperation in order to enable the Commission to maintain a liaison between the United States Government, the United States educational, scientific, cultural, and communications communities, and the United Nations Educational, Scientific, and Cultural Organization (UNESCO).

SEC. 106. AUSTRALIAN BICENTENNIAL.

(a) FINDING.—The Congress finds that the American-Australian Bicentennial Foundation, a private, nonprofit corporation established in 1983 for the purpose of coordinating all United States official and private participation in the 1988 Australian Bicentennial celebration, deserves and needs financial support to effectively carry out that purpose.

(b) GRANT TO AMERICAN-AUSTRALIAN BICENTENNIAL FOUNDATION.—From the amounts authorized to be appropriated for "Administration of Foreign Affairs" by section 101(1), the Secretary of State may make a grant in each of the fiscal years 1986 and 1987 to the American-Australian Bicentennial Foundation in support of its programs and operations to prepare for United States participation in the Australian Bicentennial celebration.

(c) AUTHORITY OF USIA NOT AFFECTED.—Subsection (b) shall not be construed to affect the authority delegated to the Director of the United States Information Agency under section 102(a)(3) of the Mutual Education and Cultural Exchange Act of 1961 (22 U.S.C. 2452(a)(3)).

SEC. 107. WORLD COMMISSION ON ENVIRONMENT AND DEVELOPMENT.

Of the amounts authorized to be appropriated for "International Organizations and Conferences" by section 101(2), $750,000 for each of the fiscal years 1986 and 1987 shall be available only for a voluntary contribution to the World Commission on Environment and Development.

SEC. 108. EARMARKING OF REFUGEE ASSISTANCE FUNDS.

Of the amounts authorized to be appropriated for "Migration and Refugee Assistance" by section 101(4)—

(1) $12,500,000 for the fiscal year 1986 and $25,000,000 for the fiscal year 1987 shall be available only for assistance for refugees resettling in Israel;

(2) $56,000,000 for the fiscal year 1986 and $56,000,000 for the fiscal year 1987 shall be available only for assistance for African refugees; and

(3) $2,500,000 for the fiscal year 1986 and $1,750,000 for the fiscal year 1987 shall be available to combat piracy in the Gulf of Thailand, for assistance to pirate victims, to promote the rescue of refugees in distress at sea in Southeast Asia, and to strengthen protection measures for Indochinese boat refugees.

SEC. 109. INTERNATIONAL COMMITTEE OF THE RED CROSS.

(a) FINDINGS.—The Congress finds that—

(1) the International Committee of the Red Cross carries out humanitarian missions vital to the United States, including—

(A) the promulgation and implementation of international humanitarian law;

(B) the protection of prisoners of war and of noncombatants in time of conflict;

(C) the protection of political prisoners;

(D) assistance in tracing persons who have disappeared in conflicts or for political reasons;

(E) the provision of medicine, food, and essential assistance to refugees and other victims of man-made disasters; and

(F) assistance in family reunification;

(2) the scope and number of activities carried out by the International Committee of the Red Cross have, as a result of recent global developments, necessarily increased; and

(3) there is an urgent need for increased support from the international community for the regular budget and special appeals of the International Committee of the Red Cross.

(b) UNITED STATES POLICY.—It is the policy of the United States—

(1) to contribute to the International Committee of the Red Cross, in any financial year, an amount not less than 20 percent of the regular budget of the International Committee of the Red Cross; and

(2) to support generously the special appeals made by the International Committee of the Red Cross.

(c) EARMARKING.—Of the amounts authorized to be appropriated for "Migration and Refugee Assistance" by section 101(4), not less than $4,500,000 for each of the fiscal years 1986 and 1987 shall be available only for contribution to the regular budget of the International Committee of the Red Cross.

(d) CONFORMING AMENDMENT.—Section 105 of the Foreign Relations Authorization Act, Fiscal Year 1978, is repealed.

SEC. 110. LIMITATIONS ON USE OF MIGRATION AND REFUGEE ASSISTANCE FUNDS.

Of the amounts authorized to be appropriated for "Migration and Refugee Assistance" by section 101(4), not more than $2,000,000 for the fiscal year 1986 and not more than $2,000,000 for the fiscal year 1987 may be used for enhanced reception and placement services.

SEC. 111. RESTRICTIONS ON FOREIGN ASSISTANCE NOT APPLICABLE TO MIGRATION AND REFUGEE ASSISTANCE.

Section 2 of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601) is amended by adding at the end thereof the following new subsection:

"(f) The President may furnish assistance and make contributions under this Act notwithstanding any provision of law which restricts assistance to foreign countries.".

SEC. 112. PERSONAL SERVICES ABROAD RELATING TO MIGRATION AND REFUGEE ASSISTANCE.

(a) AUTHORITY.—Section 5(a) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2605) is amended—

(1) by striking out "and" at the end of paragraph (5);

(2) by redesignating existing paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following new paragraph (6):

"(6) contracting for personal services abroad, and individuals employed by contract to perform such services shall not be considered to be employees of the United States for purposes of any law administered by the Office of Personnel Management, except that the Secretary of State may determine the applicability to such individuals of section 2(f) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(f)) and of any other law administered by the Secretary concerning the employment of such individuals abroad; and".

(b) EFFECTIVE DATE.—Authority provided by the amendment made by subsection (a) shall only apply with respect to funds appropriated after the date of the enactment of this Act.

SEC. 113. AUDITS OF U.S. FUNDS RECEIVED BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES.

The Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601 et seq.) is amended by adding at the end thereof the following new section:

"SEC. 8. AUDITS OF U.S. FUNDS RECEIVED BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES.

"(a) PROGRAM AUDITS.—Funds may not be made available to the United Nations High Commissioner for Refugees under this or any other Act unless by June 1, 1986, the High Commissioner provides for—

"(1) annual program audits by an independent consultant, as selected by the Executive Committee of the United Nations High Commissioner for Refugees, to determine the use of such funds, including audits of the use of such funds by private and voluntary organizations; and

"(2) such audits to be made available through the Executive Committee to the Department of State and for inspection by the Comptroller General of the United States.

"(b) INSPECTION AND REPORT BY COMPTROLLER GENERAL.—The Comptroller General of the United States shall inspect each such audit and submit a report of that inspection to the Congress.

"(c) FIRST PROGRAM AUDIT.—The first program audit pursuant to subsection (a)(1) shall begin not later than June 1, 1986.".

SEC. 114. AUTHORIZED USES OF APPROPRIATED FUNDS.

Section 2 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669) is amended in the text preceding paragraph (a) by striking out ", when funds are appropriated therefor, may" and inserting in lieu thereof "may use funds appropriated or otherwise available to the Secretary to".

SEC. 115. ASSISTANT SECRETARIES OF STATE.

(a) NUMBER OF ASSISTANT SECRETARIES.—The first section of the Act entitled "An Act to strengthen and improve the organization and administration of the Department of State, and for other purposes", approved May 26, 1949 (22 U.S.C. 2652), is amended by striking out "thirteen" and inserting in lieu thereof "fourteen".

(b) POSITIONS AT LEVEL IV OF THE EXECUTIVE PAY SCHEDULE.—Section 5315 of title 5, United States Code, is amended—

(1) by striking out "Director, Bureau of Intelligence and Research, Department of State."; and

(2) by striking out "(13)" following "Assistant Secretaries of State" and inserting in lieu thereof "(14)".

SEC. 116. UNDER SECRETARY OF STATE FOR ECONOMIC AND AGRICULTURAL AFFAIRS.

(a) REDESIGNATION.—The first section of the Act entitled "An Act to strengthen and improve the organization and administration of the Department of State, and for other purposes", approved May 26, 1949 (22 U.S.C. 2652), is amended by striking out "Under Secretary of State for Economic Affairs" and inserting in lieu thereof "Under Secretary of State for Economic and Agricultural Affairs".

(b) CONFORMING AMENDMENT.—Section 5314 of title 5, United States Code, is amended by striking out "Under Secretary of State for Economic Affairs" and inserting in lieu thereof "Under Secretary of State for Economic and Agricultural Affairs".

SEC. 117. DETAIL OF OFFICERS AND EMPLOYEES.

Section 11(a) of the Department of State Appropriations Authorization Act of 1973 (22 U.S.C. 2685(a)) is amended by inserting in the second sentence after "does not exceed one year," the following: "or if the number of officers and employees so detailed, assigned, or otherwise made available at any one time does not exceed fifteen and the period of any such detail, assignment, or availability of an officer or employee does not exceed two years,".

SEC. 118. CERTAIN INDIVIDUALS EMPLOYED ABROAD DEEMED TO BE EMPLOYEES OF UNITED STATES FOR CERTAIN PURPOSES.

(a) AUTHORITY.—Section 2(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(c)) is amended by inserting before the semicolon "for purposes of any law administered by the Office of Personnel Management (except that the Secretary may determine the applicability to such individuals of subsection (f) and of any other law administered by the Secretary concerning the employment of such individuals abroad)".

(b) EFFECTIVE DATE.—Authority provided by the amendment made by subsection (a) shall only apply with respect to funds appropriated after the date of the enactment of this Act.

SEC. 119. APPOINTMENTS TO THE SENIOR FOREIGN SERVICE BY THE SECRETARY OF COMMERCE.

(a) LIMITED APPOINTMENT TO SENIOR FOREIGN SERVICE IN DEPARTMENT OF COMMERCE.—Section 305 of the Foreign Service Act of 1980 (22 U.S.C. 3945) is amended by adding at the end thereof the following new subsection:

"(c)(1) Appointments to the Senior Foreign Service by the Secretary of Commerce shall be excluded in the calculation and application of the limitation in subsection (b).

"(2) Except as provided in paragraph (3), no more than one individual (other than an individual with reemployment rights under section 310 as a career appointee in the Senior Executive Service) may serve under a limited appointment in the Senior Foreign Service in the Department of Commerce at any time.

"(3) The Secretary of Commerce may appoint an individual to a limited appointment in the Senior Foreign Service for a specific position abroad if—

"(A) no career member of the Service who has the necessary qualifications is available to serve in the position; and

"(B) the individual appointed has unique qualifications for the specific position.".

(b) CONFORMING AMENDMENT.—Section 2403(c) of such Act (22 U.S.C. 3901 note) is repealed.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 1985.

SEC. 120. PILOT PROJECT FOR FOREIGN SERVICE ASSOCIATES.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that the national interest of the United States would be well served by making more productive use in United States missions abroad of the resources that spouses of American personnel assigned to missions abroad are qualified to provide.

(b) PILOT PROJECT.—(1) The Secretary of State is authorized to design, conduct, and evaluate a pilot project to test appropriate means of increasing employment of qualified spouses of American personnel assigned to United States missions. The intent of the pilot project shall be to construct a feasible program within which spouses' education, training, and relevant work experience can be used effectively within the mission and in the furthering of United States interests in the host country.

(2) The Secretary shall conduct the pilot project described in paragraph (1) in accordance with section 311(b) of the Foreign Service Act of 1980 (22 U.S.C. 3951(b)).

(c) COMMENCEMENT OF DESIGN PHASE.—The Secretary shall undertake the design phase of the pilot project upon the enactment of this Act.

(d) REPORT.—The Secretary shall report to the Congress by February 1, 1986, on the design of the project and plans for its implementation and evaluation. The report shall include an evaluation of the effects of the pilot program on the full-time career positions in the Foreign Service and on the positions for foreign service nationals.

SEC. 121. FEASIBILITY STUDY OF A LATERAL ENTRY PROGRAM INTO THE FOREIGN SERVICE FOR BUSINESSMEN AND FARMERS.

(a) STUDY.—The Secretary of State shall conduct a comprehensive study on the feasibility and desirability of creating a program of lateral entry into the Foreign Service for American businessmen, farmers, and other occupations. This study shall analyze the need for such a program by determining whether or not the personnel of the Foreign Service is composed of many people with a diversity of backgrounds such as business, farming, or other endeavors. The study shall also analyze the costs of putting such a program into effect.

(b) REPORT.—The Secretary of State shall report the results of such a study to the Congress no later than 180 days after the date of the enactment of this Act.

SEC. 122. HEALTH CARE BENEFITS.

Section 904 of the Foreign Service Act of 1980 (22 U.S.C. 4084) is amended—

(1) in subsection (a), by striking out "may" and inserting in lieu thereof "shall";

(2) in subsection (b), by inserting ", and other preventive and remedial care and services as necessary," after "inoculations or vaccinations"; and

(3) by amending subsection (d) to read as follows:

"(d) If an individual eligible for health care under this section incurs an illness, injury, or medical condition which requires treatment while assigned to a post abroad or located overseas pursuant to Government authorization, the Secretary may pay the cost of such treatment.".

SEC. 123. FOREIGN SERVICE INSTITUTE FACILITIES.

(a) PURPOSE.—The purpose of this section is to promote comprehensive training to meet the foreign relations and national security objectives of the United States and to provide facilities designed for that purpose to assure cost efficient training.

(b) CONSTRUCTION OF TRAINING FACILITIES.—The Administrator of General Services may construct a consolidated training facility for the Foreign Service Institute on a site made available by the Secretary of State or acquired by the Administrator of General Services. Such site shall be located outside the District of Columbia but within reasonable proximity to the Department of State. The Administrator of General Services may carry out this subsection only to the extent that funds are provided in advance in appropriation Acts to the Department of State and are transferred to the Administrator of General Services for carrying out this section.

(c) USE OF FUNDS.—(1) Of amounts authorized to be appropriated to the Department of State for fiscal years 1986 and 1987 for "Administration of Foreign Affairs" by section 101(1), a total of not to exceed $11,000,000 may be transferred by the Secretary of State to the Administrator of General Services for carrying out feasibility studies, site acquisition, and design, architectural, and engineering planning under subsection (b) of this section.

(2) Of amounts authorized to be appropriated to the Department of State for fiscal years beginning after September 30, 1987, for "Administration of Foreign Affairs", a total not to exceed $50,000,000 may be transferred by the Secretary of State to the Administrator of General Services for carrying out construction under subsection (b) of this section.

(3) Funds may not be obligated for construction of a facility under this section before the end of the period of 30 days of continuous session of Congress beginning on the date on which plans and estimates developed to carry out this section are submitted to the Committees on Foreign Affairs and Public Works and Transportation of the House of Representatives and the Committees on Foreign Relations and Environment and Public Works of the Senate. In determining days of continuous session of Congress for purposes of this paragraph—

(A) continuity of session is broken only by an adjournment of Congress sine die; and

(B) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the determination.

If both Houses of Congress are not in session on the day any plans and estimates are submitted to such committees, such submittal shall be deemed to have been submitted on the first succeeding day on which both Houses are in session. If all such committees do not receive a submittal on the same day, such period shall not begin until the date on which all such committees have received it.

(d) JURISDICTION AND CUSTODY.—The facility constructed under this section and the site of such facility shall be under jurisdiction and in the custody of the Administrator of General Services.

(e) OPERATION, MAINTENANCE, SECURITY, ALTERATION, AND REPAIR.—(1) The Administrator of General Services shall delegate, in accordance with section 205 of the Federal Property and Administrative Services Act of

1949 (40 U.S.C. 486) and section 15 of the Public Buildings Act of 1959 (40 U.S.C. 614), to the Secretary of State responsibility for the operation, maintenance, and security of and alterations and repairs to the facility constructed pursuant to this section, provided the facility is used by the Secretary for the purposes authorized by this section.

(2) Not later than three months after occupancy of such facility, the Secretary of State and the Administrator of General Services shall each submit a report to the Committee on Foreign Affairs and the Committee on Public Works and Transportation of the House of Representatives, and to the Committee on Foreign Relations and the Committee on Environment and Public Works of the Senate, on the delegation of responsibility, pursuant to paragraph (1), for the operation, maintenance, and security of and alterations and repairs to the facility constructed pursuant to this section.

(f) EXEMPTION FROM PAYMENT OF CHARGES.—(1) Except as provided in paragraph (2), the Department of State shall be exempt from the charges required by section 210(j) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(j)) for the use of the facility constructed under this section for the Foreign Service Institute.

(2) The Administrator of General Services shall charge the Department of State under such section 210(j) for the costs of any operation, maintenance, repairs, or alterations of such facility carried out by the Administrator of General Services.

SEC. 124. INTERNATIONAL CENTER.

The International Center Act is amended—

(1) in section 2—

(A) by striking out "Administrator of General Services" and inserting in lieu thereof "Secretary of State, in consultation with the Administrator of General Services,"; and

(B) by striking out "conveyed pursuant to" and inserting in lieu thereof "described in"; and

(2) in section 4—

(A) by redesignating clauses (a) through (e) as clauses (1) through (5), respectively, and by redesignating clause (f) as clause (7);

(B) by inserting "(a)" after "SEC. 4.";

(C) by striking out "and" at the end of clause (5), as redesignated by subparagraph (A), and inserting after such clause (5) the following: "(6) facilities for security and maintenance, and"; and

(D) by adding at the end of such section the following new subsection:

"(b) The Secretary of State shall periodically advise the Committees on Foreign Affairs and Public Works and Transportation of the House of Representatives and the Committee on Foreign Relations of the Senate on construction of facilities for security or maintenance under this section.".

SEC. 125. SPECIAL AGENTS.

(a) AUTHORITY RELATING TO INVESTIGATIONS, PROTECTION, ARRESTS, AND CARRYING FIREARMS.—Title I of the State Department Basic Authorities Act of 1956 is amended by redesignating section 37 as section 38 and by inserting the following new section 37 after section 36:

"SEC. 37. SPECIAL AGENTS.

"(a) GENERAL AUTHORITY.—Under such regulations as the Secretary of State may prescribe, special agents of the Department of State and the Foreign Service may—

"(1) conduct investigations concerning illegal passport or visa issuance or use;

"(2) for the purpose of conducting such investigations—

"(A) obtain and execute search and arrest warrants, and

"(B) obtain and serve subpoenas and summonses issued under the authority of the United States;

"(3) protect and perform protective functions directly related to maintaining the security and safety of—

"(A) heads of a foreign state, official representatives of a foreign government, and other distinguished visitors to the United States, while in the United States;

"(B) the Secretary of State, Deputy Secretary of State, and official representatives of the United States Government, in the United States or abroad;

"(C) members of the immediate family of persons described in subparagraph (A) or (B); and

"(D) foreign missions (as defined in section 202(a)(4) of this Act) and international organizations (as defined in section 209(b) of this Act), within the United States;

"(4) if designated by the Secretary and qualified, under regulations approved by the Attorney General, for the use of firearms, carry firearms for the purpose of performing the duties authorized by this section; and

"(5) arrest without warrant any person for a violation of section 111, 112, 351, 911, 970, 1001, 1028, 1541, 1542, 1543, 1544, 1545, or 1546 of title 18, United States Code—

"(A) in the case of a felony violation, if the special agent has reasonable grounds to believe that such person—

"(i) has committed or is committing such violation; and

"(ii) is in or is fleeing from the immediate area of such violation; and

"(B) in the case of a felony or misdemeanor violation, if the violation is committed in the presence of the special agent.

"(b) AGREEMENT WITH ATTORNEY GENERAL AND FIREARMS REGULATIONS.—

"(1) AGREEMENT WITH ATTORNEY GENERAL.—The authority conferred by paragraphs (1), (2), (4), and (5) of subsection (a) shall be exercised subject to an agreement with the Attorney General and shall not be construed to affect the investigative authority of any other Federal law enforcement agency.

"(2) FIREARMS REGULATIONS.—The Secretary of State shall prescribe regulations, which shall be approved by the Attorney General, with respect to the carrying and use of firearms by special agents under this section.

"(c) SECRET SERVICE NOT AFFECTED.—Nothing in subsection (a)(3) shall be construed to preclude or limit in any way the authority of the United States Secret Service to provide protective services pursuant to section 202 of title 3, United States Code, or section 3056 of title 18, United States Code, at a level commensurate with protective requirements as determined by the United States Secret Service. The Secretary of State, the Attorney General, and the Secretary of the Treasury shall enter into an interagency agreement with respect to their law enforcement functions.

"(d) TRANSMISSION OF REGULATIONS TO CONGRESS.—The Secretary of State shall transmit the regulations prescribed under this section to the Committee on Foreign Affairs and the Committee on the Judiciary of the House of Representatives and the Committee on Foreign Relations of the Senate not less than 20 days before the date on which such regulations take effect.".

(b) CONFORMING AMENDMENT.—Section 32 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2704) is amended by striking out "security officers" and inserting in lieu thereof "special agents".

(c) REPEAL OF EXISTING AUTHORITY.—Section 4 of the Act entitled "An Act to provide authority to protect heads of foreign states and other officials" approved August 27, 1964 (22 U.S.C. 2667), and the Act entitled "An Act to authorize certain officers and employees of the Department of State and the Foreign Service to carry firearms" approved June 28, 1955 (22 U.S.C. 2666), are repealed.

SEC. 126. EXTRAORDINARY PROTECTIVE SERVICES FOR FOREIGN MISSIONS.

(a) PERMANENT AUTHORIZATION.—Title II of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4301 et seq.) is amended by adding at the end thereof the following:

"SEC. 214. EXTRAORDINARY PROTECTIVE SERVICES.

"(a) GENERAL AUTHORITY.—The Secretary may provide extraordinary protective services for foreign missions directly, by contract, or through State or local authority to the extent deemed necessary by the Secretary in carrying out this title, except that the Secretary may not provide under this section any protective services for which authority exists to provide such services under sections 202(7) and 208 of title 3, United States Code.

"(b) REQUIREMENT OF EXTRAORDINARY CIRCUMSTANCES.—The Secretary may provide funds to a State or local authority for protective services under this section only if the Secretary has determined that a threat of violence, or other circumstances, exists which requires extraordinary security measures which exceed those which local law enforcement agencies can reasonably be expected to take.

"(c) CONSULTATION WITH CONGRESS BEFORE OBLIGATION OF FUNDS.—Funds may be obligated under this section only after regulations to implement this section have been issued by the Secretary after consultation with appropriate committees of the Congress.

"(d) RESTRICTIONS ON USE OF FUNDS.—Of the funds made available for obligation under this section in any fiscal year—

"(1) not more than 20 percent may be obligated for protective services within any single State during that year; and

"(2) not less than 15 percent shall be retained as a reserve for protective services provided directly by the Secretary or for expenditures in local jurisdictions not otherwise covered by an agreement for protective services under this section.

The limitations on funds available for obligation in this subsection shall not apply to unobligated funds during the final quarter of any fiscal year.

"(e) PERIOD OF AGREEMENT WITH STATE OR LOCAL AUTHORITY.—Any agreement with a State or local authority for the provision of protective services under this section shall be for a period of not to exceed 90 days in any calendar year, but such agreements may be renewed after review by the Secretary.

"(f) REQUIREMENT FOR APPROPRIATIONS.—Contracts may be entered into in carrying out this section only to such extent or in such amounts as are provided in advance in appropriation Acts.

"(g) WORKING CAPITAL FUND.—Amounts used to carry out this section shall not be subject to section 208(h).".

(b) SECRET SERVICE NOT AFFECTED.—Section 204(e) of such Act (22 U.S.C. 4304(e)) is amended by striking out "section" and inserting in lieu thereof "title".

(c) AUTHORITY TO PROVIDE CERTAIN PROTECTIVE SERVICES BY CONTRACT.—Section 208(a) of title 3, United States Code, is

amended by inserting after the first sentence the following new sentence: "The Secretary of Treasury may carry out the functions pursuant to section 202(7) by contract.".

(d) REPEAL OF EXISTING AUTHORITY.—Section 605 of the Foreign Missions Amendments Act of 1983 (97 Stat. 1042) is repealed.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1985.

SEC. 127. PROTECTING UNITED STATES INTERESTS UNDER THE FOREIGN MISSIONS ACT.

(a) DETERMINATIONS RELATING TO TREATMENT TO FOREIGN MISSIONS.—Section 201(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4301(c)) is amended by inserting immediately before the period at the end thereof ", as well as matters relating to the protection of the interests of the United States".

(b) EXPANDING THE DEFINITION OF FOREIGN MISSION.—Section 202(a)(4) of such Act (22 U.S.C. 4302(a)(4)) is amended—

(1) by striking out "official mission to" and inserting in lieu thereof "mission to or agency in"; and

(2) by inserting before the comma at the end of subparagraph (B) "or which engages in some aspect of the conduct of the international affairs of such territory or political entity".

(c) CLARIFYING THAT THE SECRETARY CAN REQUIRE A FOREIGN MISSION TO FOREGO A BENEFIT.—Section 204(b) of such Act (22 U.S.C. 4304(b)) is amended by inserting "to forego the acceptance, use, or relation of any benefit or" after "(B)".

(d) CONSIDERATIONS RELATING TO REAL PROPERTY.—Section 205(b) of such Act (22 U.S.C. 4305(b)) is amended—

(1) by striking out "or" at the end of paragraph (1);

(2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; or"; and

(3) by adding at the end thereof the following new paragraph:

"(3) where otherwise necessary to protect the interests of the United States.".

(e) MANDATORY NOTIFICATION WITH RESPECT TO REAL PROPERTY DEALINGS OF FOREIGN MISSION.—Section 205(a)(1) of such Act (22 U.S.C. 4305(a)(1)) is amended—

(1) in the first sentence, by striking out "may" and inserting in lieu thereof "shall";

(2) in the first sentence, by inserting ", including any mission to an international organization (as defined in section 209(b)(2))," after "foreign mission"; and

(3) in the second sentence, by striking out "If such a notification is required, the" and inserting in lieu thereof "The".

SEC. 128. PEACEFUL RESOLUTION OF INTERNATIONAL DISPUTES.

Title I of the State Department Basic Authorities Act of 1956 (as amended by section 125 of this Act) is further amended by redesignating section 38 as section 39 and inserting after section 37 the following new section 38:

"SEC. 38. EXPENSES RELATING TO PARTICIPATION IN ARBITRATIONS OF CERTAIN DISPUTES.

"(a) INTERNATIONAL AGREEMENTS.—The Secretary of State may use funds available to the Secretary for the expenses of United States participation in arbitrations and other proceedings for the peaceful resolution of disputes under treaties or other international agreements.

"(b) CONTRACTS ABROAD.—The Secretary of State may use funds available to the Secretary for the expenses of United States participation in arbitrations arising under contracts authorized by law for the performance of services or acquisition of property, real or personal, abroad.".

SEC. 129. FURNISHING OF EXCESS GOVERNMENT-OWNED PROPERTY BY THE SECRETARY OF STATE.

Section 607 of the Foreign Assistance Act of 1961 (22 U.S.C. 2357) is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(B) by striking out "(c) No" and inserting in lieu thereof "(c)(1) Except as provided in subsection (d), no"; and

(C) by adding at the end thereof the following new paragraph:

"(2) For purposes of transferring property described in this subsection in furtherance of the provisions of chapter 8 of part I of this Act, the phrase 'the agency administering such part I' shall be considered to refer to the Department of State."; and

(2) by adding at the end thereof the following:

"(d) The Secretary of State, acting through the Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, is authorized to transfer to any friendly country, international organization, the American Red Cross, or other voluntary nonprofit relief agency described in subsection (a), Government-owned excess property made available under this section or section 608 in order to support activities carried out under part I of this Act which are designed to enhance environmental protection in foreign countries if the Secretary of State makes a written determination—

"(1) that there is a need for such property in the quantity requested and that such property is suitable for the purpose requested;

"(2) as to the status and responsibility of the designated end-user and his ability effectively to use and maintain such property; and

"(3) that the residual value, serviceability, and appearance of such property would not reflect unfavorably on the image of the United States and would justify the costs of packing, crating, handling, transportation, and other accessorial costs, and that the residual value at least equals the total of these costs.".

SEC. 130. OFFICIAL RESIDENCE OF SECRETARY OF STATE.

(a) CONGRESSIONAL REVIEW.—It is the sense of the Congress that the United States should not accept a gift of any house or other place of residence for the purpose of providing an official residence for the Secretary of State unless the Congress has had an opportunity to review the proposed gift.

(b) STUDY AND REPORT.—The Secretary of State shall conduct a study of any offer of a gift for the purpose of providing a place of official residence for the Secretary of State. Such study shall include an examination of the costs to the United States associated with accepting such gift, including the costs of acquisition, maintenance, security, and daily operation of a residence. The Secretary shall report the results of any study conducted under this section to the Committee on Foreign Affairs and the Committee on Public Works and Transportation of the House of Representatives and to the Committee on Foreign Relations and the Committee on Environment and Public Works of the Senate.

SEC. 131. STRENGTHENING THE PERSONNEL SYSTEM OF THE BUREAU OF INTERNATIONAL NARCOTICS MATTERS.

No later than 90 days after the date of the enactment of this Act, the Secretary of State shall report to the Congress on the status of proposals implemented or under consideration to improve the staffing and personnel management in the Bureau of International Narcotics Matters. This report shall explicitly discuss whether a narcotics specialist personnel category in the Foreign Service is an appropriate mechanism to serve these purposes and, if not, what alternatives are contemplated.

SEC. 132. SHARING OF INFORMATION CONCERNING DRUG TRAFFICKERS.

(a) REPORTING SYSTEMS.—In order to ensure that foreign narcotics traffickers are denied visas to enter the United States, as required by section 212(a)(23) of the Immigration and Naturalization Act (22 U.S.C. 1182(a)(23))—

(1) the Department of State shall cooperate with United States law enforcement agencies, including the Drug Enforcement Administration and the United States Customs Service, in establishing a comprehensive information system on all drug arrests of foreign nationals in the United States, so that that information may be communicated to the appropriate United States embassies; and

(2) the National Drug Enforcement Policy Board shall agree on uniform guidelines which would permit the sharing of information on foreign drug traffickers.

(b) REPORT.—Not later than six months after the date of the enactment of this Act, the Chairman of the National Drug Enforcement Policy Board shall submit a report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate on the steps taken to implement this section.

SEC. 133. EXTRADITION TREATIES.

The Secretary of State, with the assistance of the National Drug Enforcement Policy Board, shall increase United States efforts to negotiate updated extradition treaties relating to narcotics offenses with each major drug-producing country, particularly those in Latin America.

SEC. 134. RECOMMENDATION OF A TRAVEL ADVISORY ON THE STATE OF JALISCO, MEXICO.

(a) VIOLENCE AGAINST AMERICANS.—The Congress—

(1) deplores the brutal murder of Drug Enforcement Administration agent Enrique Camarena Salazar, and the abduction and disappearance of numerous other Americans, including John Clay Walker, Alberto Radelat, Dennis Carlson, Rose Carlson, Benjamin Mascarenas, and Patricia Mascarenas; and

(2) finds that the violence perpetrated by drug traffickers in Mexico constitute a danger to the safety of United States citizens living and traveling in the State of Jalisco, Mexico.

(b) TRAVEL ADVISORY.—The Congress, therefore, recommends that the Secretary of State issue a travel advisory warning United States citizens of the current dangers of traveling in the State of Jalisco, Mexico. Such travel advisory should remain in effect until those responsible for the abduction or murder of any of the United States citizens referred to in subsection (a)(1) have been brought to trial and a verdict has been obtained.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act and

each 90 days thereafter, the Secretary of State shall transmit a written report to the Congress on the progress made in the Camarena case, the investigations of the disappearance of United States citizens, and the general safety of United States tourists in Mexico.

SEC. 135. COMMENDATION OF AMBASSADOR TO MEXICO.

The Congress commends our fine Ambassador to Mexico, John Gavin, for insuring a full and complete investigation and prosecution of the murderers of Enrique Camerena and for his continuing advocacy of a strong drug enforcement program.

SEC. 136. SOVIET EMPLOYEES AT UNITED STATES DIPLOMATIC AND CONSULAR MISSIONS IN THE SOVIET UNION.

(a) LIMITATION.—To the maximum extent practicable, citizens of the Soviet Union shall not be employed as foreign national employees at United States diplomatic or consular missions in the Soviet Union after September 30, 1986.

(b) REPORT.—Should the President determine that the implementation of subsection (a) poses undue practical or administrative difficulties, he is requested to submit a report to the Congress describing the number and type of Soviet foreign national employees he wishes to retain at or in proximity to United States diplomatic and consular posts in the Soviet Union, the anticipated duration of their continued employment, the reasons for their continued employment, and the risks associated with the retention of these employees.

SEC. 137. RESPONSIBILITY OF UNITED STATES MISSIONS ABROAD TO PROVIDE SUPPORT FOR UNITED STATES BUSINESSES.

(a) FINDINGS.—The Congress finds that—

(1) the United States is faced with increasingly larger trade deficits every year;

(2) section 104 of the Foreign Service Act of 1980 provides that the members of the Foreign Service shall represent the interests of the United States in relation to foreign countries;

(3) section 207(c) of the Foreign Service Act of 1980 provides that each chief of mission to a foreign country shall have as a principal duty the promotion of United States goods for export to that country; and

(4) the promotion of United States business interests abroad is a fundamental aspect of United States relations with foreign countries.

(b) POLICY.—It is the sense of the Congress that it is imperative, and in the national interest of the United States, that each United States mission to a foreign country provide such support as may be necessary to United States citizens seeking to do business in that country.

SEC. 138. RESPONSIBILITY OF UNITED STATES MISSIONS TO PROMOTE FREEDOM OF THE PRESS ABROAD.

(a) RESPONSIBILITY.—The United States chief of mission to a foreign country in which there is not respect for freedom of the press shall actively promote respect for freedom of the press in that country.

(b) DEFINITION.—As used in this section, the term "respect for freedom of the press" means that a government—

(1) allows foreign news correspondents into the country and does not subject them to harassment or restrictions;

(2) allows nongovernment-owned press to operate in the country; and

(3) does not subject the press in the country to systematic censorship.

SEC. 139. EMERGENCY TELEPHONE SERVICE AT U.S. CONSULAR OFFICES.

It is the sense of the Congress that the Secretary of State should ensure that all United States consular offices are equipped with 24-hour emergency telephone service through which United States citizens can contact a member of the staff of any such office. The Secretary should publicize the telephone number of each such service for the information of United States citizens. Not more than 90 days after the date of the enactment of this Act, the Secretary shall submit a report to the Congress on steps taken in accordance with this section.

SEC. 140. RESPONSIBILITIES OF UNITED STATES REPRESENTATIVES TO INTERNATIONAL ORGANIZATIONS.

(a) FINDINGS.—The Congress finds that—

(1) international organizations of which the United States is a member are increasingly involved in the consideration of proposals that may have a significant impact on the interstate or foreign commerce of the United States; and

(2) these proposals are not always adequately publicized or considered pursuant to open and fair procedures available to interested persons.

(b) POLICY.—It is the sense of the Congress that—

(1) the United States representatives to United Nations-related agencies and to other international organizations should oppose the adoption of international marketing and distribution regulations or restrictions which unnecessarily impede the export of United States goods and services; and

(2) the Secretary of State, to the extent practicable, should publish procedures to provide interested persons with timely notice and an opportunity to comment on such regulations and restrictions under consideration in international organizations as the Secretary determines may significantly affect—

(A) the interstate or foreign commerce of the United States;

(B) the policies or programs of the United States Government; or

(C) any State significantly affected by interstate or foreign commerce.

SEC. 141. UNITED STATES RESPONSIBILITIES FOR EMPLOYEES OF THE UNITED NATIONS.

Title II of the State Department Basic Authorities Act of 1956 is amended by adding after section 209 (22 U.S.C. 4309) the following new section:

"SEC. 209A. UNITED STATES RESPONSIBILITIES FOR EMPLOYEES OF THE UNITED NATIONS.

"(a) FINDINGS.—The Congress finds that—

"(1) pursuant to the Agreement Between the United States and the United Nations Regarding the Headquarters of the United Nations (authorized by Public Law 80-357 (22 U.S.C. 287 note)), the United States has accepted—

"(A) the obligation to permit and to facilitate the right of individuals, who are employed by or are authorized by the United Nations to conduct official business in connection with that organization or its agencies, to enter into and exit from the United States for purposes of conducting official activities within the United Nations Headquarters District, subject to regulation as to points of entry and departure; and

"(B) the implied obligation to permit and to facilitate the acquisition of facilities in order to conduct such activities within or in proximity to the United Nations Headquarters District, subject to reasonable regulation including regulation of the location and size of such facilities; and

"(2) taking into account paragraph (1) and consistent with the obligation of the United States to facilitate the functioning of the United Nations, the United States has no additional obligation to permit the conduct of any other activities, including nonofficial activities, by such individuals outside of the United Nations Headquarters District.

"(b) ACTIVITIES OF UNITED NATIONS EMPLOYEES.—(1) The conduct of any activities, or the acquisition of any benefits (as defined in section 201(a)(1) of this title), outside the United Nations Headquarters District by any individual employed by, or authorized by the United Nations to conduct official business in connection with, that organization or its agencies, or by any person or agency acting on behalf thereof, may be permitted or denied or subject to reasonable regulation, as determined to be in the best interests of the United States and pursuant to this title.

"(2) The Secretary shall apply to those employees of the United Nations Secretariat who are nationals of a foreign country or members of a foreign mission all terms, limitations, restrictions, and conditions which are applicable pursuant to this title to the members of that country's mission or of any other mission to the United Nations unless the Secretary determines and reports to the Congress that national security and foreign policy circumstances require that this paragraph be waived in specific circumstances.

"(c) REPORTS.—The Secretary shall report to the Congress—

"(1) not later than 30 days after the date of the enactment of this section, on the plans of the Secretary for implementing this section; and

"(2) not later than 6 months thereafter, on the actions taken pursuant to those plans.

"(d) UNITED STATES NATIONALS.—This section shall not apply with respect to any United States national.

"(e) DEFINITIONS.—For purposes of this section, the term 'United Nations Headquarters District' means the area within the United States which is agreed to by the United Nations and the United States to constitute such a district, together with such other areas as the Secretary of State may approve from time to time in order to permit effective functioning of the United Nations or missions to the United Nations.".

SEC. 142. UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS IF ISRAEL EXPELLED.

Section 115(b) of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287 note) is amended by striking out the last sentence and inserting in lieu thereof the following: "The United States shall reduce its annual assessed contribution to the United Nations or such specialized agency by 8.34 percent for each month in which United States participation is suspended pursuant to this section.".

SEC. 143. UNITED NATIONS ORGANIZATIONS REFORM IN BUDGET PROCEDURES.

(a) FINDINGS.—The Congress finds that the United Nations and its specialized agencies which are financed through assessed contributions of member states have not paid sufficient attention in the development of their budgets to the views of the member governments who are major financial contributors to those budgets.

(b) VOTING RIGHTS.—In order to foster greater financial responsibility in preparation of the budgets of the United Nations and its specialized agencies which are financed through assessed contributions, the

Secretary of State shall seek the adoption by the United Nations and its specialized agencies of procedures which grant voting rights to each member state on matters of budgetary consequence. Such voting rights shall be proportionate to the contribution of each such member state to the budget of the United Nations and its specialized agencies.

(c) LIMITATION ON ASSESSED CONTRIBUTIONS.—No payment may be made for an assessed contribution to the United Nations or its specialized agencies in excess of 20 percent of the total annual budget of the United Nations or its specialized agencies (respectively) for the United States fiscal year 1987 and following years unless the United Nations and its specialized agencies have adopted the voting rights referred to in subsection (b).

SEC. 144. LIMITATION ON ASSESSED PAYMENTS TO THE UNITED NATIONS.

Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note), is amended in subsection (a)—

(1) by striking out "and" at the end of paragraph (2);

(2) by striking out the period at the end of paragraph (3) and inserting in lieu thereof a semicolon; and

(3) by adding at the end of the subsection the following:

"(4) 25 percent of the amount budgeted for that year for the Second Decade to Combat Racism and Racial Discrimination;

"(5) 25 percent of the amount budgeted for any other United Nations agency or conference whose sole or partial purpose is to implement the provisions of General Assembly Resolution 33/79; and

"(6) 25 percent of the amount budgeted for the General Assembly-approved $73,500,000 conference center to be constructed for the Economic Commission for Africa (ECA) in the Ethiopian capital of Addis Ababa.".

SEC. 145. INTERNATIONAL JUTE ORGANIZATION.

The President is authorized to maintain membership of the United States in the International Jute Organization.

SEC. 146. INTELSAT.

(a) POLICY.—The Congress declares that it is the policy of the United States—

(1) as a party to the International Telecommunications Satellite Organization (hereafter in this section referred to as "Intelsat"), to foster and support the global commercial communications satellite system owned and operated by Intelsat;

(2) to make available to consumers a variety of communications satellite services utilizing the space segment facilities of Intelsat and any additional such facilities which are found to be in the national interest and which—

(A) are technically compatible with the use of the radio frequency spectrum and orbital space by the existing or planned Intelsat space segment, and

(B) avoid significant economic harm to the global system of Intelsat; and

(3) to authorize use and operation of any additional space segment facilities only if the obligations of the United States under article XIV(d) of the Intelsat Agreement have been met.

(b) PRECONDITIONS FOR INTELSAT CONSULTATION.—Before consulting with Intelsat for purposes of coordination of any separate international telecommunications satellite system under article XIV(d) of the Intelsat Agreement, the Secretary of State shall—

(1) in coordination with the Secretary of Commerce, ensure that any proposed separate international satellite telecommunications system comply with the Executive Branch conditions established pursuant to the Presidential Determination No. 85-2; and

(2) ensure that one or more foreign authorities have authorized the use of such system consistent with such conditions.

(c) AMENDMENT OF INTELSAT AGREEMENT.—(1) The Secretary of State shall consult with the United States signatory to Intelsat and the Secretary of Commerce regarding the appropriate scope and character of a modification to article V(d) of the Intelsat Agreement which would permit Intelsat to establish cost-based rates for individual traffic routes, as exceptional circumstances warrant, paying particular attention to the need for avoiding significant economic harm to the global system of Intelsat as well as United States national and foreign policy interests.

(2)(A) To ensure that rates established by Intelsat for such routes are cost-based, the Secretary of State, in consultation with the Secretary of Commerce and the Chairman of the Federal Communications Commission, shall instruct the United States signatory to Intelsat to ensure that sufficient documentation, including documentation regarding revenues and costs, is provided by Intelsat so as to verify that such rates are in fact cost-based.

(B) To the maximum extent possible, such documentation will be made available to interested parties on a timely basis.

(3) Pursuant to the consultation under paragraph (1) and taking the steps prescribed in paragraph (2) to provide documentation, the United States shall support an appropriate modification to article V(d) of the Intelsat Agreement to accomplish the purpose described in paragraph (1).

(d) CONGRESSIONAL CONSULTATION.—In the event that, after United States consultation with Intelsat for the purposes of coordination under article XIV(d) of the Intelsat Agreement for the establishment of a separate international telecommunications satellite system, the Assembly of Parties of Intelsat fails to recommend such a separate system, and the President determines to pursue the establishment of a separate system notwithstanding the Assembly's failure to approve such system, the Secretary of State, after consultation with the Secretary of Commerce, shall submit to the Congress a detailed report which shall set forth—

(1) the foreign policy reasons for the President's determination, and

(2) a plan for minimizing any negative effects of the President's action on Intelsat and on United States foreign policy interests.

(e) NOTIFICATION TO FEDERAL COMMUNICATIONS COMMISSION.—In the event the Secretary of State submits a report under subsection (d), the Secretary, 60 calendar days after the receipt by the Congress of such report, shall notify the Federal Communications Commission as to whether the United States obligations under article XIV(d) of the Intelsat Agreement have been met.

(f) IMPLEMENTATION.—In implementing the provisions of this section, the Secretary of State shall act in accordance with Executive order 12046.

(g) DEFINITION.—For the purposes of this section, the term "separate international telecommunications satellite system" or "separate system" means a system of one or more telecommunications satellites separate from the Intelsat space segment which is established to provide international telecommunications services between points within the United States and points outside the United States, except that such term shall not include any satellite or system of satellites established—

(1) primarily for domestic telecommunications purposes and which incidentally provides services on an ancillary basis to points outside the jurisdiction of the United States but within the western hemisphere, or

(2) solely for unique governmental purposes.

SEC. 147. SOVIET AND COMMUNIST DISINFORMATION AND PRESS MANIPULATION.

Not later than one year after the date of the enactment of this Act, the Secretary of State shall prepare, in consultation with the heads of relevant Federal departments and agencies, and shall transmit to the Speaker of the House of Representatives, and to the Chairman of the Committee on Foreign Relations of the Senate, an unclassified report on Soviet and Communist disinformation and press manipulation with respect to the United States. Such report shall include a recommendation by the President on the advisability of establishing, within the Department of State, a permanent office of Soviet disinformation and press manipulation. In conducting the study required by this section the Secretary may make use of suitably qualified scholars and journalists.

SEC. 148. MURDER OF MAJOR ARTHUR D. NICHOLSON, JUNIOR.

It is the sense of the Congress that the United States should declare persona non grata one or more senior defense attaches of the Soviet Union's mission to the United States unless the President certifies to the Congress, within 90 days after the date of the enactment of this Act—

(1) that the Soviet Union has made a formal apology for the murder of Major Arthur D. Nicholson, Junior; and

(2) that the Soviet Union has provided satisfactory assurances that it will adhere to agreements concerning the status and safety of military and civilian missions of western nations in the German Democratic Republic.

SEC. 149. INTER-AMERICAN COOPERATION IN SPACE, SCIENCE, AND TECHNOLOGY.

The Secretary of State shall conduct an in-depth study of the feasibility and the economic and political benefits of the establishment of a major initiative in Inter-American Cooperation in Space, Science, and Technology. Not more than one year after the date of the enactment of this Act, the Secretary shall submit a report to the Congress on the findings of such study and shall include recommendations for implementing such an initiative.

SEC. 150. DEPARTMENT OF STATE INSPECTOR GENERAL.

(a) ESTABLISHMENT UNDER INSPECTOR GENERAL ACT.—(1) Section 2(l) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) by striking out "and" immediately before "the Veterans' Administration"; and

(B) by inserting immediately before the semicolon ", and the Department of State".

(2) Section 11 of such Act is amended—

(1) in paragraph (1), by inserting "State," after "Labor,"; and

(2) in paragraph (2), by inserting "State," after "Labor,".

(b) LIMITATION ON AUTHORITY OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE AND THE FOREIGN SERVICE.—Notwithstanding section 209 of the Foreign Service Act of 1980 (22 U.S.C. 3929), any individual appointed to or serving in the capacity of the Inspector General of the Department of State and the

Foreign Service shall be designated as the "Program Inspector General" and may only perform such functions (utilizing appropriate authority under such section) as may be necessary for the purposes of carrying out subsection (g) of such section.

(c) REPORT.—Not later than six months after the date of the enactment of this Act, the Secretary of State shall submit a report to the Congress on the steps the Secretary has undertaken to implement the provisions of the amendment made by subsection (a).

SEC. 151. EMPLOYEES OF THE UNITED NATIONS.

(a) INITIAL REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of State shall report to the Congress on whether, and the extent to which, international civil servants employed by the United Nations, including those seconded to the United Nations, are required to return all or part of their salaries to their respective governments. The Secretary shall also include in this report a description of the steps taken by the Department of State and by the United States Representative to the United Nations to correct this practice.

(b) REPORT ON STEPS TO CORRECT PRACTICE.—The Secretary of State shall determine and report to the Congress on whether substantial progress has been made by June 1, 1986, in correcting the practice of international civil servants employed by the United Nations being required to return all or part of their salaries to their respective governments.

(c) REDUCTION IN CONTRIBUTION IF SUBSTANTIAL PROGESS NOT MADE.—If the Secretary of State determines pursuant to subsection (b) that substantial progress has not been made in correcting this practice, the Secretary shall submit recommendations to the Congress together with the report required in subsection (b) as to corrective measures to be taken, including a reduction of the amount of the United States annual assessed contribution to the United Nations by the amount of that contribution which is the United States proportionate share of the salaries of those international civil servants employed by the United Nations who are returning any portion of their salaries to their respective governments.

(d) NATIONAL TAXATION.—This section does not apply with respect to payments made for purposes of national taxation in accordance with formal treaty reservations concerning such taxation by a member state of the United Nations.

SEC. 152. REPRESENTATION OF MINORITIES AND WOMEN IN THE FOREIGN SERVICE.

(a) DEVELOPMENT OF PROGRAM.—The head of each agency utilizing the Foreign Service personnel system shall develop, consistent with section 7201 of title 5 of the United States Code, a plan designed to increase significantly the number of members of minority groups and women in the Foreign Service in that agency.

(b) EMPHASIS ON MID-LEVELS.—Each plan developed pursuant to this section shall, consistent with section 7201 of title 5 of the United States Code, place particular emphasis on achieving significant increases in the numbers of minority group members and women who are in the mid-levels of the Foreign Service.

(c) REPORTS TO CONGRESS.—The head of each agency utilizing the Foreign Service personnel system shall report annually to the Congress on the plan developed pursuant to this section as part of the report required to be submitted pursuant to section 105(d)(2) of the Foreign Service Act of 1980. Subsequent reports pursuant to that section shall include reports on the implementation of these plans, giving particular attention to the progress being made in increasing, through advancement and promotion, the numbers of members of minority groups and women in the mid-levels of the Foreign Service.

SEC. 153. BOARD OF THE FOREIGN SERVICE.

Section 210 of the Foreign Service Act of 1980 (22 U.S.C. 3930) is amended by striking out "a career member of the Senior Foreign Service designated by the Secretary of State" in the second sentence and inserting in lieu thereof "an individual appointed by the President".

SEC. 154. DAMAGES RESULTING FROM DELAYS IN THE CONSTRUCTION OF THE UNITED STATES EMBASSY IN MOSCOW.

(a) RESTRICTION; REIMBURSEMENT FOR DAMAGES INCURRED.—The Secretary of State shall not permit the Soviet Union to occupy the new chancery building at its new embassy complex in Washington, D.C., or any other new facility in the Washington, D.C. metropolitan area, if the Soviet Union fails to provide prompt and full reimbursement to the United States for damages incurred as a result of the construction of the new United States Embassy in Moscow. The amount of such reimbursement shall be determined by agreement between the United States and the Soviet Union or, in the event of disagreement, by international arbitration pursuant to subsection (b).

(b) INTERNATIONAL ARBITRATION.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall initiate actions to begin the international arbitration process, which is provided for in the embassy construction agreement between the United States and the Soviet Union, in order to resolve all United States claims against the Soviet Union for damages arising from delays in the construction of the new United States Embassy complex in Moscow.

(c) REPORT.—In the event the amount of reimbursement provided to the United States under subsection (a) by the Soviet Union is less than the amount of funds expended for the damages described in subsection (a) that are determined by the Secretary of State to be the responsibility of the Soviet Union, the Secretary of State shall submit a report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate. Such report shall contain a detailed explanation of the reasons the Secretary accepted the settlement arrangements of the United States claims and the financial costs to the United States of doing so.

(d) SUSPENSION OF RESTRICTIONS.—The Secretary of State may suspend the restrictions in subsection (a) in the interests of United States national security if the Secretary certifies to the Congress that a substantial number of the claims described in subsection (a) are settled and that resolution of any remaining claims is proceeding in a satisfactory manner. If the Secretary exercises the authority under this subsection, the Secretary shall report to the appropriate committees of the Congress every six months concerning progress on resolution of any outstanding claims.

TITLE II—UNITED STATES INFORMATION AGENCY

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

In addition to amounts otherwise available for such purposes, there are authorized to be appropriated for the United States Information Agency $887,900,000 for the fiscal year 1986 and $887,900,000 for the fiscal year 1987 to carry out international information, educational, cultural, and exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the Radio Broadcasting to Cuba Act, and other purposes authorized by law. Amounts appropriated under this section are authorized to remain available until expended.

SEC. 202. MODERNIZATION OF VOICE OF AMERICA.

Of the authorizations of appropriations contained in section 201, authorizations of $136,594,000 for the fiscal year 1986 and $136,594,000 for the fiscal year 1987, which shall be available for essential modernization of the facilities and operations of the Voice of America, shall remain available until the appropriations are made and when those amounts are appropriated they are authorized to remain available until expended.

SEC. 203. RADIO BROADCASTING TO CUBA.

Of the amounts authorized to be appropriated by section 201, not less than $11,500,000 for the fiscal year 1986 and not less than $11,700,000 for the fiscal year 1987 shall be available for the implementation of the Radio Broadcasting to Cuba Act.

SEC. 204. FUNDS FOR EDUCATIONAL AND CULTURAL EXCHANGES.

Of the amounts authorized to be appropriated by section 201—

(1) not less than $128,899,500 for the fiscal year 1986 and not less than $141,996,000 for the fiscal year 1987 shall be available only for grants for the Fulbright Academic Exchange Programs and the International Visitor Program;

(2) not less than $4,891,500 for the fiscal year 1986 and not less than $5,479,000 for the fiscal year 1987 shall be available only for grants for the Humphrey Fellowship Program; and

(3) $45,400,000 for the fiscal year 1986 and $45,100,000 for the fiscal year 1987 shall be allocated to fund grants and exchanges to Latin America and the Caribbean, and the amounts utilized for programs in Central America shall be obligated in a manner consistent with the recommendations of the National Bipartisan Commission on Central America.

SEC. 205. FUNDS FOR WORLDWIDE BOOK PROGRAM INITIATIVE.

Of the amounts authorized to be appropriated by section 201, not less than $7,500,000 for each of the fiscal years 1986 and 1987 shall be available only for the worldwide book program initiative.

SEC. 206. FUNDS FOR EXCHANGE ACTIVITIES ASSOCIATED WITH THE 1987 PAN AMERICAN GAMES.

Of the amounts authorized to be appropriated for the fiscal years 1986 and 1987 by section 201, not less than $1,500,000 for each such fiscal year shall be available only to the Indiana Sports Corporation for exchanges of persons and other exchange-related activities associated with the 1987 Pan American Games to be held in Indianapolis, Indiana.

SEC. 207. FUNDS FOR INTERNATIONAL GAMES FOR THE HANDICAPPED.

Of the amounts authorized to be appropriated for fiscal year 1986 by section 201, $3,000,000 shall be available only to reimburse expenses for exchange of athletes, coaches, and officials participating in international games for the handicapped which are conducted in the United States.

SEC. 208. BAN ON DOMESTIC ACTIVITIES BY THE USIA.

Except as provided in section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461) and this section, no funds authorized to be appropriated to the United States Information Agency shall be used to influence public opinion in the United States, and no program material prepared by the United States Information Agency shall be distributed within the United States. This section shall not apply to programs carried out pursuant to the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.).

SEC. 209. PRIVATE SECTOR FUNDING FOR USIA'S PRIVATE SECTOR PROGRAM.

(a) LIMITATION ON GRANTS.—No grant shall be made to any organization through the Private Sector Program of the United States Information Agency unless—

(1) costs equal to at least 15 percent of grants from the United States Information Agency in fiscal year 1986, and

(2) costs equal to at least 25 percent of grants from the United States Information Agency in fiscal year 1987,

for that organization's exchange and exchange-related programs are provided for from non-United States Government sources.

(b) EXEMPTION FOR CERTAIN ORGANIZATIONS.—Subsection (a) shall not apply to grantee organizations which have been in existence for less than one year.

(c) PROHIBITION ON FUNDING 1985 INTERNATIONAL YOUTH YEAR ACTIVITIES.—No funds from fiscal year 1986 appropriations for the United States Information Agency or for any other United States Government agency shall be available for grants related to 1985 International Youth Year activities.

SEC. 210. NATIONAL ENDOWMENT FOR DEMOCRACY.

(a) REQUIREMENTS RELATING TO THE ENDOWMENT AND ITS GRANTEES.—The National Endowment for Democracy Act (22 U.S.C. 4411 et seq.) is amended by adding at the end thereof the following new sections:

"SEC. 505. REQUIREMENTS RELATING TO THE ENDOWMENT AND ITS GRANTEES.

"(a) PARTISAN POLITICS.—(1) Funds may not be expended, either by the Endowment or by any of its grantees, to finance the campaigns of candidates for public office.

"(2) No funds granted by the Endowment may be used to finance activities of the Republican National Committee or the Democratic National Committee.

"(3) No grants may be made to any institute, foundation, or organization engaged in partisan activities on behalf of the Republican or Democratic National Committee, on behalf of any candidate for public office, or on behalf of any political party in the United States.

"(b) CONSULTATION WITH DEPARTMENT OF STATE.—The Endowment shall consult with the Department of State on any overseas program funded by the Endowment prior to the commencement of the activities of that program.

"SEC. 506. FREEDOM OF INFORMATION.

"(a) COMPLIANCE WITH FREEDOM OF INFORMATION ACT.—Notwithstanding the fact that the Endowment is not an agency or establishment of the United States Government, the Endowment shall fully comply with all of the provisions of section 552 of title 5, United States Code.

"(b) PUBLICATION IN FEDERAL REGISTER.—For purposes of complying pursuant to subsection (a) with section 552(a)(1) of such title, the Endowment shall make available to the Director of the United States Information Agency such records and other information as the Director determines may be necessary for such purposes. The Director shall cause such records and other information to be published in the Federal Register.

"(c) REVIEW BY USIA.—(1) In the event that the Endowment determines not to comply with a request for records under section 552, the Endowment shall submit a report to the Director of the United States Information Agency explaining the reasons for not complying with such request.

"(2) If the Director approves the determination not to comply with such request, the United States Information Agency shall assume full responsibility, including financial responsibility, for defending the Endowment in any litigation relating to such request.

"(3) If the Director disapproves the determination not to comply with such request, the Endowment shall comply with such request.".

(b) AUDITS BY USIA.—Section 504 of such Act is amended—

(1) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively, and

(2) by inserting after subsection (f) the following new subsection (g):

"(g) The financial transactions of the Endowment for each fiscal year may also be audited by the United States Information Agency under the conditions set forth in subsection (f)(1).".

(c) GRANTS TO THE ENDOWMENT.—Of the amounts authorized to be appropriated by section 201 for the United States Information Agency, not less than $18,400,000 for the fiscal year 1986 and not less than $18,400,000 for the fiscal year 1987 shall be made available to the National Endowment for Democracy.

(d) REPORTING DATE.—Section 504(i) of the National Endowment for Democracy Act (22 U.S.C. 4413(h)), as redesignated by subsection (b)(1), is amended by striking out "December 31" and inserting in lieu thereof "February 1".

SEC. 211. PROMOTING DEMOCRACY AND AN END TO THE APARTHEID POLICIES IN SOUTH AFRICA.

(a) PURPOSE.—It is the purpose of this section to encourage funding for programs that would promote democracy and seek to end the apartheid policies in South Africa, and that would be in addition to the programs for South Africa funded under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.).

(b) USIA GRANTS TO THE NATIONAL ENDOWMENT FOR DEMOCRACY.—It is the sense of the Congress that the Director of the United States Information Agency should make a grant of up to $500,000 for each of the fiscal years 1986 and 1987 to the National Endowment for Democracy (in addition to grants otherwise made by the Director to the Endowment) for use by the Endowment in providing financing for programs that are designed to promote democracy and that seek to end the apartheid policies in South Africa.

(c) PROGRAMS DESIGNED TO END THE APARTHEID POLICIES.—The programs funded pursuant to this section shall be programs of support for actions of non-white led community organizations in South Africa to terminate apartheid policies such as—

(1) removal of black populations from certain geographic areas on account of race or ethnic origin;

(2) denationalization of blacks, including any distinctions between the South African citizenships of blacks and whites;

(3) residence restrictions based on race or ethnic origin;

(4) restrictions on the rights of blacks to seek employment in South Africa and live wherever they find employment in South Africa; and

(5) restrictions which make it impossible for black employees and their families to be housed in family accomodations near their place of employment.

(d) ELIGIBLE ORGANIZATIONS IN SOUTH AFRICA.—Any program funded in accordance with this section, which is to be carried out within South Africa, should be a program which in both its character and organizational sponsorship in South Africa clearly reflects the aspirations of the indigenous majority of South Africans for the establishment of democratic institutions and for an end to the apartheid system of separate development, and should not be a program which is financed or controlled by the Government of South Africa.

SEC. 212. DISTRIBUTION WITHIN THE UNITED STATES OF THE USIA FILM ENTITLED "HAL DAVID: EXPRESSING A FEELING".

Notwithstanding section 208 of this Act and the second sentence of section 501 of the United States Information and Education Exchange Act of 1948 (22 U.S.C. 1461)—

(1) the Director of the United States Information Agency shall make available to the Archivist of the United States a master copy of the film entitled "Hal David: Expressing a Feeling"; and

(2) upon evidence that necessary United States rights and licenses have been secured and paid for by the person seeking domestic release of the film, the Archivist shall reimburse the Director for any expenses of the Agency in making that master copy available, shall deposit that film in the National Archives of the United States, and shall make copies of that film available for purchase and public viewing within the United States.

Any reimbursement to the Director pursuant to this section shall be credited to the applicable appropriation of the United States Information Agency.

SEC. 213. DISTRIBUTION WITHIN THE UNITED STATES THREE USIA FILMS RELATING TO AFGHANISTAN.

Notwithstanding section 208 of this Act and the second sentence of section 501 of the United States Information and Education Exchange Act of 1948 (22 U.S.C. 1461)—

(1) the Director of the United States Information Agency shall make available to the Archivist of the United States a master copy of the films entitled "Afghanistan 1982: the Struggle for Freedom Continues", "We are Afghanistan", and "Afghanistan: The Hidden War"; and

(2) upon evidence that necessary United States rights and licenses have been secured and paid for by the person seeking domestic release of such a film, the Archivist shall reimburse the Director for any expenses of the Agency in making the master copy of such film available, shall deposit such film in the National Archives of the United States, and shall make copies of such film available for purchase and public viewing within the United States.

Any reimbursement to the Director pursuant to this section shall be credited to the applicable appropriation of the United States Information Agency.

SEC. 214. NOTIFICATION OF PROGRAM GRANTS.

(a) APPLICATION TO FISCAL YEARS 1986 AND 1987.—Section 705(b) of the United States Information and Educational Exchange Act

of 1948 (22 U.S.C. 1477c(b)) is amended by striking out "1984 and 1985" and inserting in lieu thereof "1986 and 1987".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1985.

TITLE III—BOARD FOR INTERNATIONAL BROADCASTING

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEARS 1986 AND 1987.—Subparagraph (A) of section 8(a)(1) of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2877(a)(1)(A)) is amended to read as follows:

"(A) $125,000,000 for the fiscal year 1986 and $125,000,000 for the fiscal year 1987; and".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1985.

SEC. 302. IMPROVEMENT OF FACILITIES.

Section 8 of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2877) is amended by adding at the end thereof the following new subsection:

"(c) Of the authorization of appropriations contained in subsection (a)(1)(A), authorizations of $20,000,000 for the fiscal year 1986 and $18,323,000 for the fiscal year 1987, which shall be available for radio modernization, shall remain available until the appropriations are made and when those amounts are appropriated they are authorized to remain available until expended.".

SEC. 303. RADIO FREE AFGHANISTAN.

(a) BIB PURPOSES.—Paragraph (5) of section 2 of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2871(5)) is amended—

(1) by striking out "and" following "Republics" and inserting in lieu thereof a comma, and

(2) by inserting ", and Afghanistan (as long as it is under Soviet occupation)" after "Eastern Europe".

(b) AUTHORITY.—The Board for International Broadcasting Act of 1973 (22 U.S.C. 2871 et seq.) is amended by adding at the end thereof the following new section:

"SEC. 14. RADIO BROADCASTING TO AFGHANISTAN IN THE DARI AND PASHTO LANGUAGES.

Fund granted to RFE/RL, Incorporated, under this Act may be used for radio broadcasting to the Afghan people in the Dari and Pashto languages, such broadcasts to be designated 'Radio Free Afghanistan'.".

SEC. 304. MANAGEMENT OF RFE/RL, INCORPORATED.

(a) FINDINGS.—The Congress finds that—

(1) RFE/RL, Incorporated, is essential to the continued and effective furtherance of the open flow of information and ideas throughout Eastern Europe and the Soviet Union;

(2) effective communication of information and ideas can only be accomplished if the long-term credibility of RFE/RL, Incorporated, operating in accordance with the highest standards of professionalism, is maintained;

(3) the performance of RFE/RL, Incorporated, is dependent on proper management, an objective approach to news, quality programming, and effective oversight;

(4) the Board for International Broadcasting, in addition to making grants, is responsible for overseeing broadcast quality and effectiveness and for overseeing effective utilization of Federal funds;

(5) RFE/RL, Incorporated, is responsible for its own management and for daily broadcasts into Eastern Europe and the Soviet Union;

(6) the Board for International Broadcasting and RFE/RL, Incorporated, must remain very distinct and different institutions if they adhere to the Joint Explanatory Statement of the Committee on Conference relating to the Board of International Broadcasting Authorization Act, Fiscal Years 1982 and 1983;

(7) the President of RFE/RL, Incorporated, who is responsible for the proper management and supervision of the daily operations of the radios, should devote the necessary resources and personnel to strengthen both the oversight and the quality of programming;

(8) the Board for International Broadcasting, in an effort to preserve or enhance its ability to properly oversee the operations of RFE/RL, Incorporated, must avoid even the appearance of involvement in daily operational decisions and management of RFE/RL, Incorporated; and

(9) the absence of satisfactory pre-broadcast review and the lack of sufficient records of actions taken to explain or remedy program problems identified through post-broadcast review, may endanger the long-term credibility of RFE/RL, Incorporated.

(b) ACTIONS TO BE TAKEN BY RFE/RL.—It is the sense of the Congress that RFE/RL, Incorporated, should—

(1) strengthen existing broadcast control procedures and post-broadcast program analysis; and

(2) improve its personnel management system to include such things as better documentation of internal decisionmaking and communication, personnel review, and job description.

(c) ACTIONS TO BE TAKEN BY BIB.—It is the sense of the Congress that the Board for International Broadcasting should—

(1) periodically review and update the Program Policy Guidelines of RFE/RL, Incorporated, with the goal of maintaining their clarity and responsiveness; and

(2) ensure that the distinctions between the Board for International Broadcasting and RFE/RL, Incorporated, remain clear and that these two entities continue to operate within the framework established by law.

SEC. 305. ROLE OF THE SECRETARY OF STATE.

(a) ROLE.—Section 6 of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2875) is amended—

(1) by inserting "(a)" after "SEC. 6.";

(2) by adding the following at the end of subsection (a), as so designated by paragraph (1): "The Secretary shall report regularly to the Board on the impact of broadcasts by RFE/RL, Incorporated, in Eastern Europe and the Soviet Union."; and

(3) by adding at the end thereof the following new subsection:

"(b) No grant may be made under this Act unless RFE/RL, Incorporated, agrees to the presence of an observer representing the Secretary of State at the meetings of its Board of Directors.".

(b) LIAISON WITH RFE/RL, INCORPORATED; REPRESENTATION AT BOARD MEETINGS.—The Secretary of State shall—

(1) establish an office within the United States Consulate in Munich, Federal Republic of Germany, which shall be responsible for the daily liaison operations of the Department of State with RFE/RL, Incorporated; and

(2) be represented by an observer at each meeting of the Board for International Broadcasting and of the Board of Directors of RFE/RL, Incorporated.

SEC. 306. TASK FORCE WITH RESPECT TO BROADCASTS TO SOVIET JEWRY.

(a) ESTABLISH TASK FORCE.—There shall be established by the Board for International Broadcasting a task force to conduct a study of the advisability and feasibility of increasing broadcasts to the Jewish population within the Soviet Union.

(b) STUDY.—The Task Force shall—

(1) investigate the needs of Jewish audiences in the Soviet Union;

(2) study the practicality and desirability of establishing a special program, in accordance with the Program Policy Guidelines of RFE/RL, Inc., of Russian language broadcasting to the Jewish population of the Soviet Union;

(3) study the advisability of incorporating such a special program in a special unit of its Radio Liberty division entitled the "Radio Maccabee Program of Radio Liberty";

(4) make recommendations with respect to the desirable content of broadcast programming; and

(5) identify the needs and concerns of the activist as well as the refusnik population in the Soviet Union.

(c) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Board for International Broadcasting shall submit a report to the Congress. Such report shall include the following:

(1) Whether expansion of original programming scheduled ("Jewish Cultural and Social Life") or planned ("Judaism") is fulfilling the needs of the audience, and whether expanded Soviet-Jewish programming should include broadcasts on Jewish history, culture, religion, or other matters of general cultural, intellectual, political, and religious interest to the Soviet Jewish population, as well as Hebrew education courses.

(2) The extent to which such programming is broadcast in Russian, Hebrew, and Yiddish.

(3) Recommendations for implementing expanded programming within the structure of RFE/RL, Inc., including specific personnel required and providing for a Soviet Jewry administrative unit within Radio Liberty.

(4) The findings of, and the recommendations from, the study required under subsection (b).

(d) MACCABEE PROGRAMMING.—RFE/RL, Incorporated, shall strengthen existing programming dealing with issues of concern to Jewish audiences in the Soviet Union, to be known as Maccabee programming.

(e) EXISTING PERSONNEL TO CONDUCT STUDY AND MAKE REPORT.—The study and the report required by this section shall be carried out by existing personnel of RFE, Inc., or the Board of International Broadcasting.

TITLE IV—THE ASIA FOUNDATION

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

Section 404 of The Asia Foundation Act (22 U.S.C. 4403) is amended to read as follows:

"FUNDING

"SEC. 404. There are authorized to be appropriated to the Secretary of State $10,500,000 for each of the fiscal years 1986 and 1987 for grants to The Asia Foundation pursuant to this title.".

TITLE V—IRAN CLAIMS SETTLEMENT

SEC. 501. RECEIPT AND DETERMINATION OF CERTAIN CLAIMS.

(a) AUTHORITY OF FOREIGN CLAIMS SETTLEMENT COMMISSION.—The Foreign Claims Settlement Commission of the United States is authorized to receive and determine the validity and amounts of claims by nationals of the United States against Iran which are settled en bloc by the United States. In de-

ciding such claims, the Commission shall apply, in the following order—

(1) the terms of any settlement agreement;

(2) the relevant provisions of the Declarations of the Government of the Democratic and Popular Republic of Algeria of January 19, 1981, giving consideration to interpretations thereof by the Iran-United States Claims Tribunal; and

(3) applicable principles of international law, justice, and equity.

Except as otherwise provided in this title, the provisions of title I of the International Claims Settlement Act of 1949 (22 U.S.C. 1621 et seq.) shall apply with respect to claims under this section. Any reference in such provisions to "this title" shall be deemed to refer to those provisions and to this section.

(b) CERTIFICATION AND PAYMENT.—The Commission shall certify to the Secretary of the Treasury any awards determined pursuant to subsection (a) in accordance with section 5 of title I of the International Claims Settlement Act of 1949 (22 U.S.C. 1624). Such awards shall be paid in accordance with sections 7 and 8 of such title (22 U.S.C. 1626 and 1627), except that—

(1) the Secretary of the Treasury is authorized to make payments pursuant to paragraphs (1) and (2) of section 8(c) of such title in the amount of $10,000 or the principal amount of the award, whichever is less; and

(2) the Secretary of the Treasury may deduct, pursuant to section 7(b) of such title, an amount calculated in accordance with section 502(a) of this Act, instead of 5 percent of payments made pursuant to section 8(c) of such title.

SEC. 502. DEDUCTIONS FROM ARBITRAL AWARDS.

(a) DEDUCTION FOR EXPENSES OF THE UNITED STATES.—Except as provided in section 503, the Federal Reserve Bank of New York shall deduct from the aggregate amount awarded under each enumerated claim before the Iran-United States Claims Tribunal in favor of a United States claimant, an amount equal to 1 1/2 percent of the first $5,000,000 and 1 percent of any amount over $5,000,000, as reimbursement to the United States Government for expenses incurred in connection with the arbitration of claims of United States claimants against Iran before that Tribunal and the maintenance of the Security Account established pursuant to the Declarations of the Democratic and Popular Republic of Algeria of January 19, 1981. The Federal Reserve Bank of New York shall make the deduction required by the preceding sentence whenever the Bank receives an amount from the Security Account in satisfaction of an award rendered by the Iran-United States Claim Tribunal on the enumerated claim involved.

(b) DEDUCTION TREATED AS MISCELLANEOUS RECEIPT.—Amounts deducted by the Federal Reserve Bank of New York pursuant to subsection (a) shall be deposited into the Treasury of the United States to the credit of miscellaneous receipts.

(c) PAYMENT TO UNITED STATES CLAIMANTS.—Nothing in this section shall be construed to affect the payment to United States claimants of amounts received by the Federal Reserve Bank of New York in respect of awards by the Iran-United States Claims Tribunal, after deduction of the amounts calculated in accordance with subsection (a).

(d) EFFECTIVE DATE.—This section shall be effective as of June 7, 1982.

SEC. 503. EN BLOC SETTLEMENT.

The deduction by the Federal Reserve Bank of New York provided for in section 502(a) of this Act shall not apply in the case of a sum received by the Bank pursuant to an en bloc settlement of any category of claims of United States nationals against Iran when such sum is to be used for payments in satisfaction of awards certified by the Foreign Claims Settlement Commission pursuant to section 501(b) of this Act.

SEC. 504. REIMBURSEMENT TO THE FEDERAL RESERVE BANK OF NEW YORK.

The Secretary of the Treasury may reimburse the Federal Reserve Bank of New York for expenses incurred by the Bank in the performance of fiscal agency agreements relating to the settlement or arbitration of claims pursuant to the Declarations of the Democratic and Popular Republic of Algeria of January 19, 1981.

SEC. 505. CONFIDENTIALITY OF RECORDS.

Notwithstanding section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), records pertaining to the arbitration of claims before the Iran-United States Claims Tribunal may not be disclosed to the general public, except that—

(1) rules, awards, and other decisions of the Tribunal and claims and responsive pleadings filed at the Tribunal by the United States on its own behalf shall be made available to the public, unless the Secretary of State determines that public disclosure would be prejudicial to the interests of the United States or United States claimants in proceedings before the Tribunal, or that public disclosure would be contrary to the rules of the Tribunal; and

(2) the Secretary of State may determine on a case-by-case basis to make such information available when in the judgment of the Secretary the interests of justice so require.

TITLE VI—UNITED STATES SCHOLARSHIP PROGRAM FOR DEVELOPING COUNTRIES

SEC. 601. STATEMENT OF PURPOSE.

The purpose of this title is to establish an undergraduate scholarship program designed to bring students of limited financial means from developing countries to the United States for study at United States institutions of higher education.

SEC. 602. FINDINGS AND DECLARATIONS OF POLICY.

The Congress finds and declares that—

(1) it is in the national interest for the United States Government to provide a stable source of financial support to give students in developing countries the opportunity to study in the United States, in order to improve the range and quality of educational alternatives, increase mutual understanding, and build lasting links between those countries and the United States;

(2) providing scholarships to foreign students to study in the United States has proven over time to be an effective means of creating strong bonds between the United States and the future leadership of developing countries and, at the same time, assists countries substantially in their development efforts;

(3) study in United States institutions by foreign students enhances trade and economic relationships by providing strong English language skills and establishing professional and business contacts;0

(4) students from families of limited financial means have, in the past, largely not had the opportunity to study in the United States, and scholarship programs sponsored by the United States have made no provision for identifying, preparing, or supporting such students for study in the United States;

(5) it is essential that the United States citizenry develop its knowledge and understanding of the developing countries and their languages, cultures, and socioeconomic composition as these areas assume an ever larger role in the world community;

(6) the number of United States Government-sponsored scholarships for students in developing countries has been exceeded as much as twelve times in a given year by the number of scholarships offered by Soviet-bloc governments to students in developing countries, and this disparity entails the serious long-run cost of having so many of the potential future leaders of the developing world educated in Soviet-bloc countries;

(7) from 1972 through 1982 the Soviet Union and Eastern European governments collectively increased their education exchange programs to Latin America and the Caribbean by 205 percent while those of the United States declined by 52 percent;

(8) an undergraduate scholarship program for students of limited financial means from developing countries to study in the United States would complement current assistance efforts in the areas of advanced education and training of people of developing countries in such disciplines as are required for planning and implementation of public and private development activities;

(9) the National Bipartisan Commission on Central America has recommended a program of 10,000 United States Government-sponsored scholarships to bring Central American students to the United States, which program would involve careful targeting to encourage participation by young people from all social and economic classes, would maintain existing admission standards by providing intensive English and other training, and would encourage graduates to return to their home countries after completing their education; and

(10) it is also in the interest of the United States, as well as peaceful cooperation in the Western Hemisphere, that particular attention be given to the students of the Caribbean region.

SEC. 603. SCHOLARSHIP PROGRAM AUTHORITY.

(a) IN GENERAL.—The President, acting through the United States Information Agency, shall provide scholarships (including partial assistance) for undergraduate study at United States institutions of higher education by citizens and nationals of developing countries who have completed their secondary education and who would not otherwise have an opportunity to study in the United States due to financial limitations.

(b) FORM OF SCHOLARSHIP; FORGIVENESS OF LOAN REPAYMENT.—To encourage students to use their training in their countries of origin, each scholarship pursuant to this section shall be in the form of a loan with all repayment to be forgiven upon the student's prompt return to his or her country of origin for a period which is at least one year longer than the period spent studying in the United States. If the student is granted asylum in the United States pursuant to section 208 of the Immigration and Nationality Act or is admitted to the United States as a refugee pursuant to section 207 of that Act, half of the repayment shall be forgiven.

(c) CONSULTATION.—Before allocating any of the funds made available to carry out this title, the President shall consult with United States institutions of higher education, educational exchange organizations, United States missions in developing countries, and the governments of participating countries

on how to implement the guidelines specified in section 604.

(d) DEFINITION.—For purposes of this title, the term "institution of higher education" has the same meaning as given to such term by section 1201(a) of the Higher Education Act of 1965.

SEC. 604. GUIDELINES.

The scholarship program under this title shall be carried out in accordance with the following guidelines:

(1) Consistent with section 112(b) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2460(b)), all programs created pursuant to this title shall be nonpolitical and balanced, and shall be administered in keeping with the highest standards of academic integrity.

(2) United States missions shall design ways to identify promising students who are in secondary educational institutions, or who have completed their secondary education, for study in the United States. In carrying out this paragraph, the United States mission in a country shall consult with Peace Corps volunteers and staff assigned to that country and with private and voluntary organizations with a proven record of providing development assistance to developing countries.

(3) United States missions shall develop and strictly implement specific economic need criteria. Scholarships under this title may only be provided to students who meet the economic need criteria.

(4) The program shall utilize educational institutions in the United States and in developing countries to help participants in the programs acquire necessary skills in English and other appropriate education training.

(5) Each participant from a developing country shall be selected on the basis of academic and leadership potential and the economic, political, and social development needs of such country. Such needs shall be determined by each United States mission in consultation with the government of the respective country. Scholarship opportunities shall emphasize fields that are critical to the development of the participant's country, including agriculture, civil engineering, communications, social science, education, public and business administration, health, nutrition, environmental studies, population and family planning, and energy.

(6) The program shall be flexible in order to take advantage of different training and educational opportunities offered by universities, postsecondary vocational training schools, and community colleges in the United States.

(7) The program shall be flexible with respect to the number of years of undergraduate education financed but in no case shall students be brought to the United States for a period less than one year.

(8) Adequate allowance shall be made in the scholarship for the purchase of books and related educational material relevant to the program of study.

(9) Further allowance shall be made to provide adequate opportunities for professional, academic, and cultural enrichment for scholarship recipients.

(10) The program shall, to the maximum extent practicable, offer equal opportunities for both male and female students to study in the United States.

(11) The United States Information Agency shall recommend to each student, who receives a scholarship under this title for study at a college or university, that the student enroll in a course on the classics of American political thought or which otherwise emphasizes the ideas, principles, and documents upon which the United States was founded.

SEC. 605. AUTHORITY TO ENTER INTO AGREEMENTS.

The President may enter into agreements with foreign governments in furtherance of the purposes of this title. Such agreements may provide for the creation or continuation of binational or multinational educational and cultural foundations and commissions for the purposes of administering programs under this title.

SEC. 606. POLICY REGARDING OTHER INTERNATIONAL EDUCATIONAL PROGRAMS.

(a) AID-FUNDED PROGRAMS.—The Congress urges the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961, in implementing programs authorized under that part, to increase assistance for undergraduate scholarships for students of limited financial means from developing countries to study in the United States at United States institutions of higher education. To the maximum extent practicable, such scholarship assistance shall be furnished in accordance with the guidelines contained in section 604 of this title.

(b) USIA-FUNDED POSTGRADUATE STUDY IN THE UNITED STATES.—The Congress urges the Director of the United States Information Agency to expand opportunities for students of limited financial means from developing countries to receive financial assistance for postgraduate study at United States institutions of higher education.

(c) STUDY BY AMERICANS IN DEVELOPING COUNTRIES.—The Congress urges the President to take such steps as are necessary to expand the opportunities for Americans from all economic classes to study in developing countries.

SEC. 607. ESTABLISHMENT AND MAINTENANCE OF COUNSELING SERVICES.

(a) COUNSELING SERVICES ABROAD.—For the purpose of assisting foreign students in choosing fields of study, selecting appropriate institutions of higher education, and preparing for their stay in the United States, the President may make suitable arrangements for counseling and orientation services abroad.

(b) COUNSELING SERVICES IN THE UNITED STATES.—For the purposes of assisting foreign students in making the best use of their opportunities while attending United States institutions of higher education, and assisting such students in directing their talents and initiative into channels which will make them more effective leaders upon return to their native lands, the President may make suitable arrangements (by contract or otherwise) for the establishment and maintenance of adequate counseling services at United States institutions of higher education which are attended by foreign students.

SEC. 608. BOARD OF FOREIGN SCHOLARSHIPS.

The Board of Foreign Scholarships shall advise and assist the President in the discharge of the scholarship program carried out pursuant to this title, in accordance with the guidelines set forth in section 604. The President may provide for such additional secretarial and staff assistance for the Board as may be required to carry out this title.

SEC. 609. GENERAL AUTHORITIES.

(a) PUBLIC AND PRIVATE SECTOR CONTRIBUTIONS.—The public and private sectors in the United States and in the developing countries shall be encouraged to contribute to the costs of the scholarship program financed under this title.

(b) UTILIZATION OF RETURNING PROGRAM PARTICIPANTS.—The President shall seek to engage the public and private sectors of developing countries in programs to maximize the utilization of recipients of scholarships under this title upon their return to their own countries.

(c) PROMOTION ABROAD OF SCHOLARSHIP PROGRAM.—The President may provide for publicity and promotion abroad of the scholarship program provided for in this title.

(d) INCREASING UNITED STATES UNDERSTANDING OF DEVELOPING COUNTRIES.—The President shall encourage United States institutions of higher education, which are attended by students from developing countries who receive scholarships under this title, to provide opportunities for United States citizens attending those institutions to develop their knowledge and understanding of the developing countries, and the languages and cultures of those countries, represented by those foreign students.

(e) OTHER ACTIVITIES TO PROMOTE IMPROVED UNDERSTANDING.—Funds allocated by the United States Information Agency, or the agency primarily responsible for carrying out part I of the Foreign Assistance Act of 1961, for scholarships in accordance with this title shall be available to enhance the educational training and capabilities of the people of Latin America and the Caribbean and to promote better understanding between the United States and Latin America and the Caribbean through programs of cooperation, study, training, and research. Such funds may be used for program and administrative costs for institutions carrying out such programs.

SEC. 610. ENGLISH TEACHING, TEXTBOOKS, AND OTHER TEACHING MATERIALS.

Wherever adequate facilities or materials are not available to carry out the purposes of paragraph (4) of section 604 in the participant's country and the President determines that the purposes of this title are best served by providing the preliminary training in the participant's country, the President may (by purchase, contract, or other appropriate means) provide the necessary materials and instructors to achieve such purpose.

SEC. 611. REPORTING REQUIREMENT.

Not later than February 1 each year, the President shall submit to the Congress a report on the activities carried on and expenditures made pursuant to this title during the preceding fiscal year.

SEC. 612. FUNDING OF SCHOLARSHIPS FOR FISCAL YEAR 1986 AND FISCAL YEAR 1987.

(a) CENTRAL AMERICAN UNDERGRADUATE SCHOLARSHIP PROGRAM.—The undergraduate scholarship program financed by the United States Information Agency for students from Central America for fiscal year 1986 and fiscal year 1987 shall be conducted in accordance with this title.

(b) SCHOLARSHIPS FOR STUDENTS FROM OTHER DEVELOPING COUNTRIES.—Any funds appropriated to the United States Information Agency for fiscal year 1986 or fiscal year 1987 for any purpose (other than funds appropriated for educational exchange programs under section 102(a)(1) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(a)(1)) may be used to carry out this title with respect to students from developing countries outside Central America.

SEC. 613. LATIN AMERICAN EXCHANGES.

Of any funds authorized to be appropriated for activities authorized by this title, not less than 25 percent shall be allocated to fund grants and exchanges to Latin America and the Caribbean.

SEC. 614. FEASIBILITY STUDY OF TRAINING PROGRAMS IN SIZABLE HISPANIC POPULATIONS.

No later than December 15, 1985, the Director of the United States Information Agency and the Administrator of the Agency for International Development shall report jointly, to the chairman of the Committee on Foreign Relations of the Senate and the chairman of the Committee on Foreign Affairs of the House of Representatives, on the feasibility of greater utilization in those two agencies' scholarship and participant training programs of the United States universities in States bordering Latin American and Caribbean which are located in areas characterized by the presence of sizable Hispanic populations.

SEC. 615. COMPLIANCE WITH CONGRESSIONAL BUDGET ACT.

Any authority provided by this title to enter into contracts shall be effective only—

(1) to the extent that the budget authority for the obligation to make outlays, which is created by the contract, has been provided in advance by an appropriation Act; or

(2) to the extent or in such amounts as are provided in advance in appropriation Acts.

TITLE VII—ARMS CONTROL AND DISARMAMENT

SEC. 701. SUPPLEMENTAL AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1985.

Section 49(a)(1) of the Arms Control and Disarmament Act (22 U.S.C. 2589(a)(1)) is amended to read as follows:

"(1) for the fiscal year 1985, $23,789,000, of which amount $4,321,000 shall be available only to pay necessary expenses incurred in connection with arms control negotiations with the Government of the Soviet Union on strategic arms reductions, intermediate-range nuclear forces, and space and defensive weapons;".

SEC. 702. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEARS 1986 AND 1987.

Section 49(a)(2) of the Arms Control and Disarmament Act (22 U.S.C. 2589(a)(2)) is amended to read as follows:

"(2) for the fiscal year 1986, $25,614,000, and for the fiscal year 1987, $25,614,000, of which amounts $6,146,000 shall be available in each fiscal year only to pay necessary expenses incurred in connection with arms control negotiations conducted with the Government of the Soviet Union on strategic arms reductions, intermediate-range nuclear forces, and space and defensive weapons; and".

SEC. 703. REPORTS ON ADHERENCE TO AND COMPLIANCE WITH AGREEMENTS.

The Arms Control and Disarmament Act (22 U.S.C. 2551 et seq.) is amended by adding at the end thereof the following new section:

"SEC. 52. REPORTS ON ADHERENCE TO AND COMPLIANCE WITH AGREEMENTS.

"The Congress determines that the achievement and maintenance of successful controls upon armaments requires official and public confidence that the parties are expected to adhere to their commitments and that the parties will be held accountable for failure to meet obligations. Without such confidence, existing arms control accords are eroded, and the prospects are jeopardized for new agreements which can place further controls on the competition in nuclear and conventional weapons and which can increase international stability. In accordance with this determination—

"(1) the President shall submit, not later than January 31 of each year, to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a report prepared by the Director, in coordination with the Secretary of State, the Secretary of Defense, the Secretary of Energy, the Chairman of the Joint Chiefs of Staff, and the Director of Central Intelligence, on the adherence of the United States to obligations undertaken in arms control agreements and on any problems related to compliance by other nations with the provisions of bilateral and multilateral arms control agreements to which the United States is a party;

"(2) the section of the report dealing with United States adherence shall include information on the policies and organization of each relevent agency or department of the United States to ensure adherence, a description of national security programs with a direct bearing on adherence questions and of steps being taken to ensure adherence, and a compilation of any substantive questions raised during the previous year regarding United States adherence, together with an assessment of such issues and the need for any corrective action; and

"(3) the section of the report dealing with problems of compliance by other nations shall include, in the case of each treaty or agreement about which compliance questions exist—

"(A) a description of each significant issue raised and efforts made and contemplated with the other party to seek a resolution of the difficulty;

"(B) an assessment of damage, if any, to United States security and other interests; and

"(C) recommendations as to any steps which should be considered to redress any damage to United States national security and to reduce compliance problems.

"The report required by this section shall be provided in unclassified form, with classified annexes, as appropriate.".

SEC. 704. PAY FOR DEPUTY DIRECTOR AND ASSISTANT DIRECTORS.

(a) AMENDMENTS TO TITLE 5.—Title 5 of the United States Code, is amended—

(1) in section 5314, by adding at the end thereof the following:

"Deputy Director of the United States Arms Control and Disarmament Agency.";

(2) in section 5315—

(A) by striking out

"Deputy Director of the United States Arms Control and Disarmament Agency."; and

(B) by adding at the end thereof the following:

"Assistant Directors, United States Arms Control and Disarmament Agency (4)."; and

(3) in section 5316, by striking out

"Assistant Directors, United States Arms Control and Disarmament Agency (4).".

(b) COMPLIANCE WITH BUDGET ACT.—Any new spending authority (within the meaning of section 401 of the Congressional Budget Act of 1974) which is provided under the amendments made by this section shall be effective for any fiscal year only to such extent or in such amounts as are provided in appropriation Acts.

SEC. 705. NEW BUILDING IN GENEVA FOR THE USE OF THE UNITED STATES ARMS CONTROL NEGOTIATING TEAMS.

(a) FINDINGS.—The Congress finds that—

(1) the United States is party to vital talks on arms control in Geneva, Switzerland;

(2) these talks include negotiations on strategic nuclear weapons, intermediate range nuclear weapons, space and defense systems, a bilateral United States-Soviet forum, called the Standing Consultative Commission, and a multilateral forum, called the Conference on Disarmament;

(3) the United States delegations to these talks occupy buildings and spaces insufficiently secure, modernized, or large enough to permit those delegations to conduct their work efficiently;

(4) the United States delegations to the strategic, intermediate and space and defense talks in particular occupy space in the Botanic Building that is also occupied by offices of numerous other, non-United States organizations, and shares common walls and parking facilities with these delegations;

(5) arms control negotiations require sophisticated security facilities, telecommunications equipment, simultaneous translation capabilities and other specialized services; and

(6) the Soviet Union, for its part, has made available for its negotiating team a modern, secure, well-equipped building dedicated for the use of its arms control negotiating teams.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) in order to facilitate the effective work of the United States arms control negotiating teams, and to provide for them a dedicated structure capable of supporting their vital tasks on a permanent basis, the Secretary of State should submit to the Congress a report on the feasibility, cost, location, and requirements of a structure to house the United States arms control negotiating teams in Geneva;

(2) this report should be submitted as soon as possible; and

(3) this matter should be included in the consideration of the 1985 supplemental appropriation process.

SEC. 706. STUDY OF MEASURES TO ENHANCE CRISIS STABILITY AND CONTROL.

(a) STUDY.—The Secretary of State and the Director of the Arms Control and Disarmament Agency shall conduct a detailed and complete study and evaluation of additional measures which both enhance the security of the United States and reduce the likelihood of nuclear weapons use by contributing to crisis stability or crisis control capabilities, including specific consideration of the following measures:

(1) Increased redundancy of direct communications link circuits, including the creation of new survivable circuits and terminals, located outside the national capitals which have access to the command and control system of the country in which they are located.

(2) Establishment of redundant, survivable direct communications links between and among all nuclear-armed states.

(3) Conclusion of an agreement creating "non-target" sanctuaries only for certain direct communications link circuits to enhance survivability of communications.

(4) Creation in advance of standard operating procedures for communicating, and possibly cooperating, with the Soviet Union and other states in the event of nuclear attacks by third parties on either the United States or Soviet Union.

(5) Addition to the Incidents At Sea agreement of a prohibition on the "locking on" of fire control radars on ships and planes of the other side, an agreement on the separa-

tion of naval forces during specified periods of crisis, and other such measures relevant to the Incidents At Sea agreement.

(6) Placement by the United States and the Soviet Union of unmanned launch sensors in the land-based missile fields of both countries.

(7) Establishment of anti-submarine operations free zones designed to enhance the security of ballistic missile submarines.

(8) Installation of permissive action links aboard the ballistic missile submarines of the United States, which might possibly be activated or deactivated at various levels of alert, and encouragement of the Soviet Union to do the same.

(9) Establishment of training programs for National Command Authority officials to familiarize them with alert procedures, communications capabilities, nuclear weapons release authority procedures, and the crisis control and stability implications thereof.

(10) Include in standard operating procedure the relocation in a crisis of a National Command Authority official outside Washington, D.C. to a secure location with access to the strategic command and control system, and announce the institution of this procedure to relevant foreign governments.

(b) REPORT.—The Secretary of State and the Director of the Arms Control and Disarmament Agency shall submit a report of the study and evaluation under subsection (a) to the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representatives by January 1, 1986. Such report should be available in both a classified, if necessary, and unclassified format.

SEC. 707. POLICY TOWARD BANNING CHEMICAL WEAPONS.

(a) FINDINGS.—The Congress finds that—

(1) chemical weapons are among the most terrible weapons in today's military arsenals;

(2) it is the objective of the United States to eliminate the threat of chemical warfare through a comprehensive and verifiable ban on chemical weapons;

(3) the United States is vigorously pursuing a multilateral agreement to ban chemical weapons;

(4) the negotiation of a verifiable, bilateral agreement between the United States and the Soviet Union would be a significant step toward achieving a worldwide ban on chemical weapons;

(5) bilateral discussions relating to a ban on chemical weapons took place in July and August of 1984 between the United States and Soviet delegations to the Conference on Disarmament; and

(6) such endeavors could serve the security interests of humankind.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the President—

(1) should be commended for his efforts to negotiate a multilateral agreement banning chemical weapons;

(2) should continue to pursue vigorously such an agreement; and

(3) should seek the continuation and development of bilateral discussions between the United States and the Soviet Union to achieve a comprehensive and verifiable ban on chemical weapons.

SEC. 708. POLICY REGARDING A JOINT STUDY BY THE UNITED STATES AND THE SOVIET UNION OF THE CONSEQUENCES OF NUCLEAR WINTER.

It is the sense of the Congress that the President should propose to the Government of the Soviet Union during any arms control talks held with such Government that—

(1) the United States and the Soviet Union should jointly study the atmospheric, climatic, environmental, and biological consequences of nuclear explosions, sometimes known as "nuclear winter", and the impact that nuclear winter would have on the national security of both nations;

(2) such a joint study should include the sharing and exchange of information and findings on the nuclear winter phenomena and make recommendations on possible joint research projects that would benefit both nations; and

(3) at an appropriate time the other nuclear weapon states (the United Kingdom, France, and the People's Republic of China) should be involved in the study.

TITLE VIII—MISCELLANEOUS PROVISIONS

SEC. 801. TERMINATION OF NATIONAL EMERGENCIES BY JOINT RESOLUTION.

Section 202 of the National Emergencies Act is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

"(1) there is enacted into law a joint resolution terminating the emergency; or"; and

(B) in the second sentence, by striking out "concurrent" and inserting in lieu thereof "joint";

(2) in subsection (b), by striking out "concurrent" and inserting in lieu thereof "joint"; and

(3) in subsection (c), by striking out "concurrent" each of the six places it appears and inserting in lieu thereof "joint".

SEC. 802. UNITED STATES INSTITUTE OF PEACE.

It is the sense of the Congress that, pursuant to title XVII of the Department of Defense Authorization Act, 1985 (22 U.S.C. 4601 et seq.), nominations to the Board of Directors for the United States Institute of Peace should be submitted to the Senate on a timely basis to permit implementation of the congressional mandate.

SEC. 803. EX GRATIA PAYMENT TO THE GOVERNMENT OF SWITZERLAND.

Section 39 of the Trading With the Enemy Act (62 Stat. 1246; 50 U.S.C. App. 39) is amended by adding at the end thereof the following new subsection:

"(f) Notwithstanding any of the provisions of subsections (a) through (d) of this section, the Attorney General is authorized to pay from property vested in or transferred to the Attorney General under this Act, the sum of $20,000 as an ex gratia payment to the Government of Switzerland in accordance with the terms of the agreement entered into by that Government and the Government of the United States on March 12, 1980.".

SEC. 804. POLICY TOWARD APPLICATION OF THE YALTA AGREEMENT.

(a) FINDINGS—The Congress finds that—

(1) during World War II, representatives of the United States, Britain, and the Soviet Union took part in agreements and understandings concerning other peoples and nations in Europe;

(2) the Soviet Union has not adhered to its obligation undertaken in the 1945 Yalta agreement to guarantee free elections in the countries involved, specifically the pledge for the "earliest possible establishment of free elections of government responsive to the wills of the people and to facilitate where necessary the holding of such elections";

(3) the strong desire of the people of Central and Eastern Europe to exercise their national sovereignty and self-determination and to resist Soviet domination has been demonstrated on many occasions since 1945, including armed resistance to the forcible Soviet takeover of the Baltic Republics and resistance in the Ukraine as well as in the German Democratic Republic in 1953, in Hungary in 1956, in Czechoslovakia in 1968, and in Poland in 1956, 1970, and since 1980;

(4) it is appropriate that the United States express the hopes of the people of the United States that the people of Central and Eastern Europe be permitted to exercise their national sovereignty and self-determination free from Soviet interference; and

(9) it is appropriate for the United States to reject any interpretation or application that, as a result of the signing of the 1945 Yalta executive agreements, the United States accepts and recognizes in any way Soviet hegemony over the countries of Eastern Europe.

(b) POLICY.—(1) The United States does not recognize as legitimate any spheres of influence in Europe and it reaffirms its refusal to recognize such spheres in the present or in the future, by repudiating any attempts to legitimize the domination of East European nations by the Soviet Union through the Yalta executive agreement.

(2) The United States proclaims the hope that the people of Eastern Europe shall again enjoy the right to self-determination within a framework that will sustain peace, that they shall again have the right to choose a form of government under which they shall live, and that the sovereign rights of self-determination shall be restored to them in accordance with the pledge of the Atlantic Charter and with provisions of the United Nations Charter and the Helsinki Final Act of the Conference on Security and Cooperation in Europe.

SEC. 805. POLICY TOWARD TREATMENT OF SOVIET PENTECOSTALS.

(a) FINDINGS.—The Congress finds that—

(1) it is the policy of the Government of the Soviet Union to hinder and deny the free practice of religion and to deny freedom to emigrate to the victims of religious persecution;

(2) such policies are a violation of the letter and spirit of the Charter of the United Nations, the United Nations Declaration on Human Rights, and the Helsinki Final Act of the Conference on Security and Cooperation in Europe;

(3) members of the 170-member Pentecostal Christian community living in Chuguyevka in the Soviet Far East have allegedly undergone persecution at the hands of the Soviet authorities as a result of their attempts to practice their religious beliefs;

(4) the Soviet authorities allegedly have refused to allow members of that Pentecostal community to emigrate from the Soviet Union;

(5) when, on Monday May 13, 1985, four members of the Pentecostal community of Chuguyevka attempted to enter the United States Embassy in Moscow in an attempt to seek refuge and make their plight known, they were intercepted by Soviet guards stationed outside the Embassy;

(6) in the scuffle that ensued three of the Pentecostals were beaten severely and arrested by the Soviet guards, while the fourth Pentecostal gained entrance to the Embassy and was interviewed by United States officials; and

(7) upon agreeing to leave the United States Embassy the man was driven to the subway in a diplomatic car where he was detained by Soviet police before he could enter the subway.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the Soviet Union has acted in violation of the human rights of the Pentecostal community in Chuguyevka by hindering the practice of their religious beliefs and refusing to allow them to emigrate from the Soviet Union;

(2) personnel of the Government of the Soviet Union acted in violation of the human rights of the four members of the Pentecostal community who attempted to enter the United States Embassy in Moscow, particularly in using excessive force in an attempt to prevent their entry;

(3) the United States Department of State should continue through all available channels to assure the safety of the four persons who attempted to enter the United States Embassy, and to seek to persuade the Government of the Soviet Union to allow the members of the Pentecostal community in Chuguyevka to emigrate to the West; and

(4) the Secretary of State should undertake a study of United States policy relating to the granting of asylum in United States embassies abroad and develop recommendations for the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives as to where current policy might be adjusted with relation to incidents over the past five years where asylum has been requested at United States embassies abroad.

SEC. 806. DEMOCRACY ON TAIWAN.

(a) FINDINGS.—The Congress finds that—

(1) peace has prevailed in the Taiwan Strait since the normalization of relations between the United States and the People's Republic of China;

(2) the United States expects the future of Taiwan to be settled peacefully and considers a secure Taiwan free from external threat an indispensable element for the island's further democratization and a goal set forth in the Taiwan Relations Act;

(3) the authorities on Taiwan are striving to achieve greater democracy at the local level;

(4) an increasing number of native Taiwanese have been appointed to responsible positions at the provincial and national level on Taiwan;

(5) martial law measures tend to impede progress toward democracy and to abridge guarantees of human rights;

(6) movement toward greater democracy on Taiwan serves to bolster continued American public support for the moral and legal responsibilities set forth in the Taiwan Relations Act;

(7) the United States, in the Taiwan Relations Act, has reaffirmed as a national objective the preservation and enhancement of the human rights of all the people on Taiwan; and

(8) the United States considers democracy a fundamental human right.

(b) SENSE OF CONGRESS.—It is therefore the sense of the Congress that—

(1) one important element of a peaceful future for Taiwan is greater participation in the political process by all the people on Taiwan; and

(2) accordingly, the United States should encourage the authorities on Taiwan, in the spirit of the Taiwan Relations Act, to work vigorously toward this end.

SEC. 807. INCREASE UNITED STATES-CHINA TRADE.

(a) FINDINGS.—The Congress finds that—

(1) the People's Republic of China has made substantial progress in promoting market-oriented practices throughout the Chinese economy;

(2) the Chinese economy has responded to this increased liberalization with record growth that last year alone resulted in increases in the real gross national product of an estimated 13 percent;

(3) this growth has created significant new demand for a vast array of products and services that can be met by American producers;

(4) United States trade with the People's Republic of China totaled only $6,000,000,000 in 1984 and was again in deficit by more than $50,000,000;

(5) increased exports are essential to the creation of American jobs and to the vitality of the American economy; and

(6) the People's Republic of China represents the world's largest potential market.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that, consistent with overall American foreign policy and national security objectives, the Secretary of State and the Secretary of Commerce should take appropriate steps to increase United States-China trade with a view to improving the trade balance, increasing American jobs through export growth, and assuring significant United States participation in the growing Chinese market.

SEC. 808. USE OF UNITED STATES OWNED RUPEES.

Section 903 of the United States-India Fund for Cultural, Educational, and Scientific Cooperation Act (22 U.S.C. 290j-1) is amended—

(1) by inserting "(a)" after "SEC. 903."; and

(2) by inserting at the end thereof the following new subsection:

"(b) Pending completion of the negotiation of an agreement with the Government of India, the annual earnings generated by the moneys appropriated by the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, 1985, may be used for the purposes set out in section 902(a).".

SEC. 809. REFUGEES IN THAILAND.

(a) APPRECIATION FOR THE RESPONSE OF THE GOVERNMENT OF THAILAND.—The Congress recognizes and expresses appreciation for the extraordinary willingness of the Government of Thailand to respond in a humanitarian way to the influx of refugees fleeing Vietnamese communist oppression.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) Cambodians, Laotians, and Vietnamese seeking asylum and refuge in Thailand should not be involuntarily repatriated or otherwise put at risk; and

(2) every effort should be made to provide increased security for refugees in camps in Thailand which should include an increased presence by international humanitarian organizations.

(c) REVIEW OF CERTAIN CAMBODIAN REFUGEES.—

(1) The Secretary of State should—

(A) work with the Government of Thailand and the United Nations High Commissioner for Refugees to conduct a review of the status of Cambodians who have not been permitted to register at refugee camps in Thailand; and

(B) implement a humanitarian solution to their plight.

(2) The Secretary of State, with the assistance of appropriate agencies, should conduct a review of those Cambodians who have been rejected for admission to the United States to ensure such decisions are consistent with the letter and spirit of United States refugee and immigration law.

(3) The Secretary of State, with the assistance of appropriate agencies, should institute as expeditiously as possible a family reunification program for those refugees in Thailand, including those at the border who have family members in the United States.

(4) The Secretary of State should provide for a program of educational assistance for Cambodians in the border camps and for improved literacy training in all camps.

SEC. 810. POLICY REGARDING FOREIGN EXCHANGE INTERVENTION.

(a) FINDINGS.—The Congress finds and declares that—

(1) the trade deficit looms larger than any other threat to the ability of the United States to generate jobs and create economic well-being;

(2) the trade deficit continues to deteriorate even from the 1984 level of $123,000,000,000;

(3) the trade deficit will continue to deteriorate until the value of the dollar declines on foreign exchange markets;

(4) the dollar's rise may slow down but is unlikely to fall sufficiently as a result of Congress' contemplated budget deficit reduction measures;

(5) the value of the dollar would probably fall under a number of tax reform proposals but industries losing market share due to the exchange rate may not be able to wait for a complete tax package;

(6) the only remaining timely option for lowering the value of the dollar is intervention in foreign exchange markets by the Secretary of the Treasury or the Federal Reserve Board;

(7) any such intervention must be strong enough to achieve the intent of the Congress of lowering the dollar's value but sufficiently moderate to prevent a sudden drop in its value;

(8) any such intervention in order to assure a gradual decline and protect against too large a drop in the value of the dollar, will require coordinated action by the central banks of Europe and Japan as well as the United States; and

(9) such coordination is especially important to strengthen economic and political ties with the allies of the United States and to promote consistent macroeconomic policies to the mutual benefit of all.

(b) SENSE OF CONGRESS.—Therefore, it is the sense of the Congress that—

(1) the Secretary of the Treasury and the Chairman of the Federal Reserve Board, in concert with United States allies and coordinated with the central banks of the Group of Five or other major central banks, should take such steps as are necessary to lower gradually the value of the dollar;

(2) such steps should not exclude intervention in the foreign exchange markets;

(3) the Secretary of the Treasury and the Chairman of the Federal Reserve Board should work to ensure that the domestic macroeconomic policies of the United States and its allies are forged to reinforce rather than oppose one another.

SEC. 811. COMMENDING MAYOR TEDDY KOLLEK OF JERUSALEM.

(a) FINDINGS.—The Congress finds that—

(1) Mayor Teddy Kollek has worked to promote harmony among all the people of Jerusalem; and

(2) he has promoted freedom of access to religious shrines for Muslims, Christians, and Jews; and

(3) through his efforts the aesthetic character of the city has been enhanced.

(b) COMMENDATION.—Therefore, the Congress commends Mayor Kollek for his efforts over the years.

SEC. 812. JAPAN-UNITED STATES SECURITY RELATIONSHIP AND EFFORTS BY JAPAN TO FULFILL SELF-DEFENSE RESPONSIBILITIES.

(a) FINDINGS.—The Congress hereby finds—

(1) the Japan-United States security relationship is the foundation of the peace and security of Japan and the Far East, as well as a major contributor to the protection of the United States and of the democratic freedoms and economic prosperity enjoyed by both the United States and Japan;

(2) the threats to our two democracies have increased significantly since 1976, principally through the Soviet invasion of Afghanistan, the expansion of Soviet armed forces in the Far East, the invasion of Cambodia by Vietnam, and the instability in the Persian Gulf region as signified by the continuing Iran-Iraq conflict;

(3) in recognition of these and other threats, the United States has greatly increased its annual defense spending through sustained real growth averaging 8.8 percent yearly between fiscal 1981 and 1985, and cumulative real growth of 50 percent in that period;

(4) the United States Government appreciates the May 1981 commitment by the Prime Minister of Japan that, pursuant to the Treaty of Mutual Cooperation and Security of 1960 between Japan and the United States, Japan, on its own initiative, would seek to make even greater efforts for improving its defense capabilities, and pursuant to Japan's own Constitution, it was national policy for his country to acquire and maintain the self-defense forces adequate for the defense of its land area and surrounding airspace and sealanes, out to a distance of 1,000 miles;

(5) the United States Government applauds the policy of Japan to obtain the capabilities to defend its sea and air lanes out to 1,000 miles, expects that these capabilities should be acquired by the end of the decade, and recognizes that achieving those capabilities would significantly improve the national security of both Japan and the United States;

(6) the United States Government appreciates the contribution already made by Japan through the Host Nation Support Program and its recent efforts to increase its defense spending; and

(7) Japan, however, in recent years consistently has not provided sufficient funding and resources to meet its self-defense needs and to meet common United States-Japan defense objectives and alliance responsibilities.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that Japan, to fulfill its self-defense responsibilities pursuant to the 1960 Mutual Cooperation and Security Treaty with the United States, and in accordance with the national policy declaration made by its Prime Minister in May 1981, to develop a 1,000 mile airspace and sealanes defense capability, should implement a 1986-1990 Mid-Term Defense Plan containing sufficient funding, program acquisition, and force development resources to obtain the agreed-upon 1,000 mile self-defense capabilities by the end of the decade, including the allocation of sufficient budgetary resources annually to reduce substantially the ammunition, logistics, and sustainability shortfalls of its self-defense forces.

(c) SUBMISSION TO CONGRESS.—Not later than March 31, 1986, and on an annual basis thereafter, the President should submit to the appropriate committees of Congress, in both a classified and unclassified form, detailed and extensive information to permit the Congress to understand Japan's progress toward actually fulfilling its common defense commitment, including the development and implementation of a 1986-1990 Mid-Term Defense Plan fully funded for Japan to achieve 1000 mile self-defense capabilities by 1990. Such information shall include a description of actions taken by the United States Government in the preceding year to encourage Japan to meet its 1000 mile self-defense commitment by 1990.

SEC. 813. DIPLOMATIC EQUIVALENCE AND RECIPROCITY.

(a) STATEMENT OF CONGRESSIONAL POLICY.—(1) It is the policy of the Congress that the number of nationals of the Soviet Union admitted to the United States who serve as diplomatic or consular personnel of the Soviet Union to the United States shall be substantially equivalent to the number of United States nationals admitted to the Soviet Union who serve as diplomatic or consular personnel of the United States in the Soviet Union unless the President determines that the admission of additional Soviet diplomatic and consular personnel would be in the best interests of the United States.

(2) The policy expressed in paragraph (1) does not apply to dependents or spouses who do not serve as diplomatic or consular personnel.

(b) REPORTING REQUIREMENT.—It is the sense of the Congress that the Secretary of State and the Attorney General should prepare and, not later than 6 months after the date of the enactment of this Act, should transmit to the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate, and to the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives, a report setting forth a plan for ensuring that the number of Soviet nationals described in subsection (a) does not exceed the limitation described in that section.

(c) DEFINITIONS.—For purposes of this section—

(1) the term "diplomatic or consular personnel" means the members of the diplomatic mission or the members of the consular post, as the case may be;

(2) the term "members of the diplomatic mission" is used within the meaning of Article 1(b) of the Vienna Convention on Diplomatic Relations (done April 18, 1961); and

(3) the term "members of the consular post" is used within the meaning of Article 1(g) of the Vienna Convention on Consular Relations (done April 24, 1963).

SEC. 814. UNITED STATES INTERNATIONAL NARCOTICS CONTROL COMMISSION.

(a) ESTABLISHMENT.—There is established the United States International Narcotics Control Commission (hereafter in this section referred to as the "Commission").

(b) DUTIES.—The Commission is authorized and directed—

(1) to monitor and promote international compliance with narcotics control treaties, including eradication and other relevant issues; and

(2) to monitor and encourage United States Government and private programs seeking to expand international cooperation against drug abuse and narcotics trafficking.

(c) MEMBERSHIP.—(1) The Commission shall be composed of 12 members as follows:

(A) 7 Members of the Senate appointed by the President of the Senate, 4 of whom (including the member designated as Chairman) shall be selected from the majority party of the Senate, after consultation with the majority leader, and 3 of whom (including the member designated as Cochairman) shall be selected from the minority party of the Senate, after consultation with the minority leader.

(B) 5 members of the public to be appointed by the President after consultation with the members of the appropriate congressional committees.

(2) There shall be a Chairman and a Cochairman of the Commission.

(d) POWERS.—In carrying out this section, the Commission may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpoenas may be issued over the signature of the Chairman of the Commission or any member designated by him, and may be served by any person designated by the Chairman or such member. The Chairman of the Commission, or any member designated by him, may administer oaths to any witness.

(e) REPORT BY PRESIDENT TO COMMISSION.—In order to assist the Commission in carrying out its duties, the President shall submit to the Commission a copy of the report required by section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2991(e)).

(f) REPORT TO SENATE.—The Commission is authorized and directed to report to the Senate with respect to the matters covered by this section on a periodic basis and to provide information to Members of the Senate as requested. For each fiscal year for which an appropriation is made the Commission shall submit to the Congress a report on its expenditures under such appropriation.

(g) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated to the Commission $325,000 for each fiscal year, to remain available until expended, to assist in meeting the expenses of the Commission for the purpose of carrying out the provisions of this section.

(2) For purposes of section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754(b)), the Commission shall be deemed to be a standing committee of the Senate and shall be entitled to the use of funds in accordance with such section.

(h) STAFF.—The Commission may appoint and fix the pay of such staff personnel as it deems desirable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(i) TERMINATION.—The Commission shall cease to exist on September 30, 1987.

And the Senate agree to the same.

DANTE B. FASCELL,
DAN MICA,
PETER H. KOSTMAYER,
LAWRENCE J. SMITH,
TED WEISS,
BUDDY MACKAY,
TOM LANTOS,
BILL BROOMFIELD,
OLYMPIA SNOWE,
BENJAMIN A. GILMAN,
CONNIE MACK,
JOHN MCCAIN,
Managers on the Part of the House.

RICHARD G. LUGAR,
JESSE HELMS,
CHARLES MCC. MATHIAS, Jr.,

CLAIBORNE PELL,
J.R. BIDEN, Jr.,
For the portion dealing with Iran claims legislation:
DANIEL J. EVANS,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to H.R. 2068, the bill to authorize appropriations for fiscal years 1986 and 1987 for the Department of State, the United States Information Agency, the Board for International Broadcasting, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The Senate amendment struck all of the House bill after the enacting clause and inserted a substitute text.

The House receded from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment. The differences between the House bill and the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached in the committee of conference, and minor drafting and clarifying changes.

AUTHORIZATION OF APPROPRIATIONS

With respect to the fiscal year 1986 authorization requests for the Department of State, the U.S. Information Agency, and the Board for International Broadcasting, the committee of conference agreed to authorization levels that are below the President's request for approximately $30 million for the State Department, $96 million for the USIA, and $17 million for the Board for International Broadcasting. The entire fiscal year 1986 budget request for this legislation is $130.5 million below the executive branch request.

For fiscal year 1987, the committee of conference agreed to authorization levels only $45 million above the fiscal year 1986 levels. The committee's recommendation amounts substantially to a freeze in the authorization levels for the U.S. Information Agency and the Board for International Broadcasting, and only a 2.5 percent inflation allowance for the Administration of Foreign Affairs in Department of State.

Should the executive branch request a supplemental authorization and appropriation for fiscal year 1986 above the approved levels for any agencies authorized by this legislation, such additional sums shall not be offset by reductions in any of the abovementioned accounts or any other international affairs account. The programs authorized in this legislation are considered by the committee of conference to be vital elements for the conduct of U.S. foreign policy and the promotion of U.S. national security.

The committee of conference notes that the amounts authorized for the Department of State do not include $118,174,000 for each of fiscal years 1986 asnd 1987 which is permanently authorized for the Foreign Service Retirement and Disability Fund. The following table summarizes the action of the committee of conference:

AUTHORIZATION OF APPROPRIATIONS

[By fiscal year; in thousands of dollars]

	1985 current	Executive branch request 1986	House recommendation		Senate recommendation		Conference substitute	
			1986	1987	1986	1987	1986	1987
Department of State:								
Administration of foreign affairs [1]	2,005,588	1,844,202	1,852,025	1,910,313	1,756,613	1,756,613	1,828,088	1,873,790
International organizations and conferences	544,888	553,574	543,574	520,168	534,074	534,074	534,074	534,074
International commissions [2]	26,785	26,278	26,278	25,824	26,278	26,278	26,278	25,824
Science and technology		4,000	4,000	4,000	2,000	2,000	2,000	2,000
Asia Foundation	9,600	9,785	10,000	10,000	10,500	10,500	10,500	10,500
Soviet-East European research	4,800	5,000	5,000	5,000	4,800	4,800	4,800	5,000
Refugee assistance	338,000	337,680	351,780	351,780	337,680	337,680	344,730	344,730
Subtotal	2,929,661	2,780,519	2,827,085	2,671,945	2,671,945	2,506,440	2,752,896	2,795,918
USIA	796,356	973,639	922,286	962,866	837,623	844,623	887,900	887,900
BIB	111,251	142,125	122,325	127,707	137,717	137,517	125,000	125,000
Total	3,837,268	3,896,283	3,917,658	3,647,285	3,654,079	3,488,580	3,765,796	3,808,818

[1] The House and Senate figures listed for Administration of Foreign Affairs do not include $118,174,000 which is permanently authorized for the Foreign Service Retirement and Disability Fund.

[2] Pending supplementals (H.R. 2568) include $2 million for Salmon Fisheries Commission and $1 million for the Fisherman's Protective Fund. In addition, the higher appropriations amount for this account contains $2.275 million for the Nogales Sewage Project, a one-time appropriation for construction, through the United States-Mexico Water Boundary Commission.

A summary of actions taken by the committee of conference on issues that were in disagreement follows:

PERMANENT AUTHORIZATION OF APPROPRIATIONS

The House bill provides permanent authority to the Department of State for appropriations for mandatory payments to the Foreign Service Retirement and Disability Fund and requires notification to the authorizing committees pursuant to such requests.

The Senate amendment earmarks $118,174,000 for each of fiscal years 1986 and 1987 for the Foreign Service Retirement and Disability Fund.

The conference substitute is identical to the House provision.

U.N. PEACEKEEPING FORCES

The House bill repeals the permament authorization for contributions to U.N. peacekeeping forces.

The Senate amendment earmarks $47,400,000 for each of the fiscal years 1986 and 1987 for U.S. payments to the U.N. peacekeeping forces in the Middle East.

The conference substitute is identical to the House provision. Funds for this purpose have been provided under the administration of foreign affairs account.

U.S. NATIONAL COMMISSION TO UNESCO

The House bill earmarks $250,000 from the administration of foreign affairs account for each of the fiscal years 1986 and 1987 to enable the U.S. National Commission on Educational, Scientific, and Cultural Cooperation to maintain a liaison between the U.S. Government, the U.S. private sector and UNESCO. This funding would enable the United States, even though it is not a member of UNESCO, to maintain an informal linkage with the organization, and enable the U.S. educational, scientific, and cultural communities to support a base for any future U.S.-UNESCO relationship.

The Senate amendment contains no comparable provision.

The conference substitute is identical to the House bill.

WORLD COMMISSION ON ENVIRONMENTAL AND DEVELOPMENT

The Senate amendment earmarks $750,000 for each of the fiscal years 1986 and 1987 for the World Commission on Environment and Development.

The House bill contains no comparable provision.

The conference substitute is identical to the Senate amendment.

The managers believe that the World Commission on Environment and Development holds the potential to make a meaningful contribution to resolving environment and development problems. Strong U.S. leadership may be necessary to ensure that the Commission fulfills its mandate and addresses the most important and relevant issues. Administration witnesses have testified that U.S. leadership and financial support have been vital to the success of the United Nations Environment Program. It is not unreasonable to assume that a similar strategy could succeed at the Commission.

USE OF REFUGEE ASSISTANCE FUNDS

The House and Senate bills earmark funds for certain groups of refugees as follows:

[By fiscal year; in thousands of dollars]

	1986	1987
Refugees in Israel	12,500	25,000
African refugees	56,000	56,000
Antipiracy	2,500	1,750
ICRC	4,500	4,500

The House amendment earmarked $25 million for fiscal years 1986 and 1987 for the resettlement of Soviet, Eastern European, African, and other refugees in Israel in recognition of the particular needs of the Ethiopian Jews for health care, skills, and language training before they can become self-sufficient.

The Senate amendment contained a similar earmark.

The conference substitute retained an earmark for refugees resettling in Israel, but reduced it to $12.5 million in fiscal year 1986 and $25 million in fiscal year 1987. The reduced earmark for fiscal year 1986 takes into account the action of the Congress in the 1985 Supplemental Appropriation Act providing an increase of $12.5 million for this purpose.

AFRICAN REFUGEES

The House amendment earmarked $61 million in fiscal years 1986 and 1987 for African refugee assistance.

The Senate amendment contained no similar provision.

The conference substitute provides an earmark of $56 million in fiscal year 1986 and fiscal year 1987. This increase of $5 million over the funds requested by the executive branch is provided in recognition of the grave needs of the almost 4 million refugees in Africa for improved water supply, shelter, health and educational services, and other humanitarian assistance.

PIRACY IN THE GULF OF THAILAND

The House bill earmarked $2.5 million for fiscal year 1986 and $1.75 million for 1987 to combat piracy in the Gulf of Thailand.

The Senate amendment contained no comparable provision.

The conference substitute is similar to the House bill. The managers intend that the funds should be used: To suppress and deter effectively the attacks on refugees fleeing from Indochina by boat; to provide assistance to pirate victims; to promote the rescue of refugees in distress at sea in Southeast Asia; and to strengthen protection measures for Indochinese boat refugees. Programs for enhanced medical/counseling services, increased enforcement on land, and expansion of rescue at sea are especially deserving of support at a multilateral, bilateral, nongovernmental level.

INTERNATIONAL COMMITTEE OF THE RED CROSS

The Senate amendment earmarks $4.5 million in fiscal year 1986 and fiscal year 1987 for the regular budget of the ICRC and states U.S. policy to contribute to the ICRC, in any financial year, an amount not less than 20 percent of the regular budget of the ICRC and to support generously the special appeals made by the ICRC.

The House had no similar provision.

The conference substitute is identical to the Senate provision.

ENHANCED RECEPTION AND PLACEMENT SERVICES

The House limited to $2 million the amount of funds which may be used by the Department of State for new types of demonstration and pilot programs with enhanced reception and placement services for refugees for periods longer than 30 days.

The Senate had no similar amendment.

The conference substitute is identical to the House provision.

The managers intend that any enhanced domestic resettlement services, except for these pilot programs, should be covered by a separate authorization for appropriations, rather than from the funds authorized in this act.

SECURITY RELATED ACTIVITIES

The Senate amendment earmarks not less than $311 million for fiscal year 1986 out of the Department of State's administration of foreign affairs account for capital projects and improvements and the salaries and expenses associated with security-related personnel.

The House bill contains no comparable provision.

The Conference substitute is identical to the Senate amendment.

THE U.N. HIGH COMMISSIONER FOR REFUGEES AUDIT

The House bill prohibits U.S. funding of the U.N. High Commissioner for Refugees unless the United Nations provides for quarterly audits of the UNHCR by the U.N. Joint Inspection Unit, and until such audits are made available for inspection by the Comptroller General of the United States. It also provides that the Comptroller General shall inspect and report to the Congress on each audit.

The Senate amendment contains no comparable provision.

The conference substitute amends the Migration and Refugee Assistance Act to direct that no funds may be paid to the U.N. High Commissioner for Refugees unless, by September 1, 1987, the High Commissioner provides for annual program audits of the UNHCR by an independent consultant, and such audits are made available to the Department of State and the General Accounting Office, it also provides that the Comptroller General of the United States shall inspect each audit and submit a report to the Congress. The first audit shall begin not later than September 1, 1987. The managers intend that "independent consultant" means an internationally recognized public accountancy firm which is independent of the United Nations.

UNHCR PROCUREMENT STUDY

The House bill directs the Comptroller General of the United States to study the origin of goods acquired with funds contributed by the United States to the U.N. High Commissioner for Refugees. This section also requires that the Comptroller General report the findings to the Congress.

The Senate amendment contained no comparable provision.

The conference substitute contains no provision on this issue.

AUTHORIZED USES OF APPROPRIATED FUNDS

The Senate amendment conforms sections of the Basic Authorities Act removing the requirement that specific reference be made in an appropriation act to authorize certain activities.

The House bill substitute is similar to the Senate amendment and provides that the Secretary may use appropriated funds for these purposes.

ASSISTANT SECRETARY POSITIONS AT THE DEPARTMENT OF STATE

The House bill creates a new position for an Assistant Secretary of State. It also places the Director General of the Foreign Service and the Inspector General of the Department of State under the executive level IV salary level, subject to appropriations action.

The Senate amendment increases the number of Assistant Secretaries at the Department of State from 13 to 14, but does not address the salary issue for the Inspector General or the Director General.

The conference substitute is similar to the Senate amendment. The effect of the amendment is to enable the Department of State to designate two new Assistant Secretaries of State for Intelligence and Research and for Politico-Military Affairs, respectively. It also replaces the position of Director of the Bureau of Intelligence and Research with the position of an Assistant Secretary of State.

UNDER SECRETARY OF STATE FOR AGRICULTURAL AFFAIRS

The Senate amendment creates a new Under Secretary for Agricultural Affairs in the Department of State.

The House bill contains no comparable provision.

The conference substitute redesignates the current Under Secretary for Economic Affairs as Under Secretary for Economic and Agricultural Affairs.

DETAIL TO OTHER AGENCIES

The House bill repeals existing legislation dealing with reimbursement for detailed State Department personnel, to allow the Secretary of State to detail individuals to other agencies for periods longer than 1 year without requiring reimbursement by other agencies.

The Senate amendment amends existing legislation to allow an exemption to the 1-year-reimbursable limitation. The number of employees exceeding that limit cannot be greater than 15 or their term of assignment exceed 2 years.

The conference substitute is identical to the Senate amendment.

SERVICES RELATING TO MIGRATION AND REFUGEE ASSISTANCE

The House bill authorizes the Bureau for Refugee Programs to contract for personal services abroad and provides that certain individuals employed under such contracts would not be considered employees of the United States.

The Senate amendment provides that certain individuals employed by contract for overseas services shall not be considered employees of the U.S. Government, except relating to compensation for work injuries, and for claims under section 2(f) of the State Department Basic Authorities Act.

The conference substitute authorizes the Bureau to contract for personal services abroad, provides that such individuals would not become U.S. employees for purposes of any law administered by the Office of Personnel Management, and provides authority for the Secretary of State to apply overseas claims settlement and other authorities administered by the State Department to such persons. It is intended that other authorities would include the provision of benefits such as might be available under pending hostage relief legislation.

It is the managers intent that this section should not be interpreted as an entitlement.

INDIVIDUALS EMPLOYED ABROAD DEEMED TO BE EMPLOYEES OF THE UNITED STATES FOR CERTAIN PURPOSES

The Senate amendment provides that certain individuals who perform personal services contracts abroad under existing authority would not be deemed employees of the U.S. Government except for the purposes of the Federal Employees Compensation Act and the Secretary's authority to administratively settle tort claims abroad.

The House bill contains no comparable provision.

The conference substitute is identical in substance to the position stated in the substitute above regarding personal services contracting for migration and refugee assistance.

PERFORMANCE PAY

The House bill amends the Foreign Service Act to: (a) Eliminate the current 50 percent limit on the number of Senior Foreign Service members eligible to receive performance pay and establish a maximum payment

pool; (b) establish a minimum individual award of 5 percent of basic pay; and (c) provides that performance pay which is not payable within a fiscal year due to the pay cap may be paid in the next fiscal year. These provisions would conform Foreign Service provisions to those in Civil Service law.

The Senate amendment contained no comparable provision.

The conference substitute contains no provision on this issue.

SENIOR FOREIGN SERVICE MEMBERS

The Senate amendment would allow the appointment of a Director General from outside the ranks of the Senior Foreign Service. This section also provides that the Chair of the Board of the Foreign Service shall be appointed by the President. Neither the Board members nor the chair need to be Senior Foreign Service members. This provision also excludes members of the Senior Foreign Service from the employee's bargaining unit.

The House bill contains no comparable provision.

The conference substitute provides that the Chair of the Board of the Foreign Service shall be appointed by the President.

FOREIGN SERVICE ASSOCIATES

The Senate amendment expresses the sense of the Congress that the Secretary of State should conduct a pilot project designed to increase the employment of spouses of U.S. personnel at a U.S. mission and report to the Congress on the design of such project by February 1, 1986.

The House bill contains no comparable provision.

The conference substitute is identical to the Senate language with an amendment stating that the pilot project would be conducted in accordance with section 311(b) of the Foreign Service Act of 1980. It would also require that the Secretary's report to the Congress would include an evaluation of the effects of the pilot program on the full-time career positions in the Foreign Service and on overseas positions for Foreign Service nationals.

The managers are concerned that such a pilot program, or any similar permanent employment program, should not be used to fill full-time Foreign Service career positions, nor should it detract from positions filled by Foreign Service national employees who provide continuity and special expertise for U.S. missions overseas.

LATERAL ENTRY INTO THE FOREIGN SERVICE FOR BUSINESSMEN AND FARMERS

The Senate amendment directs the Department of State to conduct a study on the feasibility and desirability of creating a temporary lateral entry program for farmers and businessmen and other occupations and requires a report to Congress on the results of the study 180 days after enactment.

The House bill contains no comparable provision.

The conference substitute directs the Secretary of State to conduct a study on the feasibility of creating a program of lateral entry into the service of U.S. businessmen, farmers, and other occupations. It also requires the Secretary to report the results of such a study to the Congress within 180 days after the date of enactment of this act.

HEALTH CARE BENEFITS

The Senate amendment makes the Department of State the primary insurer of Foreign Service personnel abroad and the Foreign Service Benefit Plan the secondary insurer. It will allow the Foreign Service Benefit Plan to offer a low-priced, low-option health insurance plan to supplement the benefits provided by the Foreign Service Act.

The House bill contained no comparable provision.

The conference substitute is identical to the Senate amendment.

FOREIGN SERVICE INSTITUTE

The House bill provides for a new Foreign Service Institute Facility and contains House Public Works Committee amendments which authorize the Government Services Administration (GSA), (with funds transferred by State, not exceeding $11 million in fiscal year 1986 and 1987) to conduct feasibility studies and acquire a site within proximity of the State Department but outside the District of Columbia. Funds transferred to GSA for construction are limited to $50 million, after fiscal year 1987, which may not be expended until after a congressional notice period, which excludes recess periods. The House bill also places custody and control of the facility in GSA, unless delegated, but requires State to pay GSA only for services performed by GSA.

The Senate amendment amends the Foreign Service Act of 1980 to authorize the Department of State to acquire a site and construct a training facility, in consultation with GSA. Preparation of plans and site acquisition is limited to $11 million in fiscal years 1986 and 1987, subject to a 30-day congressional notice period, but no authorization is included for construction funding.

At the request of the State Department, section 126 has been amended to provide that the Administrator of the General Services Administration shall delegate responsibility for the operation, maintenance, security, alteration, and repair of the facility to the Secretary of the State Department. Jurisdiction and custody of the site and facility, however, will remain with the General Services Administration. The Secretary of State, under the delegation, shall be responsible for complying with all applicable statutory requirements of the Federal Property and Administrative Services Act of 1949 and the Public Buildings Act of 1959. Matters relating to alterations, repairs, renovations, or construction on or to the site or to any existing or future buildings on the site shall be referred by the State Department in the House of Representatives for appropriate action to the House Committee on Public Works and Transportation and the Committee on Foreign Affairs.

INTERNATIONAL CENTER

The House bill provides authority, as amended by the House Public Works Committee, for the Department of State, in consultation with GSA, to provide for a security and maintenance facility within the Federal Diplomatic Center site, and provides for notice to Congress on construction progress.

The Senate amendment provides authority for the Department of State to request GSA to develop a security and maintenance facility within the Federal Diplomatic Center site.

The conference substitute is identical to the House provision.

SPECIAL AGENTS

The House bill provides authority for Department of State security agents to carry firearms and make arrests in the course of discharging their duties.

The Senate amendment contains no comparable provision.

The conference substitute is identical to the House bill.

PROTECTION OF FOREIGN MISSIONS

The House bill provides permanent authority for protection of foreign missions, and removes in the fourth quarter of each year the limitations on the level of assistance for individual States, allowing application of funds to areas of actual need. The bill also contains amendments to title 3, United States Code, which contains separate authority primarily for protection of U.N. missions.

The Senate amendment provides permanent authority for protection of foreign missions.

The conference substitute is identical to the House provision.

The managers understand that funds authorized under title 3 of the United States Code for purposes of such protection (3 U.S.C. 208) are authorized to be applied to any locality qualifying under that section for purposes of special international organization activities approved by the Secretary of State, and which are notified to the Congress prior to such approval.

It is also the understanding of the managers that, while the provision of protective services, and the level of such services to missions to international organizations qualifying under title 3, section 202 of the United States Code is set by the level of funds made available under that section, provisions of the Foreign Missions Act of 1982 may otherwise be applied for such protective services, such as section 208(b) relating to liability and section 211(a) relating to the capacity of the Attorney General to seek judicial relief.

Furthermore, the authority contained in subsection (b) relating to contracts for protective services is intended to be available for both private and public agencies providing such services.

PROTECTION OF U.S. INTERESTS UNDER THE FOREIGN MISSIONS ACT

The House bill redefines foreign missions in order to include officials acting for a foreign government, but who are not now covered under existing law.

The Senate amendment contains no comparable provision.

The conference substitute is identical to the House bill.

PEACEFUL RESOLUTION OF INTERNATIONAL DISPUTES

The House bill replaces existing authority, now included in annual appropriation acts, with permanent authorization to pay expenses of arbitrations under treaties and international agreements and contracts.

The Senate amendment provides similar authority to that contained in the House version.

The conference substitute is identical to the House bill.

CONSULAR AND PASSPORT FACILITIES AND SERVICES

The House bill directs the Secretary of State to conduct a study and submit a report to the Congress on: The extent to which U.S. consular facilities promote trade and tourism, protect U.S. citizens abroad, or protect the national interest; whether consular services are able to respond to demand; and whether consular user fees should be returned to the Department to improve passport and consular facilities.

The Senate amendment contains no comparable provision.

The conference substitute contains no provision on this issue.

EXCESS GOVERNMENT-OWNED PROPERTY

The Senate amendment clarifies the authority of the Department of State to transfer excess property to countries for environmental purposes.

The House bill contains no comparable provision.

The conference substitute is identical to the Senate amendment.

TRADE PROMOTION BY U.S. MISSIONS ABROAD

The House bill expresses the sense of the Congress that it is in the U.S. national interest that each U.S. mission abroad provide such support as may be necessary to U.S. citizens seeking to do business in that country.

The Senate amendment contains no comparable provision.

The conference substitute is identical to the House provision.

INFORMATION SHARING CONCERNING DRUG TRAFFICKERS

The House bill directs the Department of State to cooperate with U.S. law enforcement agencies in establishing a comprehensive information system on all drug arrests of foreign nationals in the United States. It further requires the Secretary of State and the Administrator of the Drug Enforcement Administration to agree on uniform guidelines which would permit the sharing of information on foreign drug traffickers, and requires the Secretary of State to report to the Congress within 6 months of the date of enactment on steps taken to implement this section.

The Senate amendment is similar to the House provision except that it designates the National Drug Enforcement Policy Board as the organization which shall create uniform guidelines permitting the sharing of information, and specifies that the Board instead of the Secretary of State shall submit the report required.

The conference substitute is identical to the Senate amendment.

EXTRADITION TREATIES

The House bill requires the Secretary of State to increase his efforts to negotiate updated extradition treaties relating to narcotics offenses with each major drug-producing country, particularly those in Latin America.

The Senate amendment contains no comparable provision. However, a similar provision was included in the Senate version of the foreign assistance authorization bill.

The conference substitute is the same as the House bill, with an amendment requiring the assistance of the Drug Enforcement Policy Board in negotiating new extradition treaties.

TRAVEL ADVISORY ON MEXICO

The House bill deplores the brutal murder of Drug Enforcement Administration agent Enrique Camarena and the abduction and murder of numerous other Americans, and finds that the violence perpetrated by drug traffickers in Mexico constitutes a danger to the safety of U.S. citizens. It further establishes a travel advisory on the State of Jalisco, Mexico, until those responsible for the abduction and murder of specified U.S. citizens are brought to trial and a verdict has been obtained.

The Senate amendment condemns the murder of agent Camarena, deplores the disappearance of Americans in Mexico, and commends the Government of Mexico for recent antinarcotics efforts. It also requires the Secretary of State to report to the Congress every 90 days on progress made on investigations of murdered and missing U.S. citizens and general tourist safety.

The conference substitute is the same as the House bill, with an amendment which recommends rather than directs the Secretary to issue a travel advisory, and which retains the Senate's 90-day reporting requirement. It is the intent of the managers that the reports continue through fiscal year 1987 or until such time as there has been an arrest and convictions of persons responsible for the murder of U.S. citizens in the State of Jalisco.

AMBASSADOR GAVIN

The House bill commends U.S. Ambassador to Mexico John Gavin for ensuring investigation and prosecution of the murderers of Enrique Camerena and his advocacy of strong drug enforcement programs.

The Senate amendment contains no comparable provision.

The conference substitute is identical to the House bill.

COORDINATING COMMITTEE ON EXPORT CONTROLS

The House bill states that only State Department funds and personnel may be used with respect to CoCom facilities and places restrictions on the number of officials permanently assigned to the U.S. delegation.

The Senate amendment contains no comparable provision.

The conference substitute contains no provision on this issue.

EMPLOYEES OF INTERNATIONAL ORGANIZATIONS IN THE UNITED STATES

The Senate amendment authorizes the regulations of the travel and other activities of all UN Secretariat employees outside the U.N. headquarters district.

The House bill contains no comparable provision.

The conference substitute is similar to the Senate language and also provides for a Presidential waiver in cases where national security and foreign policy circumstances require nonapplication of the section.

The managers note that the U.S. obligation to assure the "international character" of the UN Secretariat does not create rights of travel or otherwise within the United States outside of the headquarters district, except for purposes of entry into and exit from the country; thus there is no inconsistency with U.S. treaty obligations.

Nothing in subsection (b) affects the ability of the United States to accord to the United Nations itself the right to transfer funds, control its assets or perform such other functions as are assured by international agreement. The managers note that the term "activities" in subsection (b) is intended to cover any activity, including but not limited to matters covered by section 202 of the Federal Missions Act. The managers also clearly expect that the exceptions authority made available under this subsection to the President will not be used except in compelling circumstances and on a limited basis. Finally, the term "national" in subsection (e) is intended to cover both citizens and permanent residents of the United States, as well as any person entitled to rights as a national.

INTER-AMERICAN COOPERATION IN SPACE

The House bill directs the Secretary to conduct a study regarding the feasibility of establishing a major initiative in inter-American cooperation in space, science, and technology. It also requires a report to the Congress on the findings of such a study.

The Senate amendment contains no comparable provision.

The conference substitute is identical to the House bill.

RESIDENCE OF SECRETARY OF STATE

The House bill prohibits the United States from accepting as a gift an official residence for the Secretary of State or any other official of the Department of State until the Congress authorizes such an acceptance. It also directs the Secretary to study any offer of a gift and report to the appropriate committees of the Congress.

The Senate amendment contains no comparable provision.

The conference substitute limits the provision to property considered for a Secretary of State's residence and requires prior notification to the Congress, together with a cost-benefit study prior to acceptance of any gift.

U.S. INSTITUTE OF PEACE

The House bill expresses the sense of the Congress that nominations to the Board of Directors for the U.S. Institute of Peace should be submitted to the Senate on a timely basis.

The Senate amendment contains no comparable provision.

The conference substitute is identical to the House bill.

RELATING TO U.S. CONTRIBUTIONS TO THE UNITED NATIONS

The Senate amendment provides that the United States will reduce its annual assessed contribution to the United Nations or its specialized agencies by 8.34 percent for each month in which the United States suspends its participation due to the fact that Israel has been illegally expelled, suspended, or denied its credentials in the General Assembly or any specialized agency of the United Nations.

The House bill contains no comparable provision.

The conference substitute is identical to the Senate amendment. The managers note that this provision does not apply to the programs of the International Atomic Energy Agency that provide for safeguards at nuclear facilities.

UN ORGANIZATIONS REFORM IN BUDGET PROCEDURES

The Senate amendment states that the United States may contribute no more than 20 percent of the annual budget of the United Nations unless the Secretary of State certifies that: (1) The organization has adopted a procedure for weighted voting on budgetary matters; and (2) the organization has adopted a plan to reduce salaries and pensions of its employees. This section also provides that if UNICEF does not comply with the amendment, any money for UNICEF in excess of 20 percent shall remain available to the President for grants to private voluntary organizations.

The House bill contains no comparable provision.

The conference substitute states Congress' finding that the United Nations and its specialized agencies financed through assessed contributions have not paid sufficient attention to member governments in formulating their budgets. The substitute directs the Secretary of State to seek adoption by the United Nations and its specialized agencies of voting rights procedures on budgetary matters which would give each member state voting rights proportionate to each State's contribution to the United Nations and its specialized agencies. The conference substitute requires that no payment in excess of 20 percent of the annual budget of

the United Nations and its specialized agencies be made for fiscal year 1987 or following years unless the United Nations and its specialized agencies adopt weighed voting on budgetary matters.

It is the intention of the managers that this substitute promote meaningful reform in budget procedures at the United Nations and its specialized agencies and not be used simply as a way to reduce the U.S. assessed contribution to the United Nations or its specialized agencies. For this reason the managers' intention is to provide sufficient authorization in this legislation for the United States to meet its full obligations to the United Nations in calendar years 1986 and 1987. In restricting payments for fiscal year 1987 the managers intend that the minimum amount to be paid by the United States would be 20 percent of the assessed contribution and that the authorization for funds in excess of 20 percent will remain available to permit payment of a higher assessed contribution should the intended reforms be achieved in the U.N. fiscal year for which the funds are provided. To the extent that rapid and meaningful progress toward reform in budgetary voting rights is accomplished, the managers intend that the United States fulfill its obligations to the United Nations.

It is the intent of the managers that this section not reduce U.S. contributions to international organizations serving the nations of the Western Hemisphere, especially the Pan American Health Organization (PAHO). To the extent that PAHO might be indirectly and adversely affected by this provisions, the conferees would expect the United States to increase its direct contribution to the organization.

The managers are concerned about the apparently high level of salaries paid to employees of the United Nations. The managers request that the Secretary of State conduct a study of U.N. salaries and pensions and the extent to which they exceed salaries paid to employees within the civil service of the United States. The study, along with the Secretary's recommendations for how best to achieve any needed reforms should be submitted as a report to the Committee on Foreign Relations and the Committee on Foreign Affairs by October 1, 1986.

PROHIBITION OF PAYMENTS TO THE UNITED NATIONS OR SPECIALIZED AGENCIES OR ORGANIZATIONS

The Senate amendment states that U.S. contributions to the United Nations may not be used to support: (1) The Committee on Elimination of Racial Discriminaiton; (2) any agency whose purpose is to implement the provisions of General Assembly Resolution 33/79; or (3) the General Assembly-approved $73,500,000 conference center to be constructed in Addis Ababa.

The House bill contains no comparable provision.

The conference substitute is indentical to the Senate amendment; however, it substitutes the "Second Decade to Combat Racism and Racial Discrimination" for the "Committee on Elimination of Racial Discrimination."

RESTRICTIONS ON U.N. FUNDING FOR THE PALESTINE LIBERATION ORGANIZATION AND THE SOUTH WEST AFRICA PEOPLE'S ORGANIZATION

The Senate amendment prohibits U.S. contributions to the United Nation to be used to support the Committee on the exercise for the Inalienable Rights of the Palestinian People or the South West Africa People's Organization.

The House bill contains no comparable provision.

The conference substitute is identical to the House provision, and leaves in place current restrictions in the law.

INTERNATIONAL JUTE ORGANIZATION

The Senate amendment authorizes the President to maintain membership in the International Jute Organization.

The House bill contains no comparable provision.

The conference substitute is identical to the Senate amendment.

U.S. EMBASSY IN SOUTH AFRICA AND COMPLIANCE WITH SULLIVAN PRINCIPLES

The House bill requires compliance with the Sullivan principles by the U.S. Embassy in South Africa.

The Senate amendment contains no comparable provision.

The conference substitute contains no provision on this issue.

SOVIET AND COMMUNIST DISINFORMATION AND PRESS MANIPULATION

The House bill establishes a commission in the Department of State to investigate the extent of Soviet and Communist disinformation and press manipulation with respect to the United States. The Commission will report to the President and recommend the advisability of establishing within the State Department a permanent Office of Soviet and Communist Disinformation and Press Manipulation.

The Senate amendment contains no comparable provision.

The conference substitute directs the Secretary of State, in consultation with relevant Federal agencies, to submit to the Congress an unclassified report on Soviet and Communist disinformation and press manipulation with respect to the United States. This study, to be submitted 1 year after the enactment of this act, would include a recommendation on the advisability of establishing a permanent office in the Department to deal with this issue. In conducting the study, the Secretary may make use of suitably qualified scholars and journalists.

SOVIET AND INTERNATIONAL COMMUNIST BEHAVIOR

The House bill establishes a commission within the Department of State to investigate the nature of Leninism and the degree to which Leninism supports international terrorism and guerrila warfare. The Commission will report to the President and recommend the advisability of establishing a permanent office to study international Communist behavior.

The Senate amendment contains no comparable provision.

The conference substitute mandates a State Department study to be submitted to the Congress and report on the advisability of establishing an office in the Department to study Soviet and international Communist behavior that violates the concepts of national sovereignty and peace between nations. In conducting this study, the Secretary may make use of suitably qualified journalists and scholars. The study is to be submitted to the Congress within 1 year of enactment of this legislation.

SOVIET NATIONALS EMPLOYED AT U.S. MISSIONS IN THE SOVIET UNION

The House bill prohibits the employment of Soviet nationals at U.S. diplomatic or consular missions in the Soviet Union after September 30, 1986, and expresses congressional willingness to provide funding to replace Soviet citizens at these posts.

The Senate amendment contains no comparable provision.

The conference substitute states that, to the maximum extent practicable, Soviet citizens shall not be employed at U.S. diplomatic or consular missions in the Soviet Union after September 30, 1986.

U.S.-U.S.S.R. DIPLOMATIC EQUIVALENCE

The Senate amendment establishes U.S. policy that the number of Soviet nationals serving in that country's diplomatic mission to the United States shall not exceed the number of U.N. nationals admitted to the U.S.S.R. who serve as diplomatic or consular personnel.

The House bill contains no comparable provision.

The conference substitute states that the number of Soviet nationals admitted to the United States should be substantially equivalent to diplomatic or consular personnel to U.S. diplomatic missions unless the President determines that such admission is in the best interest of the United States. The substitute also includes a reporting requirement which sets forth a plan to achieve this goal.

This provision makes it the policy of the United States that the number of nationals of the Soviet Union serving as diplomatic or consular personnel in the United States shall not substantially exceed the equivalent number of U.S. nationals serving at corresponding posts in the Soviet Union. Substantial equivalence shall be understood as a difference of no more than plus or minus 5 percent. The intent of this provision is that the Soviet Union shall not be permitted to continue to enjoy a numerical superiority in its diplomatic or consular personnel in the United States.

The Department of State has expressed concern that a requirement for strict numerical equivalence could be difficult to administer because the numbers of United States and Soviet diplomatic and consular personnel serving in the respective countries vary due to a variety of factors. The introduction of the term "substantially" recognizes this. This Secretary of State will report annually to the Foreign Relations and Intelligence Committees of the Senate and the Foreign Affairs and Intelligence Committees of the House on implementation of the policy of equivalence in diplomatic and consular representation called for in section 603 of this act. The conferees expect these committees to exercise continuing oversight of the State Department's attainment of the policy established in title VI.

The managers note that this section does not include Soviet personnel admitted for the Soviet mission to the United Nations, but does include all other missions covered by the Foreign Missions Act.

INTELSAT

The House bill states that: (a) Prior to consultation with Intelsat for purposes of coordination, the Secretary of State shall ensure that proposed separate international satellite telecommunications systems comply with the executive branch conditions established pursuant to Presidential determination No. 85-2; (b) separately, the Secretaries of State and commerce and Comsat shall consult with respect to the appropriate scope and character of a modification to the Intelsat agreement allowing Intelsat to establish cost-based rates for individual routes, as exceptional needs war-

rant, and pursuant to that consultation, the United States shall support an appropriate amendment to the Intelsat Agreement; (c) in the event that both Intelsat fails to coordinate with such systems, and the President determines to pursue the establishment of such systems, the Secretary shall submit to Congress, 60 days prior to notifying the FCC that U.S. obligations to Intelsat have been met, a report setting forth the foreign policy measures for the President's decision and a plan for minimizing any negative effects on Intelsat and on U.S. foreign policy interests.

The Senate amendment has no comparable provision.

The conference substitute is similar to the House bill with an amendment which directs the Secretary of State, in the event Intelsat is authorized to establish cost-based rates for individual traffic routes, to instruct the U.S. signatory to Intelsat (Comsat) to ensure that Intelsat provide all documentation necessary to verify that individual route rates established by Intelsat are in fact cost based. In addition, the conference substitute directs that such documentation shall be made available to interested parties to the maximum extent possible and on a timely basis.

The Congress anticipates that the President will review Presidential determination No. 85-2 from time to time, to ensure that its terms and conditions are adequate to protect the global network of Intelsat, and otherwise to ensure an efficient and responsive international telecommunications system, as well as to serve other relevant U.S. interests. The President will report to Congress on any changes he finds may be necessary.

In providing for the dissemination of information under section (c)(2)(b) the managers expect the executive branch to adopt suitable procedures such as, but not necessarily identical to, those contained in the memorandum of understanding entered into by the Departments of State and Commerce, the Federal Communications Commission and Comsat on September 24, 1984.

The managers note that this bill is not intended to impede in any way development or launch of any satellite system which will primarily provide domestic or transborder services. Furthermore, this bill shall not impede in any way the operation of the domestic or transborder aspects of such a satellite system. The international aspect of such a satellite system shall not be operational until the Secretary of State has certified that the obligations of the United States under article XIV(d) of the Intelsat Agreement have been completed with respect to the international aspects.

EMERGENCY TELEPHONE SERVICE AT U.S. CONSULAR OFFICES

The House bill expresses the sense of the Congress that the Secretary of State should ensure 24-hour emergency telephone service at all U.S. consular offices.

The Senate amendment contains no comparable provision.

The conference substitute is identical to the House bill.

MURDER OF MAJ. ARTHUR D. NICHOLSON, JR.

The House bill expresses the sense of the Congress that the Soviet Union's chief of mission to the United States be declared persona non grata until the Soviet Union has apologized for the murder of Major Nicholson.

The Senate amendment contains no comparable provision.

The conference substitute declares the sense of the Congress that the United States should declare persona non grata one or more senior defense attachés of the Soviet Union's mission to the U.S. unless the President certifies to the Congress within 90 days of enactment of this act that the Soviet Union has made a formal apology for the murder of Maj. Arthur Nicholson, Jr., and that the Soviet Union has provided assurances that it will adhere to agreements concerning the status and safety of military and civilian missions of Western nations in the German Democratic Republic.

PRESS FREEDOM

The House bill directs U.S. chiefs of diplomatic missions to promote respect for freedom of the press where it is deemed not to exist.

The Senate amendment contains no comparable provision.

The conference substitute is identical to the House bill.

INSPECTOR GENERAL

The Senate amendment mandates an independent Inspector General at the Department of State and the U.S. Information Agency by June 30, 1986.

The House bill contains no comparable provision.

The conference substitute establishes an independent Inspector General at the Department of State under the authority of the Inspector General Act of 1978.

USIA AUTHORIZATION OF APPROPRIATIONS

The House and Senate bills authorize funds for the U.S. Information Agency as follows:

USIA EARMARKS

[By fiscal year; in thousands of dollars]

	1986	1987
Fulbright and international visitors	128,899	141,996
Humphrey	4,891	5,479
Latin America	45,400	45,100
VOA modernization	136,594	136,594
Radio broadcasting to Cuba	11,500	11,700
Book programs	7,500	7,500
Pan American Games	1,500	1,500
International Games	3,000	
Total earmarks	339,284	349,869

The House bill authorizes $922,286,000 for fiscal year 1986 and $962,866,000 for the fiscal year 1987 for the U.S. Information Agency to carry out international information, educational, cultural, and exchange programs under the U.S. Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, and Reorganization Plan No. 2 of 1977, and for other purposes.

The Senate amendment authorizes $837,623,000 for fiscal year 1986 and $844,623,000 for fiscal year 1987 to carry out international information, educational, cultural, and exchange programs under the U.S. Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan No. 2 of 1977, the Radio Broadcasting to Cuba Act, and other purposes. Of these funds, not less than $11.5 million in fiscal year 1986 and $11.7 million in fiscal year 1987 are authorized to implement the Radio Broadcasting to Cuba Act. This section also authorizes such amounts to remain available until expended.

The conference substitute authorizes $887.9 million in each of fiscal years 1986 and 1987 for the U.S. Information Agency and retains the Senate earmarking for Radio Broadcasting to Cuba in both years.

MODERNIZATION OF VOICE OF AMERICA

The House bill earmarks $136,594,000 for fiscal year 1986 and $142,604,000 for fiscal year 1987 for modernization of the facilities and operations of the Voice of America. These funds will remain available until expended.

The Senate amendment contains no comparable provision.

The conference substitute retains the modernization earmark at $136,594,000 for each of fiscal years 1986 and 1987.

FUNDS FOR EDUCATIONAL AND CULTURAL EXCHANGES

The Senate amendment provides $179,190,000 in fiscal year 1986 and $192,575,000 in fiscal year 1987 for certain educational and cultural exchange activities of the U.S. Information Agency earmarked as follows: (a) $128,899,000 for fiscal year 1986 and $141,996,000 for fiscal year 1987 for grants for the Fulbright Academic Exchange Programs and the International Visitor Program; (b) $4,891,500 for fiscal year 1986 and $5,479,000 for fiscal year 1987 for grants for the Humphrey Fellowship Program; and (c) $45,400,000 for fiscal year 1986 and $45,100,000 for fiscal year 1987 for grants and exchanges to Latin America and the Caribbean, to be obligated in a manner consistent with the recommendations of the National Bipartisan Commission on Central America.

The House bill contains no comparable provision.

The conference substitute executive branch's is identical to the Senate provision. The earmarked funds for the Fulbright, Humphrey, and International Visitor Programs in fiscal years 1986 and 1987 should be considered only as minimum, or floor, levels for these programs. The conference committee commends the executive branch's proposal to fund these exchanges in fiscal year 1986 at the levels required by section 305(c) of Public Law 970-241 (the Pell amendment). The earmarking of lower amounts in fiscal year 1986 should not preclude the executive branch's from meeting the requirement of the Pell amendment and the conference committee urges the executive branch's to meet this statutory requirement.

The managers urge USIA to fund fully, as in the congressional presentational document, the other exchange programs, including the private sector program, the Eisenhower Fellows, and the Congress Bundestag Exchange.

USIA BOOK PROGRAM

The House bill provides that USIA funding for its worldwide book program should be increased by an amount not less than the amount requested by the USIA from the Congress for increases in TV Worldnet.

The Senate amendment earmarks not less than $2,700,000 in addition to fiscal year 1985 allocations for the worldwide book program initiative.

The conference substitute earmarks not less than $7.5 million for fiscal years 1986 and 1987 for the worldwide book program initiative.

FUNDS FOR EXCHANGE ACTIVITIES ASSOCIATED WITH THE 1987 PAN AMERICAN GAMES

The Senate amendment authorizes not less than $1.5 million for each of fiscal years 1986 and 1987 for the Indiana Sports Corporation for exchange of persons and other exchange-related activities associated with

the 1987 Pan American Games to be held in Indianapolis, IN.

The House bill contains no comparable provision.

The conference substitute is identical to the Senate provision.

SUPPLEMENTAL AUTHORIZATION FOR INTERNATIONAL GAMES

The Senate amendment earmarks $3 million in fiscal year 1986 for expenses associated with the XV World Games for the Deaf, the Fifth National Amputee Championship, and the 1985 National Cerebral Palsy/Les Autres Games.

The House bill contains no comparable provision.

The conference substitute earmarks $3 million for fiscal year 1986 to reimburse expenses associated with the exchange of athletes, coaches, and officials for international games for the handicapped held in the United States. While the specific references to certain games were deleted in the section, the managers intend the funds to be available for international games such as the International Games for the Deaf, National Amputee Championships, National Cerebral Palsy/Les Autres Games, National Championship for the Blind Athletes, the Senior Olympics and the National Handicapped Sports and Recreation Associations participation in such games.

BAN ON USIA DOMESTIC ACTIVITIES

The Senate amendment prohibits use of funds by USIA to influence public opinion in the United States.

The house bill contains no comparable provision.

The conference substitute is identical to the Senate language with an amendment regarding exemptions in current law. It is not intended to affect previously released films.

USIA PRIVATE SECTOR PROGRAMS

The Senate amendment prohibits grants to organizations through USIA's private sector programs unless at least 25% of the organization's funds for the proposed grant activity are provided from non-U.S. Government sources.

The House bill contains no comparable provision.

The conference substitute provides that no grant may be made to any organization through the private sector program of the USIA unless costs equal to at least 15 percent in Fiscal Year 1986 and at least 25 percent in Fiscal Year 1987 of grants from USIA for that organization's exchange and exchange-related programs are provided for from non-U.S. Government sources. The substitute provides for an exemption for organizations which have been in existence for less than 1 year. The substitute also provides that no USIA or other Government funds for fiscal year 1986 appropriations shall be used for grants for 1985 International Youth Year activities. For the purpose of determining whether an organization receiving grants from the private sector program of USIA is meeting the standards set forth in this act requiring that costs equal to at least 15 percent in Fiscal Year 1986 and 25 percent in Fiscal Year 1987 of grants from USIA for the organization's overall exchange and exchange-related programs are provided from non-U.S. Government funds, only direct cash contributions, verifiable in-kind expenditures (such as the costs of food, lodging, transportation, cultural events, legal and accounting services, and office equipment) and the reasonable reciprocal costs borne by reciprocal foreign organizations and individuals for transportation, lodging, food, and cultural events directly related to an exchange program carried out in conjunction with the grantee organization's program shall be counted. (For this purpose also, the budgets of local affiliates of national organizations can be counted.)

The conference committee directs USIA to transfer the Operation Crossroads Africa Program from the Office of Private Sector Programs to the Office of International Visitors. The program will be funded from that portion of the $128,899,500 authorized to the Fulbright Academic Exchange Programs and International Visitor Program that is allocated to the International Visitor Program. The funds that are freed by the action for use by the Private Sector Program (an amount which in 1985 would be approximately $1.5 million) are to be apportioned as follows—no less than 80 percent for the core agencies, including the Council for International Programs, involved in traditional exchange programming. The committee believes that the Council on International Programs has been effective in arranging exchanges of persons involved in social services at a low per capita cost to the government. In allocating funds, the conference committee urges USIA to consider CIP's excellent record.

NATIONAL ENDOWMENT FOR DEMOCRACY

SHORT TITLE

The Senate amendment provides a short title, the "National Endowment for Democracy Authorization Act, Fiscal years 1986 and 1987."

The House bill contains no comparable provision.

The conference substitute is the same as the House position.

RESTRICTIONS ON NED ACTIVITIES

The House bill amends the National Endowment for Democracy Act by adding at the end thereof a new section which requires NED to adhere to certain policies as follows: (1) no expenditure of funds to finance campaigns of candidates for public office; (2) NED grantees shall consult with US Chiefs of Mission in foreign countries before funds may be available for projects in those countries; (3) NED funds granted to the American political party institutes shall be used, to the extent feasible, for projects jointly implemented by those institutes.

The Senate amendment contains no comparable provision.

The conference substitute is similar to the House bill, with an amendment adding new language stating that the Endowment shall consult with the Department of State on all Endowment funded programs overseas prior to commencement of program activities; dropping the recommendation relating to joint projects by party institutes; and strengthening the prohibition against NED funds being used for political purposes. It further changes the date of the annual report required to be submitted by NED to the Congress from December 31 to February 1.

PROHIBITION ON NED FUNDING FOR POLITICAL PARTIES

The House bill prohibits grants to political party institutes from being used to finance activities of the Republican National Committee or the Democratic National Committee.

The Senate amendment prohibits NED funds from being used to support the Republican National Committee, the National Republican Institute for International Affairs, the Democratic National Committee, or the National Democratic Institute for International Affairs.

The conference substitute is similar to the House bill, with an amendment strengthening the prohibition against the use of NED funds for partisan politics or any activities directly related to the Republican or Democratic National Committees or candidates for public office.

NED AND PUBLIC ACCESS TO INFORMATION

The House bill further amends the National Endowment for Democracy Act by directing that the Endowment shall make available to the public any information regarding its organization, procedures, requirements, and activities. The Endowment would be authorized to withhold information which is exempted from disclosure under the Freedom of Information Act. In the event that the Endowment made an adverse determination of a request for information, such determination would be reviewed by the General Counsel of the Endowment.

The Senate amendment would prohibit funding to the Endowment until the Endowment fully complies with the provisions of the Freedom of Information Act.

The conference substitute requires that NED fully comply with the provisions of the Freedom of Information Act; requires USIA to facilitate requirements for publication of NED rules and procedures in the Federal Register; and makes USIA responsible for litigation related to the Freedom of Information Act.

The committee of conference notes that for the purpose of obtaining information under FOIA, an individual may request such information from either National Endowment for Democracy or United States Inforamtion Agency.

NED FUNDING

The House bill amends section 503(a) of the National Endowment for Democracy Act to provide that, of the amounts made available to the Endowment, not less than 40% will be for the Free Trade Union Institute; and not less than 20% will be for the Center for International Private Enterprise; and further provides that of the amounts authorized to be appropriated to USIA, not more than $19.3 million for Fiscal Year 1986 and not more than $20.1 million for $19.3 million for Fiscal Year 1987 may be made available to NED. It further provides that the earmarkings shall take effect on October 1, 1985. The House also expressed the sense of the Congress (in H.R. 1555, the Foreign Assistance Authorization bill) that USIA should provide up to $500,000 to NED to finance programs designed to promote democracy and seek to end the apartheid policies in South Africa.

The Senate amendment provides that not less than $17.5 million for each of Fiscal Years 1986 and 1987 shall be available for a grant to the National Endowment for Democracy, of which amount $11 million for each fiscal year will be for the Free Trade Union Institute, and $2.3 million for the Center for International Private Enterprise.

The conference substitute provides not less than $18.4 million for NED for each of Fiscal Years 1986 and 1987 from USIA funds, and deletes all earmarks and ceilings for grantees. The conference substitute also provides that it is the sense of the Congress that USIA should provide up to $500,000 to NED for each of fiscal years 1986 and 1987 (in addition to funds otherwise made available by USIA to NED) for use by NED in providing financing for programs that are

designed to promote democracy and that seek to end the apartheid policies in South Africa.

USIA AUDITS OF NED

Both the House bill and the Senate amendment amend section 504 of the National Endowment for Democracy Act by inserting a new paragraph (g) which provides that the financial transactions of the Endowment for each fiscal year may be audited by USIA. The committee of conference notes that this audit authority is not intended to impose grant conditions on NED which affect the status of NED as a private nonprofit corporation, such as obtaining prior approval from USIA for activities necessary to further the purposes of the National Endowment for Democracy Act.

RELEASE OF CERTAIN USIA FILMS

The House bill also provides for the release of three USIA films on Afghanistan, "Afghanistan 1982: The Struggle for Freedom Continues" and "We are Afghanistan," and "Hal David: Expressing a Feeling."

The Senate amendment provides for the release of the above films. The Senate amendment also provides for the release of "Afghanistan 1982: The Struggle for Freedom Continues". The Conference Substitute provides for the release of all of the above mentioned films with the House language.

USIA GRANT NOTIFICATION

The House bill extends existing law on notification of USIA program grants.

The Senate amendment contains no comparable provision.

The Conference Substitute is identical to the House bill.

BOARD FOR INTERNATIONAL BROADCASTING

AUTHORIZATION OF APPROPRIATIONS

The House bill authorizes appropriations for the Board for International Broadcasting of $122,325,000 for fiscal year 1986 and $127,707,000 for fiscal year 1987.

The Senate amendment similarly authorizes $137,717,000 for the Board for International Broadcasting for each fiscal year 1986 and 1987. In addition, the Senate amendment earmarks $400,000 for Radio Maccabee in both fiscal years.

The Conference substitute authorizes appropriations for the Board for International Broadcasting of $125,000,000 for each fiscal year 1986 and 1987. The substitute drops the earmarking for Radio Maccabee.

IMPROVEMENT OF FACILITIES

The House bill earmarks $20,000,000 in fiscal year 1986 and $21,030,000 for fiscal year 1987 for modernization of radio facilities.

The Senate amendment does not have any comparable provision.

The Conference substitute earmarks $20,000,000 in fiscal year 1986 and $18,323,000 in fiscal year 1987, which shall remain available until expended.

BROADCASTING IN DARI AND PASHTO

The Senate amendment authorizes broadcasting to Afghanistan as long as it is under Soviet occupation and earmarks not less than $450,000 in FY 1986 and not less than $250,000 for fiscal year 1987 for radio broadcasting to the Afghan people in the Dari and Pashto languages, to be designated "Radio Free Afghanistan."

The House bill does not have any comparable provision.

The Conference Substitute authorize broadcasting to Afghanistan as long as it is under Soviet occupation, but drops the earmark.

SECRETARY OF STATE AND BIB MEMBERSHIP

The Senate bill would make the Secretary of State an ex officio member of the BIB, except that the Secretary may not be a member of the Board of Directors of RFE/RL, Inc.

The House bill does not have any comparable provision.

The Conference substitute directs the Secretary of State to establish a liaison office with the BIB at the US Consulate in Munich; provides that a representative of the Secretary of State will attend RFE/RL Inc. and BIB Board meetings; amends section 6 of PL 93-129 directing the Secretary of State to report to BIB on the impact of broadcasts to Eastern Europe and the Soviet Union.

RFE/RL MANAGEMENT

The House bill sets forth certain findings and management recommendations with respect to the Board for International Broadcasting and Radio Free Europe/Radio Liberty Inc.

The Senate amendment contains no comparable provision.

The Conference substitute contains a similar amendment to the House bill. The managers believe that the management of Radio Free Europe/Radio Liberty Inc. should consider, as a way to improve its broadcast quality and content, establishing a position and a procedure responsible for the daily oversight of the radios.

BROADCASTING TO SOVIET JEWRY

The House bill establishes a task force to study the advisability and feasibility of increasing broadcasts to the Jewish populations within the USSR. It also requires a report not later than 6 months after the date of enactment to be submitted to the Congress.

The Senate amendment prohibits grants to RFE/RL, Inc. unless RFE/RL, Inc. establishes in Radio Liberty a new program of Russian language broadcasting for the Jewish population of the USSR entitled "Radio Maccabee Program of Radio Liberty."

The conference substitute is similar to the House bill. It calls for a study and report within six months after enactment of this title and directs the radios to strengthen existing broadcasts of issues of concern to Jewish audiences in the Soviet Union. Such broadcasts may be known as Maccabee Program.

U.S. SCHOLARSHIP PROGRAM FOR DEVELOPING COUNTRIES

The Senate amendment authorizes a US scholarship for disadvantaged students from developing countries to study in the United States. The Senate amendment also provides that not less than 25% of funds appropriated for activities under this title will fund Latin America and Caribbean exchanges.

The House bill contains no comparable provision. However, a similar provision is contained in the House version of the Foreign Assistance bill which authorizes a US scholarship program for disadvantaged students from lesser developed countries to study in the United States. This provision also provides that if the student is granted asylum in the US of the Immigration and Nationality Act or is admitted to the US as a refugee, half of the repayment of the students loan shall be forgiven. The bill also provides that funds allocated for these scholarships shall be available to enhance the educational training and capabilities of the people of Latin America and the Caribbean and to promote better understanding between the US and Latin America. Funds may be used for program and administrative costs for institutions carrying out such programs. The provision also provides that the USIA shall recommend to each student under scholarship that he or she enroll in a course in the classics of American political thought. The House bill also provides that USIA funds (other than those appropriated for programs under the Mutual Education and Exchange Act) may be used to carry out this title with respect to students from developing countries outside Central America.

The conference substitute integrates all of the provisions of the House and Senate positions. The committee of conference note that a provision in the legislation recommends that each student receiving a such a scholarship enroll in a course which studies the "classics of American political thought". This recommendation may be broadly read to include course work in American history or politics, and should not be construed as a recommendation to study certain political thinkers. The recommendation to take such a course is not mandatory and should not be construed as a requirement for holding a scholarship. It is also the committee's intent in authorizing this program that resources currently available to other scholarship or exchange of persons programs funded by USIA, would not be diverted to fund these new programs.

UNIVERSITIES IN U.S. BORDER STATES

The Senate amendment requires the USIA Director and the Administrator of AID to report to Congress on the feasibility of greater utilization in those agency's scholarship programs of US universities in States bordering Latin America.

The House bill contains no comparable provision.

The Conference Substitute is identical to the Senate amendment.

FOREIGN SURVEILLANCE PREVENTION ACT

The Senate amendment establishes a procedure by which the President must identify and so report to the Congress the identity of any foreign national with diplomatic immunity who is engaging in electronic surveillance in the United States. The President must inform the targets of the surveillance; inform the chief of mission of the sponsoring government of the surveillance; and, unless that government ceases such surveillance, must declare the offending party persona non grata.

The House bill contains no comparable provision.

The conference substitute contains no provision on this issue. In considering this section, the Managers agreed with the findings that widespread use of electronic surveillance and the interception of telecommunications by foreign governments under the guise of normal diplomatic relations would pose a serious threat both to the national security of the United States and to the rights of privacy and association guaranteed to Americans by the Constitution.

Consequently, the Managers request the President to conduct a study of this problem and submit recommendations to the Congress, no later than January 1, 1987, for legislation and other actions designed to bring an end to such illicit electronic surveillance.

IRAN CLAIMS

The Senate amendment authorizes the Foreign Claims Settlement Commission to adjudicate and distribute awards to small claimants in the event of a lump sum settle-

ment by the US-Iran Claims Tribunal, and to charge a modest fee to defray the costs of the Commission. It also authorizes the Secretary of the Treasury to deduct a small fee from awards to large claimants of the tribunal.

The House bill contains no comparable provision.

The conference substitute is substantially the same as the Senate provision.

ARMS CONTROL AND DISARMAMENT AMENDMENT ACT OF 1985

The Senate bill contains provisions dealing with the Arms Control and Disarmament Agency. Similar provisions were contained in H.R. 2456, a separately-passed measure.

FISCAL YEAR 1985 AUTHORIZATION

The Senate amendment (section 902) authorizes for fiscal year 1985 $23,789,000 of which amount $4,321,000 is earmarked for the Geneva arms control negotiations.

The House bill (section 1, subparagraph 2) authorizes for fiscal year 1985, $23,789,000.

The conference substitute is the same as the Senate amendment.

FISCAL YEAR 1986 AND FISCAL YEAR 1987 AUTHORIZATIONS

The Senate amendment (section 903) authorizes $25,614,000 for each of the fiscal years 1986 and 1987 for the Arms Control and Disarmament Agency. Of these amounts, $6,146,000 in each fiscal year is earmarked for the Geneva arms control negotiations.

The House bill (section 1, subparagraphs 3, 4, and 5) authorizes for fiscal years 1986 and 1987 $25,614,000 for each fiscal year, plus such additional amounts for each fiscal year as necessary for increases in salary, pay retirement, and other employee benefits authorized by law, foreign currency exchange rates, and other non-discretionary costs.

The conference substitute combines both the Senate and House provisions.

ARMS CONTROL COMPLIANCE REPORT

The Senate amendment (section 904) establishes a new section 38, in the Arms Control and Disarmament Act of 1961 as amended, that requires the President to submit an annual report to Congress, prepared by the Director of the Agency, in coordination with the heads of other relevant agencies, on the adherence of the United States to obligations undertaken in arms control agreements with other nations and on any problems related to compliance by other nations with the provision of bilateral and multilateral arms control agreements with the United States.

The House bill does not contain a comparable provision.

The conference substitute is the same as the Senate provision.

EXECUTIVE LEVEL UPGRADES

The House bill (section 2) provides for comparability adjustment in five senior ACDA executive level positions to conform them with counterparts in other agencies.

The Senate amendment does not contain a comparable provision.

The conference substitute is the same as the House provision.

COMPLIANCE WITH BUDGET ACT

The House bill (section 3) provides that the authorities provided shall be in compliance with the Congressional Budget Act of 1974.

The Senate amendment contains no comparable provision.

The conference substitute is the same as the House provision.

FUTURE ACDA AUTHORIZATION

The Managers intend that including the ACDA authorization as part of the Foreign Relations Authorization Act is a one-time exception and that future ACDA authorizations should be adopted as separate legislative measures.

ASIA FOUNDATION

The House bill authorizes $10 million for the Asia Foundation.

The Senate amendment authorizes $10.5 million for each of fiscal years 1986 and 1987 for the Asia Foundation in a separate Asia Foundation Act. The Conference Substitute is identical to the Senate amendment.

ASSISTANCE TO NICARAGUA

The Senate amendment contains a provision authorizing humanitarian assistance to Nicaragua and related policy matters.

The House bill contains no comparable provision. However, House provisions relating to aid to Nicaragua are contained in the FY 1985 supplemental appropriation.

The conference substitute contains no provision on this issue.

PROHIBITION ON FUNDS FOR NICARAGUA

The Senate amendment prohibits the use of funds to support activities against the Government of Nicaragua which have not been authorized by law and which would place the US in violation of our obligations under the OAS.

The House bill contains no comparable provision.

The conference substitute contains no provision on this issue.

FOOD AID TO THE NICARAGUAN PEOPLE

The Senate amendment states that the President should explore and promote means for providing food aid to the Nicaraguan people through private voluntary organizations and the Catholic Church.

The House bill contains no comparable provision.

The conference substitute contains no provision on this issue.

AGRICULTURAL PRODUCTS AND TARIFF BARRIERS

The Senate amendment directs USIA to develop a public information campaign to inform appropriate nations as to the advantages of lowering tariff and non-tariff barriers on agricultural products.

The House bill contains no comparable provision.

The Conference Substitute contains no provision on this issue.

TRADE BARRIERS TO AMERICAN AGRICULTURAL PRODUCTS

The managers recognize that foreign tariff and non tariff barriers to American products are harming American producers and causing higher food prices to consumers in countries with high trade barriers. A campaign to heighten public awareness abroad of the advantages of lower trade barriers would serve the interests of both American producers and foreign consumers. Such a campaign would compliment ongoing efforts by several departments of government to promote lower trade barriers to American goods and services. The Director of the United States Information Agency is requested to examine the feasibility of a significant public information campaign regarding lower trade barriers and, in consultation with other appropriate agencies, to prepare a report for submission to the President and the Congress on this recommendation on how such a program could most effectively promote the interests of American producers and workers. In examining the advisability of such a campaign the Director should pay particular attention to the needs of American agricultural producers.

EX GRATIA PAYMENT TO SWITZERLAND

The Senate amendment reflects an Administration request to amend the Trading with the Enemy Act to make an ex gratia payment to the Government of Switzerland under the terms of an existing US-Swiss agreement.

The House bill contains no comparable provision.

The Conference Substitute is identical to the Senate amendment.

TERMINATION OF NATIONAL EMERGENCIES

The Senate amendment amends the National Emergencies Act to stipulate that a national emergency may be terminated by joint resolution of the Congress. Current law only requires a concurrent resolution to terminate a national emergency.

The House bill contains no comparable provision.

The Conference Substitute is identical to the Senate amendment.

CONSEQUENCES OF NUCLEAR WINTER

The Senate amendment expresses the sense of the Congess that the President should propose during arms talks with the USSR that the US and the USSR jointly study the consequences of nuclear winter and its impact on national security of both countries.

The House bill contains no comparable provision.

The conference substitute contains no provision on this issue.

REVIEW OF ASSISTANCE TO COAL EXPORTING NATIONS

The Senate amendment directs the Export-Import Bank to report to the Congress on the terms of all assistance provided to the purpose of financing or assisting in the development of coal production, transportation or export.

The House bill contains no comparable provision.

The conference substitute contains no provision on the issue.

APPLICATION OF THE YALTA AGREEMENT

The Senate amendment states that the US does not recognize as legitimate any spheres of influence in Europe and reaffirms US refusal to recognize such spheres by repudiating Soviet use of the Yalta Agreement to legitimize Soviet domination of Eastern Europe. It also expresses US solidarity with the peoples of Central and Eastern Europe.

The House bill contains no provision on this issue.

The conference substitute contains a provision relating to the Yalta Agreement. The conferees recognize that their action does not constitute a formal repudiation of the Yalta Agreement.

MAYOR OF JERUSALEM

The Senate amendment commends Mayor Teddy Kollek of Jerusalem for his efforts to promote harmony among the people of Jerusalem.

The House bill contains no comparable provision.

The Conference Substitute is identical to the Senate amendment.

TREATMENT OF SOVIET PENTENCOSTALS

The Senate amendment expresses the sense of the Senate that Soviet government

personnel violated the human rights of the four members of the Pentecostal community who attempted to enter the US Embassy in Moscow; that the US Department of State should try to assure the safety of these persons; and the Secretary of State should undertake a study of US policy relating to the granting of asylum in US embassies abroad and make recommendations to the Senate Foreign Relations Committee regarding adjustments in current policy.

The House bill contains no comparable provision.

The conference substitute is virtually identical to the Senate amendment. In addition it requires that the report be submitted to the Committee on Foreign Affairs.

DEMOCRACY ON TAIWAN

The Senate amendment expresses the sense of the Congress that it is important that all Taiwanese participate in that country's political process in order to promote a peaceful future and that the United States should encourage the authorities on Taiwan to work toward this end.

The House bill contains no comparable provision.

The conference substitute is essentially the same as the Senate amendment.

US/CHINA TRADE

The Senate amendment expresses the sense of the Congress that the Departments of State and Commerce should take appropriate steps to increase United States/China trade with a view to improving the trade balance, increasing American jobs, and assuring US participation in the growing Chinese market.

The House bill contains no comparable provision.

The conference substitute is identical to the Senate amendment.

INTERNATIONAL NARCOTICS CONTROL COMMISSION

The Senate amendment establishes an International Narcotics Control Commission which would monitor and promote international compliance with narcotics control treaties and monitor and encourage US Government and private programs seeking to expand international cooperation against drug abuse. The Commission would be composed of seven Senators, seven House Members, three Executive branch personnel, and five members of the public sector, and chaired alternately by a Senator and a House Member, beginning with a Senator, with opposite rotating Co-Chairmen. The Commission is also granted subpoena powers. The President is required to submit semi-annual reports to the Commission on the status of compliance with narcotics control treaties, and requires the Commission to report to the congress periodically. It also authorizes $550,000 for each fiscal year for the Commission, to be disbursed on a voucher by the Chairman, which would remain available until expended. The Commission is deemed to be a standing committee of the Congress for purposes of travel funds, is to receive $6,000 for official representational expenses, and Commission staff is exempted from civil service regulations.

The House bill contains no comparable provision.

The conference substitute is the same as the Senate amendment, except that the Commission includes no House Members or Executive branch officials, provides that the Chairman shall be of the Senate Majority party and the Co-Chairman of the Senate Minority Party, drops the separate Presidential reporting requirement and instead requires the President to submit the annual State Department narcotics report (pursuant to section 481(e) of the Foreign Assistance Act) to be submitted to the Commission, provides $325,000 for each fiscal year to meet Commission expenses, and provides no representational funds. The conference substitute does not specify the manner in which Commission funds will be disbursed.

It is the intent of the Conferees that the Commission operate in the manner of the Helsinki Commission. The Chairman, in consultation with the Cochairman will reach decisions regarding appropriate and adequate levels of staffing, funds, and support facilities for both the majority and minority members of the Commission.

UNITED STATES-JAPAN SECURITY RELATIONSHIP AND JAPANESE SELF-DEFENSE EFFORTS

The Senate amendment (section 1123) expresses congressional findings regarding the U.S.-Japan security relationship, expresses the sense of Congress that Japan should formally reexamine her 1976 National Defense Program Outline and develop and implement a 1986-1990 Mid-Term Defense Plan fully funded to enable Japan to meet, by 1990, its commitment to obtain self-defense forces adequate to protect its air spaces and sealanes out to 1,000 miles, expresses the sense of Congress that Japan should increase contributions to support U.S. forces in Japan, and requires annual reports so Congress can assess Japan's progress toward actually fulfilling her common defense commitments.

The House bill does not contain a comparable provision although the House passed foreign assistance bill contains a provision (section 1209) that expresses congressional findings regarding the U.S.-Japan security relationship and the sense of Congress that Japan should be strongly encouraged in its plans to develop and implement a 1986-1990 Mid-Term Defense Plan.

The conference substitute is a compromise that states congressional findings regarding the U.S.-Japan security relationship, expresses the sense of Congress that Japan should implement a 1986-1990 Mid-Term Defense Plan fully funded to enable Japan to meet, by 1990, its commitment to obtain self-defense forces adequate to protect its air spaces and sealanes out to 1,000 miles and requires information, on an annual basis, so Congress can understand Japan's progress toward actually fulfilling its common defense commitments, including obtaining the 1000-mile self-defense capabilities by 1990 and about actions the Executive branch is taking to encourage Japan to achieve these capabilities by the end of the decade.

The conference committee notes that Japan is not the only ally of the United States which is not contributing sufficient resources to fulfill its independent commitments to the common defense. Several of America's NATO allies also are not bearing a fair share of the mutual security burden. However, in approving language finding that the U.S. Government appreciates Japan's recent efforts to increase its defense spending, the conference committee wishes to point out that these recent increases still are inadequate.

As evidence of these inadequacies, the conference committee expressed concern that every year since 1981 the Defense Department has reported to Congress that Japan "ranks last or close to last" on most measures surveyed and thus quite clearly "appears to be contributing far less than its fair share" of the common defense burden. Further evidence was presented this year when the Commander of all United States armed forces in the Pacific region, Admiral William J. Crowe, Jr. testified to Congress that Japan's decision to increase its defense budget in 1985 "is still inadequate to meet the defense capabilities the Japanese government has pledged itself to meet."

Finally the committee of conference is also aware that Congress already receives an annual report on the defense contributions of all our NATO allies and Japan. The conference committee does not wish to impose on the Executive branch a requirement for a new, separate report and would consider it appropriate for the additional information to be included in the already required report.

Such required additional information should include a detailed estimate by the U.S. Government of the level of funding resources, specific procurement programs and other defense improvement actions required annually between 1986 and 1990 for Japan to achieve the capabilities to defend her homeland and airspace and sea lanes out to 1,000 miles, by the end of this decade.

It should also include a detailed estimate by the U.S. Government of the length of delay beyond 1990 for Japan to achieve the 1000-mile self-defense capabilities and caused by any disparities between the U.S. estimate of resources required and those resources Japan decides on her own to provide for that particular annual period and for the years remaining in the 1986-1990 Mid-Term Defense Plan.

Finally the information should include a description of actions the U.S. Government has taken in the preceding year to encourage Japan to attain the 1,000 mile self-defense capabilities by 1990.

REPEAL OF CLARK AMENDMENT

The Senate amendment repeals section 118 of the International Security and Development Cooperation Act of 1980 which prohibits assistance which would have the effect of promoting the capacity of any nation or individual to conduct military or paramilitary operations in Angola unless the president certifies that such assistance is in the national security interests of the United States.

The House bill contains no comparable provision.

The Conference Substitute contains no provision on this issue.

REPORT ON SOVIET VIOLATION OF ARMS CONTROL AGREEMENT

The Senate amendment directs the Department of Defense to report to the Congress on the military consequences and effects of Soviet violations of all arms control treaties and agreements.

The House bill contains no comparable provision.

The conference substitute does not include the Senate provision. The managers note that Title VII of the conference substitute includes a provision requiring a presidential report on the compliance of the Soviet Union and other nations with arms control agreements, as well as on U.S. adherence to arms control obligations.

BAN ON CHEMICAL WEAPONS

The Senate amendment expresses the sense of the Conress that the President should continue to pursue negotiation of a multilateral agreement banning chemical weapons and seek bilateral discussions between the US and the Soviet Union to achieve a ban on chemical weapons.

The House bill contains no comparable provision.

The conference substitute is identical to the Senate provision.

U.S.-OWNED RUPEES

The Senate bill amends Section 903 of PL 98-164 by allowing the use, pending the negotiation of an agreement with the Government of India, of the annual earnings generated by US-owned foreign currencies in India to provide grants for cultural, educational, and scientific programs of interest to the United States and India.

The House bill contains no comparable provision.

The Conference Substitute is identical to the Senate amendment.

MOSCOW EMBASSY

The House bill directs the Secretary of State, within 30 days of enactment, to initiate actions to begin the arbitration process provided for in the embassy construction agreement between the U.S. and the U.S.S.R. in order to resolve U.S. claims against the Soviet Union construction delays in the U.S. embassy complex in Moscow. It also requires a report to Congress from the Secretary of State on the resolution of such claims. If the U.S.S.R. refuses to abide by the results of the arbitration, the Secretary of State will not allow Soviet occupation of their new embassy in Washington, D.C. until arbitration is completed and damages are paid in full. The section also includes a presidential waiver in the interests of U.S. national security if resolution of claims is proceeding satisfactorily.

The Senate amendment contains no comparable provision.

The conference substitute is similar to the House provision. It requires a report to the Congress in the event the amount of the reimbursement is less than the amount of funds expended for damages, explaining why the Secretary accepted the settlement arrangements. The substitute also contains a waiver if the Secretary certifies to Congress that a substantial number of claims are settled and resolution of remaining claims is proceeding satisfactorily.

MINORITY REPRESENTATION IN THE FOREIGN SERVICE

The House bill directs the head of an agency using the foreign service personnel system to develop, to the extent practicable, an affirmative action effort to significantly increase the number of women and minority groups in the service. Such efforts should emphasize increases in the mid- and senior levels of the service. The program's goal would be to raise the representation of women and minority groups to levels at least equivalent to those group's respective proportions in the U.S. labor force. The section also requires that the report to the Congress regarding minority representation in the service pursuant to the Foreign Service Act shall include reports on the implementation of this effort. The Senate amendment contains no comparable provision.

The conference substitute is similar to the House provision. However it places emphasis on establishing a plan to increase the number of minority groups and women in the Foreign Service, emphasizing the mid-levels of the service and conforming the provision to section 7201 of title 5 of the United States Code.

EMPLOYEES OF THE UNITED NATIONS

The House bill directs the Secretary of State to report to Congress within 90 days of enactment of this Act on the extent to which international civil servants employed by the UN must return part of their salaries to their respective governments. The report should also address steps taken by the Secretary and the U.S. Representative to the UN to correct this practice. A second report to the Congress would assess progress made, by January 1, 1987, in correcting the practice. If, pursuant to the latter report, the Secretary determines that substantial progress has not been made, the U.S. will reduce its annual assessed payment to the U.N. by an amount equal to the U.S. proportionate share of the salaries of such UN employees engaged in kickbacks.

The Senate amendment contains no comparable provision. The conference substitute is similar to the House provision with an amendment relating to reservations of UN member states regarding taxation. The conference substitute does not make mandatory a reduction in the U.S. contribution to the United Nations.

REFUGEES IN THAILAND

The House bill commends the Government of Thailand for its response to refugees fleeing Vietnam and expresses the sense of Congress that 1) those seeking refuge in Thailand should not be repatriated and 2) increased security should be provided for refugees in Thai camps, including through a greater presence by international organizations. The Section further directs the Secretary of State with the assistance of appropriate organizations and agencies, to review the status of Cambodian refugees; implement a solution to their plight; investigate cases where Cambodians have been rejected for admission to the U.S.; institute a family reunification program for refugees in Thailand; provide a program of educational assistance for Cambodians in border camps.

The Senate amendment contains no comparable provision.

The conference substitute is identical to the House bill.

FOREIGN EXCHANGE INTERVENTION

The Senate amendment expresses the sense of the Congress that the Secretary of the Treasury and the Chairman of the Federal Reserve Board, together with our allies, should take the necessary steps (including intervention in foreign exchange markets) to gradually lower the value of the dollar. It also provides that the Secretary of the Treasury and Federal Reserve Board Chairman work to ensure that the domestic macroeconomic policies of the U.S. and its allies reinforce each other.

The House bill contains no comparable provision.

The Conference Substitute is identical to the Senate amendment.

MEASURES TO ENHANCE CRISIS STABILITY AND CONTROL

The House bill directs the Secretary of State and the Director of the Arms Control and Disarmament Agency to conduct a study of measures which would both enhance U.S. security and reduce the likelihood of nuclear weapons use by contributing to crisis stability or crisis control capabilities.

The Senate amendment contains no comparable provision.

The conference substitute is identical to the House provision.

REPORTS ON ADHERENCE TO AND COMPLIANCE WITH AGREEMENTS

The Senate amendment requires the President to report to the Congress on the adherence of the United States to obligations undertaken in Arms Control Agreements and on problems of compliance by other nations.

The House bill contains no comparable provision.

The conference substitute is identical to the Senate provision.

NEW BUILDING IN GENEVA FOR ARMS CONTROL NEGOTIATING TEAMS

The Senate amendment expresses the sense of the Senate that the Secretary of State should submit a report to the Congress on the feasibility of a new structure to house the United States Arms Control negotiating Teams in Geneva.

The House bill contains no comparable provision.

The conference substitute is similar to the Senate provision with a technical amendment.

DANTE B. FASCELL,
DAN MICA,
PETER H. KOSTMAYER,
LAWRENCE J. SMITH,
TED WEISS,
BUDDY MACKAY,
TOM LANTOS,
BILL BROOMFIELD,
OLYMPIA SNOWE,
BENJAMIN A. GILMAN,
CONNIE MACK,
JOHN MCCAIN,
Managers on the Part of the House.

RICHARD G. LUGAR,
JESSE HELMS,
CHARLES MCC. MATHIAS, JR.,
CLAIBORNE PELL,
J.R. BIDEN, JR.,

For the portion dealing with Iran claims legislation:

DANIEL J. EVANS,
Managers on the Part of the Senate.

SPECIAL ORDERS GRANTED

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

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

Mr. DANNEMEYER, for 60 minutes, today.

Mr. DANNEMEYER, for 60 minutes, July 31.

Mr. PURSELL, for 5 minutes, July 31.

Mr. LIGHTFOOT, for 5 minutes, July 31.

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

Mr. FASCELL, for 5 minutes, today.

Mr. BOUCHER, for 5 minutes, today.

Mr. PEPPER, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. DYMALLY, for 30 minutes, today.

Mr. CONYERS, for 5 minutes, July 31.

Mr. CONYERS, for 5 minutes, August 1.

Mr. LIPINSKI, for 5 minutes, July 31.

Mr. GAYDOS, for 60 minutes, July 31.

Mr. DYMALLY, for 60 minutes, July 31.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. DAUB, prior to the vote on H.R. 3036 in the Committee of the Whole, today.

Mr. LOWERY of California, prior to the vote on the Frenzel amendment to H.R. 3036, Treasury, Postal Service, and General Government appropriations, 1986, in the Committee of the Whole, today.

Mr. LOWERY of California, during general debate on H.R. 3067, District of Columbia appropriations, 1986, in the Committee of the Whole, today.

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

Mr. GOODLING.
Mr. SHUSTER.
Ms. SNOWE.
Mr. KRAMER.
Mr. RUDD.
Mr. FRANKLIN.
Mr. LUJAN.
Mr. GILMAN in three instances.
Mr. COBEY.
Mr. GRADISON.
Mr. CARNEY.
Mr. LAGOMARSINO in four instances.
Mrs. ROUKEMA.
Mr. ZSCHAU.
Mr. DANNEMEYER.
Mr. CAMPBELL.
Mr. HORTON.
Mr. MCEWEN.
Mr. HENRY.
Mr. JEFFORDS.

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

Mr. LEHMAN of Florida.
Mr. SISISKY.
Mr. WALGREN.
Mr. SOLARZ.
Mr. SCHUMER.
Mr. BOUCHER.
Mr. MARKEY.
Mr. DOWNEY of New York.
Mr. WOLPE.
Mr. RODINO.
Mr. EDGAR.
Mr. KOLTER.
Mr. KOSTMAYER.
Mr. DINGELL in two instances.
Mr. RANGEL.
Mr. FEIGHAN.
Mr. BERMAN.
Mr. HALL of Ohio.
Mr. MILLER of California.
Ms. OAKAR.
Mr. HUBBARD.
Mr. PEPPER.
Mr. LOWRY of Washington.
Mr. DE LUGO.
Mr. BONIOR of Michigan.
Mr. SHELBY.
Mr. ROYBAL.
Mr. FUSTER.
Mr. APPLEGATE.
Mr. FLORIO.
Mr. GARCIA in two instances.
Mr. FAUNTROY.
Mr. LANTOS.
Mr. ECKART of Ohio.

ENROLLED JOINT RESOLUTION SIGNED

Mr. ANNUNZIO, from the committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 164. Joint resolution to designate August 4, 1985, as "Freedom of the Press Day."

SENATE ENROLLED JOINT RESOLUTIONS

The SPEAKER announced his signature to enrolled joint resolutions of the Senate of the following title:

S.J. Res. 108. Joint resolution authorizing the Secretary of Defense to provide to the Soviet Union, on a reimbursable basis, equipment and services necessary for an improved United States/Soviet Direct Communication Link for crisis control, and

S.J. Res. 161. Joint resolution to appeal for the release of Soviet Jewry.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 10 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until Wednesday, July 31, 1985, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1787. A letter from the Secretary of Education, transmitting waivers of requirements of section 312(2)(A)(ii) or 322(a)(2)(A)(ii) of the HEA, pursuant to HEA, section 342(a)(2) (94 Stat. 1398); to the Committee on Education and Labor.

1788. A letter from the Director of Legislative Affairs, Agency for International Development, trasmitting justification of an increase in the funding level for the proposed fiscal year 1985 program in Mali, pursuant to 22 U.S.C. 2413(b); to the Committee on Foreign Affairs.

1789. A letter from the Director of Legislative Affairs, Agency for International Development, transmitting justification of the increase in the funding level for the proposed fiscal year 1985 program in Liberia, pursuant to 22 U.S.C. 2413(b); to the Committee on Foreign Affairs.

1790. A letter from the Chairman, Japan-United States Friendship Commission, transmitting the eighth annual report of activities and recommendations, pursuant to Public Law 94-118, section 5(b); to the Committee on Foreign Affairs.

1791. A letter from the Administrator, General Services Administration, transmitting a summary of excess property disposal reports, pursuant to the act of June 30, 1949, chapter 268, section 202(e) (90 Stat. 2455); to the Committee on Government Operations.

1792. A letter from the Deputy Assistant Secretary of Defense, transmitting three new reports on systems of records submitted by the Department of the Navy, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1793. A letter from the Administrator, Veterans' Administration, transmitting notice of a Veterans' Administration matching program, pursuant to 5 U.S.C. 552a(o); to the Committee on Veterans' Affairs.

1794. A letter from the Chairwomen, U.S. International Trade Commission, transmitting the 36th report of the U.S. International Trade Commission on the operation of the trade agreements program during 1984, pursuant to Public Law 93-618, section 163(b); to the Committee on Ways and Means.

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. FROST: Committee on Rules. House Resolution 240. Resolution waiving certain parts of order against H.R. 3011, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1986, and for other purposes (Rept. 99-238). Referred to the House Calendar.

Mr. WHEAT: Committee on Rules. House Resolution 241. Resolution providing for the consideration of H.R. 3008, a bill to promote equitable pay practices and to eliminate discrimination within the Federal civil service (Rept. 99-239). Referred to the House Calendar.

Mr. MICA: Committee of conference. Conference report on H.R. 2068 (Rept. No. 99-240). Ordered to be printed.

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. JEFFORDS (for himself, Mrs. ROUKEMA, Mr. CHANDLER, Mr. OWENS, Mr. PETRI, Mr. DYMALLY, and Mr. TAUKE):

H.R. 3098. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1954 to improve the efficiency and adequacy of the current retirement income system (consisting of employer and individual retirement plans) in carrying out its supplemental role to Social Security in providing benefits upon death, disability, and retirement by establishing retirement universal security arrangements which will expand pension coverage, provide for a form of pension portability, and preserve pension asset accumulations for payment in retirement income form, and for other purposes; jointly, to the

Committees on Education and Labor, and Ways and Means.

By Mr. MAVROULES:

H.R. 3099. A bill to amend the Communications Act of 1934 to expand the availability of hearing-aid compatible telephones; to the Committee on Energy and Commerce.

By Mr. MARKEY (for himself, Mr. MAVROULES, Mr. MCKINNEY, Mrs. SCHNEIDER, Mr. ADDABBO, Mr. ST GERMAIN, Mr. EDGAR, Mrs. BURTON of California, Mr. YATES, Mr. HAYES, Mr. ROYBAL, Mr. LELAND, Mr. FRANK, Mr. OBERSTAR, Mr. KASTENMEIER, Mr. OWENS, Mr. BOLAND, Mr. MILLER of California, Mr. DIXON, Mr. LEHMAN of Florida, Mr. MARTINEZ, Mr. WHEAT, Mr. STUDDS, Mr. TOWNS, Mr. MOAKLEY, Mr. FORD of Michigan, Mr. MRAZEK, Mr. TORRES, Mr. RAHALL, Mrs. KENNELLY, Mr. KOSTMAYER, Mr. DOWNEY of New York, Mrs. BOXER, Mr. EVANS of Illinois, Mr. SAVAGE, Mr. FAUNTROY, Mr. MORRISON of Connecticut, Mr. ATKINS, Mr. WEAVER, Mr. KILDEE, Mr. SCHUMER, Mr. DELLUMS, Mr. WEISS, Mr. MITCHELL, Mr. EDWARDS of California, Mr. BATES, Mr. DURBIN, Mr. TORRICELLI, Mr. RODINO, Mr. SCHEUER, Mr. FEIGHAN, Mr. AUCOIN, Mr. VENTO, Mr. PANETTA, Mr. LEHMAN of California, Mr. GEJDENSON, Mr. MINETA, Mr. BROWN of California, Mr. SABO, Mr. MCHUGH, Mr. MATSUI, Mr. ACKERMAN, Mr. LEVINE of California, Mr. JACOBS, Mr. SIKORSKI, Mr. CARR, Mr. CLAY, Mr. UDALL, Mrs. COLLINS, Ms. KAPTUR, Mr. HOWARD, Mr. LAFALCE, Mr. BARNES, Mr. CONYERS, Mr. WILLIAMS, Mr. BRUCE, Mr. CROCKETT, Mr. WALGREN, Mr. GARCIA, Mr. BOSCO, Mr. BIAGGI, Mr. LOWRY of Washington, Mr. BONIOR of Michigan, Mr. ROSTENKOWSKI, Mr. RANGEL, Mr. MANTON, Mr. RUSSO, Mr. LANTOS, Mr. MOODY, Mr. WAXMAN, Mr. WIRTH, and Mr. FORD of Tennessee):

H.R. 3100. A bill to provide for a comprehensive bilateral and verifiable freeze between the United States and the Soviet Union on the testing, production, and deployment of nuclear weapons systems; jointly, to the Committees on Foreign Affairs, Rules, and Armed Services.

By Mr. WAXMAN:

H.R. 3101. A bill to amend titles XVIII and XIX of the Social Security Act to provide for budget reconciliation, and improvements, with respect to the medicare and medicaid programs; divided and referred as follows: section 1 and titles I and II to the Committee on Energy and Commerce; section 1 and title I to the Committee on Ways and Means.

By Mr. BOUCHER:

H.R. 3102. A bill to strengthen the technological literacy of the Nation through demonstration programs of technology education; to the Committee on Education and Labor.

By Mr. BROOKS:

H.R. 3103. A bill to amend title II of the Social Security Act to require that all covered workers be informed annually of their contributions and potential benefit rights (based on their then current wage records); to the Committee on Ways and Means.

By Mr. BURTON of Indiana (by request):

H.R. 3104. A bill to amend the joint resolution of June 22, 1942, to provide for the reading of a Tribute to the Flag before the Pledge of Allegiance; to the Committee on the Judiciary.

By Mr. EDGAR:

H.R. 3105. A bill to provide for the establishment of a bipartisan commission to study and make recommendations concerning changes in the Medicare Program to assure its short-term and long-term financial solvency and the appropriateness of its benefit structure; jointly, to the Committees on Ways and Means, and Energy and Commerce.

By Mr. FISH:

H.R. 3106. A bill to amend title 9 of the United States Code regarding arbitral awards; to the Committee on the Judiciary.

By Mr. JENKINS:

H.R. 3107. A bill to amend the Internal Revenue Code of 1954 to exempt from tax earnings on certain investment accounts for savers and investors; to the Committee on Ways and Means.

By Mr. KASTENMEIER (for himself, and Mr. BOUCHER);

H.R. 3108. A bill to amend title 17, United States Code, to clarify the definition of the local service area of a primary transmitter in the case of a low power television station; to the Committee on the Judiciary.

By Mr. KRAMER:

H.R. 3109. A bill to amend title 18, United States Code, to provide life imprisonment wihtout parole for certain offenses relating to the sexual exploitation of children; to the Committee on the Judiciary.

By Mr. LEHMAN of California (for himself, Mr. MATSUI, Mr. COELHO, Mr. PASHAYAN, and Mr. KLECZKA):

H.R. 3110. A bill to amend the Social Security Act to provide for a demonstration of the extent to which eliminating the 100-hour rule under the AFDC-U Program, and requiring parents under such program to accept any reasonable job offers while preserving the eligibility of their families, would effectively encourage such parents to enter the permanent work force and thereby significantly reduce program costs; to the Committee on Ways and Means.

By Mr. LOTT:

H.R. 3111. A bill to reestablish the Gulf Islands National Seashore Advisory Commission; to the Committee on Interior and Insular Affairs.

By Mr. LUJAN:

H.R. 3112. A bill to amend title 35 of the United States Code, and the National Aeronautics and Space Act of 1958, to provide that any person who makes an invention in the course of activities in outer space shall retain all patent rights to such invention; jointly, to the Committees on the Judiciary, and Science and Technology.

By Mr. MILLER of California (for himself, Mr. COELHO, and Mr. LEHMAN of California):

H.R. 3113. A bill providing for the Coordinated Operation of the Central Valley Project and the State Water Project in California; to the Committee on Interior and Insular Affairs.

By Mr. MILLER of California (for himself, Mr. RANGEL, and Mr. OWENS):

H.R. 3114. A bill to provide a comprehensive legislative program for children, adolescents, and families, and for other purposes; jointly, to the Committees on Ways and Means, Energy and Commerce, Education and Labor, and Agriculture.

By Mr. MONTGOMERY:

H.R. 3115. A bill to provide that the program of education for which assistance may be made available under chapter 106 of title 10, United States Code, is the same as that for which assistance may be made available under chapter 30 of title 38, United States Code; to the Committee on Armed Services.

By Mr. OBERSTAR (for himself, Mr. VANDER JAGT, Mr. SEIBERLING, and Mr. MURTHA):

H.R. 3116. A bill to amend the Act of April 9, 1924 authorizing the construction, reconstruction, and improvement of roads and trails in units of the National Park System, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. PASHAYAN (for himself, and Mr. THOMAS of California):

H.R. 3117. A bill to amend section 131 of the Highway Beautification Act of 1965, as amended; to the Committee on Public Works and Transportation.

By Mr. PEPPER:

H.R. 3118. A bill to amend the Federal Food, Drug, and Cosmetic Act to limit the compensation of investigators who use medical devices under an exemption for investigational use; to the Committee on Energy and Commerce.

H.R. 3119. A bill to amend title XVIII of the Social Security Act to require an annual report from the Director of the Congressional Office of Technology Assessment on changes in payment amounts for certain surgical transplantation procedures; jointly to the Committees on Ways and Means, and Energy and Commerce.

By Mr. RINALDO (for himself, Mr. ROYBAL, Mr. BIAGGI, Mr. MCCAIN, Ms. SNOWE, Mr. VENTO, Mr. SAXTON, and Mr. MANTON):

H.R. 3120. A bill to establish in the Department of Justice the National Resource Office Relating to Crimes Against Older Individuals; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 3121. A bill to provide for a moratorium on certain retirement plan reversions, and for other purposes; jointly, to the Committees on Education and Labor, and Ways and Means.

By Mr. SEIBERLING:

H.R. 3122. A bill to amend the Internal Revenue Code of 1954 with respect to the amount of interest payable on underpayments where individuals not timely notified of result of audit; to the Committee on Ways and Means.

By Mr. SOLOMON:

H.R. 3123. A bill to restrict the administration and use of polygraph examinations with respect to employers involved in interstate commerce and to protect the privacy rights of employees and prospective employees of such employers; to the Committee on Education and Labor.

By Mr. ZSCHAU:

H.R. 3124. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of computer software royalties for purposes of the personal holding company provisions; to the Committee on Ways and Means.

By Mr. CAMPBELL:

H.J. Res. 362. Joint resolution to designate the week of September 23, 1985, through September 29, 1985, as "National Historically Black Colleges Week"; to the Committee on Post Office and Civil Service.

By Mrs. KENNELLY (for herself and Mr. GILMAN):

H.J. Res. 363. Joint resolution to express the sense of the Congress with respect to the failure of the Soviet Union to comply with section 7 of the Helsinki accords; to the Committee on Foreign Affairs.

By Mr. LOTT:

H.J. Res. 364. Joint resolution to authorize and request the President to proclaim March 21, 1986, as "National Taste and Smell Disease Awareness Day"; to the Committee on Post Office and Civil Service.

By Mr. DELLUMS:

H. Res. 242. Resolution urging the Postmaster General to issue a commemorative stamp in honor of Malcolm X; to the Committee on Post Office and Civil Service.

By Mr. HEFTEL of Hawaii:

H. Res. 243. Resolution expressing the sense of the House of Representatives to preserve the 25-percent investment credit for the rehabilitation of certified historic buildings; to the Committee on Ways and Means.

By Mr. RINALDO:

H. Res. 244. Resolution expressing the House of Representatives' opposition to an imposition of an import fee on crude oil and refined products; to the Committee on Ways and Means.

MEMORIALS

Under clause 4 of rule XXII,

233. The SPEAKER presented a memorial of the Legislature of the State of California, relative to Ida Nudel; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. DOWNEY of New York introduced a bill (H.R. 3125) for the relief of Anthony Casamento; 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. 2: Mr. CARPER, Mr. VALENTINE, and Mr. WEAVER.

H.R. 479: Mr. GALLO.

H.R. 481: Mr. BADHAM.

H.R. 598: Mr. RITTER, Mr. TRAFICANT, and Mr. BIAGGI.

H.R. 602: Mr. SHUMWAY.

H.R. 704: Mr. CLINGER and Mr. BROWN of Colorado.

H.R. 797: Mr. CHANDLER, Mr. BRUCE, Mr. NIELSON of Utah, Mr. SENSENBRENNER, Mr. EDWARDS of Oklahoma, Mr. TOWNS, and Ms. SNOWE.

H.R. 846: Mr. MORRISON of Washington.

H.R. 864: Mr. GAYDOS, Mr. KOLTER, and Mr. DASCHLE.

H.R. 894: Mr. BLAZ.

H.R. 933: Mr. HAYES.

H.R. 1059: Mr. CAMPBELL and Mr. JEFFORDS.

H.R. 1188: Mr. HILLIS, Mr. SCHAEFER, Mr. VOLKMER, Mr. STRANG, Mr. DORNAN of California, Mr. FRANKLIN, Mrs. MARTIN of Illinois, Mr. GROTBERG, Mr. MOLLOHAN, Mr. MADIGAN, Mr. HOPKINS, Ms. MIKULSKI, Mr. EVANS of Iowa, Mr. WISE, Mr. SOLARZ, and Mr. SWINDALL.

H.R. 1262: Mr. BADHAM.

H.R. 1268: Mr. BILIRAKIS and Mr. ROYBAL.

H.R. 1294: Mr. YATRON and Mr. MRAZEK.

H.R. 1295: Mr. AKAKA, Mr. ROSE, and Mr. GEJDENSON.

H.R. 1316: Mr. MORRISON of Washington.

H.R. 1318: Mr. BADHAM.

H.R. 1324: Mr. BADHAM.

H.R. 1550: Mr. NEAL and Mr. RUDD.

H.R. 1615: Mr. SLATTERY, Mr. WHITTAKER, and Mr. SHARP.

H.R. 1875: Mr. FIELDS, Mr. TORRICELLI, Mr. HOWARD, Mr. ADDABBO, Mr. TRAXLER, Mr. SHUSTER and Mr. JEFFORDS.

H.R. 1877: Mr. ROSE, Mr. BROWN of California, Mr. MINETA, Mrs. SCHNEIDER, Mr. FISH, Mr. ATKINS, and Ms. MIKULSKI.

H.R. 1893: Mr. COBLE.

H.R. 1911: Mr. ECKERT of New York, Mr. RAY, and Mr. BADHAM.

H.R. 1950: Mrs. MARTIN of Illinois, Mrs. BENTLEY, Mr. RICHARDSON, Mr. CROCKETT, Mr. OBERSTAR, Mr. ANTHONY, and Mr. BEVILL.

H.R. 2001: Mr. HENDON, Mr. LEWIS of Florida, Mr. FORD of Michigan, Mr. STRANG, Mr. COBEY, Mr. CLAY, Mr. ASPIN, Mr. WIRTH, Mr. LUKEN, Mr. DUNCAN, Mr. THOMAS of Georgia, Mr. FOGLIETTA, and Mr. WISE.

H.R. 2032: Mr. BILIRAKIS and Mr. MARKEY.

H.R. 2080: Mr. BORSKI, Mr. CARPER, Ms. MIKULSKI, Mr. MCKINNEY, Mr. REGULA, Mr. SUNIA, Mr. WORTLEY, Mr. DEWINE, and Mr. MILLER of California.

H.R. 2119: Mr. COUGHLIN.

H.R. 2172: Mr. YOUNG of Missouri, Mr. RALPH M. HALL, and Mr. HENRY.

H.R. 2210: Mr. MCCAIN.

H.R. 2337: Mr. SHUMWAY, Mr. BOUCHER, and Mr. DANIEL.

H.R. 2354: Mr. HUBBARD, Mr. WILSON, and Ms. MIKULSKI.

H.R. 2495: Mr. ROBINSON.

H.R. 2543: Mr. RITTER, Mr. DORGAN of North Dakota, Ms. SNOWE, Mr. FEIGHAN, and Mr. LELAND.

H.R. 2620: Mr. WORTLEY and Mr. JEFFORDS.

H.R. 2626: Mr. EDWARDS of Oklahoma, Mrs. MARTIN of Illinois, Mrs. BENTLEY, and Mr. BADHAM.

H.R. 2685: Mr. CONYERS.

H.R. 2809: Mr. MURPHY, Mr. KOLTER, Mr. PORTER, Mr. PERKINS, Mr. RAHALL, Mr. VISCLOSKY, Mrs. BENTLEY, Mr. TOWNS, Mr. BEVILL, Mr. CAMPBELL, and Mr. DUNCAN.

H.R. 2814: Mr. KOLTER, Mr. BURTON of Indiana, and Mr. NIELSON of Utah.

H.R. 2834: Mr. WORTLEY, Mr. SHUMWAY, Mr. HENRY, Mr. LAGOMARSINO, Mr. PANETTA, Mr. FAZIO, Mr. GILMAN, and Mr. SOLOMON.

H.R. 2866: Mr. BEDELL.

H.R. 2904: Mr. BUSTAMANTE, Mr. PERKINS, Mr. ROGERS, Mr. SPRATT, and Mr. VENTO.

H.R. 2907: Mr. FORD of Tennessee, Ms. KAPTUR, Mr. HAYES, Mr. DOWNEY of New York, Mr. MITCHELL, Mr. HOYER, Ms. MIKULSKI, Mr. MARTINEZ, Mr. CONYERS, and Mr. WHEAT.

H.R. 2922: Mr. RUDD.

H.R. 2936: Mr. BEDELL and Mr. RUDD.

H.R. 2950: Mrs. ROUKEMA, Mrs. SCHROEDER, Mr. OBERSTAR, Ms. KAPTUR, Mr. TORRICELLI, Mr. AKAKA, Mr. TRAFICANT, Mr. FROST, Mr. WEISS, Mr. STUDDS, Mr. HANSEN, Mrs. BOXER, Mr. EVANS of Illinois, Mr. SEIBERLING, Mr. STALLINGS, Mr. VENTO, Mr. SHUMWAY, Mr. ORTIZ, Mr. BERMAN, Mr. ATKINS, Mr. WOLPE, Mr. CONYERS, Mr. SHAW, and Mr. STARK.

H.R. 2953: Mr. BUSTAMANTE, Mr. CLAY, Mr. MITCHELL, and Mr. CONYERS.

H.R. 2955: Mr. BONIOR of Michigan, Mr. FAZIO, Mr. MORRISON of Connecticut, and Mr. MITCHELL.

H.R. 2969: Mr. MRAZEK.

H.J. Res. 1: Mr. KANJORSKI, Mr. MACK, Mr. YATES, Mr. HORTON, Mr. WORTLEY, Mr. FUSTER, Mr. ANNUNZIO, Mr. KILDEE, Mr. LANTOS, Mr. ROE, Mr. DYSON, Mr. WEISS, Mr. MOORE, Mr. HAWKINS, Mr. DICKS, Mr. DWYER of New Jersey, Mr. AKAKA, Mr. KINDNESS, Mr. KASTENMEIER, Mr. KLECZKA, Mr. ROTH, Mr. REGULA, Mrs. BURTON of California, Mr. BORSKI, Mr. GRADISON, Mr. GALLO, Mrs. MEYERS of Kansas, Mr. OBERSTAR, Mr. STANGELAND, Mr. ADDABBO, Mr. FASCELL, Mr. MANTON, Mr. DELLUMS, Mr. BOLAND, Mr. FOGLIETTA, Mr. CONTE, Ms. OAKAR, Ms. SNOWE, Mr. VOLKMER, Mr. YOUNG of Missouri, Mr. THOMAS of Georgia, Mr. MICHEL, Mr. HENDON, Mr. STARK, Mr. YATRON, Mr. SCHULZE, Mr. GEJDENSON, Mr. BONER of Tennessee, Mr. SMITH of Iowa, Mr. CHAPPELL, Mr. JONES of Oklahoma, Mr. LAGOMARSINO, Mr. FAZIO, Ms. KAPTUR, Mr. WILSON, and Mr. SAVAGE.

H.J. Res. 47: Mr. ADDABBO.

H.J. Res. 79: Ms. SNOWE, Mr. BROYHILL, Mr. HENDON, and Mr. MILLER of California.

H.J. Res. 90: Mr. AKAKA, Mr. ANDREWS, Mr. ANTHONY, Mr. BERMAN, Mrs. BOXER, Mr. BRYANT, Mr. CARPER, Mr. CHAPPELL, Mr. GEJDENSON, Mr. REID, Mr. WIRTH, Mr. HAYES, Mr. HUTTO, Ms. KAPTUR, Mr. LELAND, Mr. MARKEY, Mr. MATSUI, Mr. MOAKLEY, Mr. MRAZEK, Mr. OBERSTAR, Mr. TRAFICANT, Mr. WHITEHURST, Mr. FRANK, Mr. DYMALLY, Mr. GRAY of Pennsylvania Mr. HALL of Ohio, Ms. FIEDLER, Mr. FEIGHAN, Mr. FAZIO, Mr. FAUNTROY, Mr. DAVIS, Mr. EARLY, Mrs. HOLT, Mr. STARK, Mr. RICHARDSON, Mr. TORRICELI, Mr. VOLKMER, Mr. WEISS, Mr. PANETTA, Mr. PETRI, Mr. SHARP, Mr. SABO, Mr. WHEAT, Mr. LANTOS, Mr. PEPPER, Mr. WHITTEN, and Mr. GARCIA.

H.J. Res. 222: Mr. BORSKI.

H.J. Res. 229: Mr. IRELAND, Mr. DOWDY of Mississippi, Mr. GILMAN, Mr. THOMAS of Georgia, Mr. WIRTH, Mr. WISE, Mr. KILDEE, Mr. SHAW, and Mr. OLIN.

H.J. Res. 271: Mr. SABO, Mr. SHELBY, Ms. KAPTUR, Mr. JONES of Tennessee, Mr. NIELSON, of Utah, Mrs. BENTLEY, Mr. LELAND, Mr. PASHAYAN, Mr. MCCAIN, Mr. LIVINGSTON, Mr. MOLLOHAN, Mr. CHAPPELL, Mr. GREGG, and Mr. VOLKMER.

H.J. Res. 288: Mr. O'BRIEN, Mr. CHAPPELL, Mr. YOUNG of Alaska, Mr. KINDNESS, Mr. FLIPPO, Mr. BROYHILL, Mr. ADDABBO, Mr. WOLPE, Mr. LEACH of Iowa, Mr. GEJDENSON, Mr. FUSTER, Mr. SUNIA, Mrs. BYRON, Mr. DANNEMEYER, Mr. CLAY, Mr. MCKERNAN, Mr. WYDEN, Mr. TOWNS, Mr. WHITTEN, Mr. STENHOLM, Mr. CARPER, Mr. FRENZEL, Mr. LAGOMARSINO, Mr. MOORE, Mr. HENRY, Mr. MOAKLEY, Mr. BARNARD, Mr. MOLINARI, Mr. COATS, Mr. DE LA GARZA, Mr. EMERSON, Mr. ACKERMAN, Mr. SKELTON, Mr. WIRTH, Mr. GILMAN, Mr. GREGG, Mr. RALPH M. HALL, Mr. GALLO, Mr. COYNE, Mr. COELHO, Mr. DWYER of New Jersey, Mr. VENTO, Mr. CONTE, Mr. KOLTER, Mr. KOSTMAYER, Mr. KASTENMEIER, Mr. BROWN of California, Mr. GINGRICH, Mr. FEIGHAN, Mrs. HOLT, Mr. STOKES, Mrs. BURTON of California, Mr. FOLEY, Mr. CONYERS, Mr. SAXTON, Mr. MOLLOHAN, Mr. NEAL, Mr. OLIN, Mr. ROBERTS, Mr. RAHALL, Mr. MCKINNEY, Mr. STRATTON, Mr. NATCHER, Mr. BROOKS, Mr. HALL of Ohio, Mr. KILDEE, Mr. LUNDINE, Mr. KEMP, Mr. YATES, Mr. MCHUGH, Mr. RINALDO, Mr. EDWARDS of Oklahoma, Mr. DANIEL, Mr. WALGREN, Mr. MOODY, Mr. DYMALLY, Mr. LANTOS, Mr. ROSE, Mrs. COLLINS, Mr. DELLUMS, Mr. LEVIN of Michigan, Mr. HAYES, Mr. FOGLIETTA, Mr. WHITLEY, Mr. YOUNG of Missouri, Mr. MCGRATH, Mr. GRAY of Pennsylvania, Mr. MONTGOMERY, Mr. TRAFICANT, Mr. VALENTINE, Mr. DERRICK, Mrs. MEYERS of Kansas, Mr. MCCLOSKEY, Mr. GREEN, Mr. SHUMWAY, Mr. CHANDLER, Mr. COOPER, Mr. SHARP, Mr. REID, Mr. LIGHTFOOT, Mr. STUDDS, Mr. FAUNTROY, Mr. DIOGUARDI, Mr. SUNDQUIST, and Mr. STANGELAND.

H.J. Res. 292: Mr. MURPHY, Mr. ROE, Mr. HUGHES, Mr. WEISS, Mrs. HOLT, Mr. WAXMAN, Mr. FISH, Mr. LANTOS, Mr. CALLAHAN, Mr. CAMPBELL, Mr. HEFNER, and Mr. SHAW.

H.J. Res. 296: Mr. MCCOLLUM, Mr. SMITH of Florida, Mr. WHEAT, Mr. BATES, Mr. OLIN, Mr. SPENCE, Mr. APPLEGATE, and Mr. HUGHES.

H.J. Res. 327: Mr. WORTLEY, Mr. HENRY, Mr. CARPER, Mr. GORDON, Mr. HORTON, and Mr. GUARINI.

H.J. Res. 329: Mr. ADDABBO, Mr. ANNUNZIO, Mrs. BENTLEY, Mr. BERMAN, Mr. BIAGGI, Mrs. BOXER, Mr. BRYANT, Mr. CARNEY, Mr. CHAPPIE, Mr. CLAY, Mrs. COLLINS, Mr. COUGHLIN, Mr. CROCKETT, Mr. DANIEL, Mr. DARDEN, Mr. DASCHLE, Mr. DAUB, Mr. DE LUGO, Mr. DWYER of New Jersey, Mr. EARLY, Mr. EMERSON, Mr. FAZIO, Mr. FEIGHAN, Mr. FISH, Mr. FLORIO, Mr. FOGLIETTA, Mr. HEFTEL of Hawaii, Mrs. HOLT, Mr. HORTON, Mr. HOYER, Mr. HUGHES, Mr. HYDE, Mr. JACOBS, Mr. JONES of North Carolina, Mr. LAGOMARSINO, Mr. LEWIS of California, Mr. LIVINGSTON, Mr. MCGRATH, Mr. MARTIN of New York, Mr. MINETA, Mr. MORRISON of Connecticut, Mr. MURPHY, Mr. O'BRIEN, Mr. OWENS, Mr. PORTER, Mr. RANGEL, Mr. ROE, Mr. ROSE, Mr. SCHEUER, Mr. SHUMWAY, Mr. SMITH of New Jersey, Mr. SMITH of Florida, Mr. SOLARZ, Mr. STOKES, Mr. SUNIA, Mr. VANDER JAGT, Mr. WAXMAN, Mr. WEISS, Mr. WOLF, Mr. WORTLEY, Mr. YATES, and Mr. YOUNG of Florida.

H.J. Res. 340: Mrs. KENNELLY.

H.J. Res. 346: Mr. GALLO, Mr. LAGOMARSINO, Mr. DAUB, Mr. BURTON, of Indiana, Mr. BIAGGI, Mr. BARTON of Texas, Mrs. BENTLEY, Mr. SWINDALL, Mr. SMITH of New Jersey, Ms. MIKULSKI, and Mr. MONSON.

H. Con. Res. 15: Mr. MANTON.

H. Con. Res. 69: Mr. DREIER of California.

H. Con. Res. 74: Mr. BROWN of Colorado and Mr. BADHAM.

H. Con. Res. 156: Mr. EDWARDS of Oklahoma, Mr. WAXMAN, Mr. WEBER, Mr. BURTON of Indiana, Mr. LAGOMARSINO, Mr. RITTER, and Mr. MONSON.

H. Res. 60: Mr. MCCANDLESS.

H. Res. 107: Mr. SEIBERLING.

H. Res. 134: Mr. SWEENEY.

H. Res. 188: Mr. BEDELL, Mr. HUGHES, Ms. MIKULSKI, Mr. BEVILL, and Mr. MADIGAN.

H. Res. 193: Mr. DUNCAN.

H. Res. 210: Mr. MCKINNEY, Mr. NEAL, Mr. WEISS, Mr. SCHEUER, Mr. HUGHES, Mr. GEJDENSON, Mr. OWENS, and Mr. STUDDS.

PETITIONS, ETC.

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

182. By the SPEAKER: Petition of the county board of Rock Island County, IL, relative to infrastructure; to the Committee on Public Works and Transportation.

183. Also, petition of the Village of Glendale Heights, IL, relative to infrastructure; to the Committee on Public Works and Transportation.

184. Also, petition of the Silver-Haired Legislature Association, New Bedford, MA, relative to veterans services; to the Committee on Veterans' Affairs.

AMENDMENTS

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

H.R. 3008

By Mr. ARMEY:

—After section 8, insert the following new section and redesignate succeeding sections and any references thereto accordingly:

SEC. 9. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) neither the results of the consultant's study nor any of the Commission's recommendations relating to such study should be considered to reflect the views of the Congress; and

(2) in any judicial or administrative proceeding in which any of the results or recommendations referred to in paragraph (1) are considered, the methodology and other factors relating to the manner in which those results and recommendations were obtained shall be taken into account.

—In section 6(a), insert "(1)" before "In order".

Before section 6(b), insert the following:

(2) For purposes of this Act, positions within an occupational category shall be consideed to be held predominately by memberts of one sex if individuals of that sex hold more than 50 percent of the occupied positions within such category.

—In section 10(1), strike out "an objective," and insert in lieu theeof "a subjective,".

In section 10(2), strike out "an objective" and insert in lieu thereof "a subjective".

—In section 10(2)(B), strike out "and".

In section 10(2), redesignate subparagraph (C) as subparagraph (D) and insert before such paragraph (D) (as so redisignated) the following:

(C) factors relating to supply and demand; and

—Before section 7(d), insert following:

(5) With respect to any occupation for which the Commission recommends an increase in the rate of basic pay, the Commission shall include a statement as to—

(A) how the rate of pay recommended compares with the rate generally provided for that occupation in the private sector; and

(B) whether it would be more practical for the Government to contract with private sources for the services performed by Federal empoyees in that occupation.

—Section 5(a) and (b).

Page 10, line 1. Delete "5" and insert "10".

Page 10, line 9. Delete "a consultant" and insert "not less than three consultants".

—Section 6(a).

Page 10, starting on line 17, delete "which either sex is numberically predominant, any race is disproportionately represented, or either ethnic group is disproportionately represented" and insert in lieu thereof "Included within the scope of this study."

—Section 9.

Page 13, line 18, delete the period and insert the following: "if the Director certifies to Congress in writing that allocation of such funds will not adversely affect the ability of the Office to effectively carry out its statutory mandate."

—Section 8.

Page 13, line 9, insert after the word "limit" a comma and the words "expand, or otherwise change."

—Section 3(b), page 3:

In subsection (b)(1), delete "the Comptroller General of the United States" and insert instead "the Chairman of the Equal Employment Opportunity Commisson".

—Section 4(b), page 8:

Under subsection (b), modify paragraph 3(A), lines 17 and 18, by deleting the words "relates to any matter under investigation by the Commission." and replacing those words with the following: "to which the Commission is entitled under subsection (b)(2)."

—Section 7, page 12:

In Section 7(b), page 12, lines 9 through 12, delete everything after "analyses" on line 9 and insert instead the following: "shall be reported to the Office of Personnel Management for prompt investigation and, if necessary, appropriate remedial action."

—Section 4, page 9:

Add a new subsection (c) to Section 4, as follows: "(c) The Commission's authority is advisory only. Neither the Commission's study nor any other action by the Commission or its consultant shall be considered to be a modification of federal personnel policy or practice without subsequent ratification by the Congress."

—Section 3(b), pages 3-4:

In subsection (b)(4), change the number of members appointed by the Director of OPM to 9 from 4. Add as subparagraph (D) the following: "(D) 5 shall be individuals with federal personnel management experience, of whom: one shall be designated by the Secretary of Defense; one shall be designated by the Secretary of Health and Human Services; one shall be designated by the Secretary of the Treasury; one shall be designated by the Secretary of Agriculture; and, one shall be designated by the Secretary of Interior."

By Mr. BURTON of Indiana:

—Page 2, strike out line 25 and all that follows thereafter through page 6, line 8, and insert in lieu thereof the following:

(b) COMPOSITION.—The Commission shall be composed of 14 members, of whom—

(1) 7 shall be appointed by the President in consultation with the majority leader of the Senate and the minority leader of the House of Representatives; and

(2) 7 shall be appointed by the President upon the joint recommendation of the Speaker of the House of Representatives and the minority leader of the Senate.

To the extent practicable, appointments under this section shall be made with a view towards maintaining a fair balance in the interests represented and the functions to be performed by the Commission.

(c) CONDITION FOR MEMBERSHIP.—(1) Members of the Commission shall not be officers or employees of the United States.

(2) If any member of the Commission becomes an officer or employee of the United States, that individual may continue as such a member for not longer than the 15-day period beginning on the date that such individual becomes such an officer or employee.

(3) An individual on leave without pay from the Government shall not, for purposes of this subsection, be considered an officer or employee of the United States.

(d) COMPENSATION.—Members of the Commission shall receive no pay on account of their service on the Commission, but while away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service under section 5703 of title 5, United States Code.

Page 6, line 10, strike out "paragraphs (3) and (4) of".

Page 6, line 22, strike out "Six" and insert in lieu thereof "Eight".

(Amendment in the nature of a substitute.)

—Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Anti-Discrimination Act of 1985".

SEC. 2. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There shall be established a commission to be known as the Commission on Equitable Pay Practices.

(b) COMPOSITION.—The Commission shall be composed of—

(1) the Director of the Office of Personnel Management;

(2) the Chairman of the Equal Employment Opportunity Commission;

(3) 8 members appointed by the President, of whom—

(A) 1 shall be appointed upon the recommendation of the Speaker of the House of Representatives;

(B) 1 shall be appointed upon the recommendation of the minority leader of the House of Representatives;

(C) 1 shall be appointed upon the recommendation of the majority leader of the Senate;

(D) 1 shall be appointed upon the recommendation of the minority leader of the Senate; and

(E) 2 shall be appointed to represent the interests of taxpayers; and

(4) 5 members appointed by the Director of the Office of Personnel Management, of whom—

(A) 2 shall be appointed to represent the respective labor organizations representing (as exclusive representatives) the largest and the second largest numbers of individuals in Government service;

(B) 1 shall be appointed to represent employee organizations having as a purpose promoting the interests of women in Government service and composed primarily of women holding positions covered by the provisions of chapter 51, or subchapter IV of chapter 53, of title 5, United States Code;

(C) 1 shall be appointed to represent employee organizations having as a purpose promoting the civil rights of individuals in Government service and composed primarily of minority group members holding positions covered by any of the provisions referred to in subparagraph (B); and

(D) 1 shall be appointed from among individuals with expertise in Federal personnel management.

To the extent practicable, appointments under this section shall be made with a view towards maintaining a fair balance in the interests represented and the functions to be performed by the Commission.

(c) TIMING OF APPOINTMENTS; QUALIFICATIONS.—All appointments under paragraphs (3) and (4) of subsection (b) shall be made within 20 days after the effective date of this Act and shall be made from among individuals who are especially qualified to serve on the Commission by virtue of their expertise and experience.

(d) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(e) CHAIR AND VICE CHAIR.—The Chair and Vice Chair of the Commission shall be elected by the members of the Commission.

(f) QUORUM.—Eight members of the Commission shall constitute a quorum.

(g) MEETINGS.—The Commission shall meet at the call of the Chair or a majority of its members.

(h) NONAPPLICABILITY OF LIMITATION.—Appointments under this section shall not be considered for purposes of section 5311(b) of title 5, United States Code.

SEC. 3. CONDUCT OF STUDY.

(a) STUDY.—The Commission shall provide for the conduct of a study under which the following shall be examined:

(1) Whether the Government's position-classification system under chapter 51 of title 5, United States Code, and compensation systems under subchapters III and IV of chapter 53 of such title, are in compliance with section 6(d) of the Fair Labor Standards Act of 1938, relating to equal pay for substantially equal work.

(2) Whether the Government is in compliance with title VII of the Civil Rights Act of 1964 in matters relating to hirings and promotions of Federal employees.

(3) The effectiveness of any policies or programs of the Government (including those involving education or the dissemination of information) designed to encourage—

(A) the integration of individuals into occupations in which persons of a particular sex, race, or ethnic group have been traditionally underrepresented; or

(B) the promotion or other advancement of such individuals in Federal employment.

(4) Any trends or patterns relating to promotions or other advancement in Federal employment with respect to individuals belonging to any underrepresented group referred to in paragraph (30).

(b) METHODOLOGY.—In carrying out the study under this Act—

(1) the methodology to be used shall be subject to Commission determination or approval, as the case may be; and

(2) particular consideration shall be given to matters relating to women in Government.

SEC. 4. RECOMMENDATIONS AND REPORT.

(a) RECOMMENDATIONS.—The Commission shall develop recommendations (including proposals for legislation or administrative action) for enhancing Government efforts to achieve equality of opportunity in Federal Employment with respect to sex, race, and ethnicity and to improve the efficiency of Government compensation practices under subchapters III and IV of chapter 53 of title 5, United States Code. Included with such recommendations shall be an estimate of the cost anticipated in carrying out those recommendations.

(b) REPORT.—The Commission shall submit its report and recommendations under this Act to Congress not later than 18 months after the date of the establishment of the Commission.

SEC. 5. ADMINISTRATIVE PROVISIONS.

(a) COMPENSATION.—Members of the Commission shall receive no pay on account of their service on the Commission, but while away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service under section 5703 of title 5, United States Code.

(b) DETAILS FROM OTHER AGENCIES.—Upon request of the Commission, the head of an agency may detail, on a nonreimbursable basis, any of the personnel of such agency to the Commission to assist the Commission in carrying out its responsibilities under this Act.

(c) OBTAINING INFORMATION.—The Commission may secure directly from any agency any information necessary to enable it to carry out this Act. Upon request of the Commission, the head of such an agency shall, to the extent permitted by law, furnish the information requested by the Commission.

(d) EXPERTS AND CONSULTANTS.—The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(e) MAIL AND SUPPORT SERVICES.—The Commission may use the United States mails, and receive administrative support services from the Administrator of General Services, in the same manner and under the same conditions as other agencies.

SEC. 6. TERMINATION OF COMMISSION.

The Commission shall cease to exist 90 days after submitting its report under section 4(b).

SEC. 7. CONSTRUCTION.

Nothing in this Act shall be construed to limit or expand any of the rights or remedies provided under title VII of the Civil Rights Act of 1964, section 6(d) of the Fair Labor Standards Act of 1938, or any other provision of law relating to discrimination on the basis of race, color, religion, sex, national origin, handicap, or age.

SEC. 8. FUNDING.

Sums appropriated to the Office of Personnel Management for general operating expenses shall be available to carry out this Act.

SEC. 9. DEFINITIONS.

For the purpose of this Act—

(1) "agency" means an executive agency within the meaning of section 105 of title 5, United States Code (other than the General Accounting Office);

(2) "employee" and "Federal employee" each means an individual employed in or under an agency;

(3) "ethnicity" refers to the quality of being, or not being, of Hispanic origin;

(4) "ethnic group" refers to a grouping based on ethnicity;

(5) an individual shall be considered to be of Hispanic origin if such individual is of Mexican, Puerto Rican, Cuban, Central American, South American, or other Spanish origin;

(6) "Commission" means the Commission on Equitable Pay Practices established under section 2;

(7) "occupation" means any grouping of positions within an agency, as identified or defined under chapter 51 of title 5, United States Code, or subchapter IV of chapter 53 of such title;

(8) "position" means the work, consisting of the duties and responsibilities, assignable to an individual;

(9) "labor organization" has the meaning provided by section 7103(a)(4) of title 5, United States Code;

(10) "exclusive representative" has the meaning provided by section 7103(a)(16) of title 5, United States Code; and

(11) "Government" means the Government of the United States.

SEC. 10. EFFECTIVE DATE.

This Act shall take effect 30 days after the date of the enactment of this Act.

Amend the title so as to read: "A bill to promote equitable personnel practices and to eliminate discrimination within the Federal civil service.".

—Page 13, strike out lines 4 through 11.

—On page 2, line 1, strike all after the enacting clause.

—On page 2, line 3 after "Act of 1985", add: ", But You Can Call Me Comparable Worth.".

—On page 2, line 3, after "Act of 1985", add: ", or the 8 Billion Dollar Mistake.".

—On page 2, line 3 after "Act of 1985", add: ", or the 320 Billion Dollar Mistake.".
—On page 2, line 3 after "Act of 1985", add: ", or the Sexist Socialism Act.".
—On page 2, line 3 after "Act of 1985", add: ", or Feminist Folly.".
—On page 2, line 3 after "Act of 1985", add: ", or This Is What Happens When the Democrats Are In Control.".
—On page 2, line 3 after "Act of 1985", add: ", Done By A Loaded Commission.".
—On page 2, line 3 after "Act of 1985", add: "Being Railroaded Through On A Greased Track.".
—On page 2, line 3 after "Act of 1985", add: ", or Let's Make a Lot of Subjective Judgements Act.".
—On page 2, line 3 after "Act of 1985", add: ": This Is A Comparable Worth Bill.".
—On page 2, line 3 after "Act of 1985", add: ", or Let's Soak the Taxpayers Again.".
—On page 2, line 3 after "Act of 1985", add: ", or Why Do We Need the Free Market When We Have the Federal Government.".
—Page 2, strike out Section 3.
—On page 2, line 5 after "to" insert: ", consistent with the free market system,".
—Page 2, strike out lines 15 though 20.
—Page 3, strike out line 1.
—Page 3, strike out lines 1 through 3, and lines 14 through page 4, line 8.
—Page 3, line 4 strike out "5" and insert in lieu thereof "10".
—Page 3, strike out lines 5 through 13.
—Page 3, line 6 strike out "2" and insert in lieu thereof "8".
—Page 4, strike out lines 13 through 16.
—Page 7, strike out Section 4.
—Page 8, strike out lines 10 through 14.
—Page 8, strike out lines 15 through page 9, line 10.
—Page 9, strike out Section 5.
—Page 10, strike out Section 6.
—Page 10, strike out lines 20 through page 11 line 2.
—Page 10, strike out after "a study" on line 15 all that follows through line 19.
—Page 10, strike out lines 7 through 10.
—Page 10, strike out lines 22 through 24.
—Page 10, strike out lines 12 through 19.
—Page 11, strike out on lines 5 and 6 the following: "the President and".
—Page 11, strike out on line 5 "18" and insert in lieu thereof "36".
—Page 11, strike out lines 7 through 9.
—Page 11, strike out lines 19 through 24.
—Page 11, strike out line 24.
—Page 11, line 24, strike out "equivalent in totality" and insert in lieu thereof "equal".
—Page 11, strike out on line 19 the following words: "a list of".
—Page 12, strike out lines 1 through 3.
—Page 12, strike out lines 4 through 6.
—Page 12, strike out lines 1 through 6.
—Page 12, strike out lines 13 through 18.
—Page 12, strike out lines 19 through 24.
—Page 12, strike out lines 13 through 24.
—Page 12, line 22, strike out the following: "or administrative".
—Page 13, strike out lines 1 through 3.
—Page 13, strike out Section 8.
—Page 13, strike out Section 9.
—Page 13, line 17 strike out "general" and insert in lieu thereof "other than general".
—Page 13, insert on line 17 after "shall" the word, "not".
—Page 13, strike out Section 10.
—Page 13, strike out lines 21 through 24.
—Page 13, line 22, strike out "objective", and insert in lieu thereof "subjective".
—Page 13, line 22, strike out "quantitative" and insert in lieu thereof "non-quantitative".
—Page 13, strike out on line 23 the words, "entry-level".
—Page 14, strike out lines 1 through 4.
—Page 14, strike out lines 5 through 6.
—Page 14, strike out lines 7 through 18.
—Page 14, after line 18 insert the following: "(D) and, market factors."
—Page 14, strike out lines 19 through 22.
—Page 14, strike out lines 23 and 24.
—Page 15, strike out lines 1 and 2.
—Page 15, strike out lines 3 and 4.
—Page 15, strike out lines 5 through 8.
—Page 15, strike out lines 9 and 10.
—Page 15, strike out lines 11 and 12.
—Page 15, strike out lines 13 through 15.
—Page 15, strike out lines 16 through 18.
—Page 15, strike out lines 19 through 21.
—Page 15, strike out lines 22 and 23.
—Page 16, strike out Section 11.
—Page 16, line 2, strike out "30 days", and insert in lieu thereof "one year".

By Mr. LUNGREN:

—In Section 10(2)(B), strike out "and".

In Section 10(2), redesignate subparagraph (C) as subparagrpah (D) and insert before such subparagrpah (D) (as so redesignated) the following:

"(C) labor market supply and demand factors; and".

By Mrs. VUCANOVICH:

—Strike out the heading for section 8 and insert in lieu thereof the following:

SEC. 8. CONSTRUCTION: ADVISORY NATURE OF STUDY.

In section 8, insert "(a)" before "Nothing".

Add the following at the end of section 8:

(b) ADVISORY NATURE.—The consultant's study and any findings, conclusions, recommendations, or comments by the consultant or the Commission under this act with respect to such study shall be considered to be of an advisory nature only.

H.R. 3011

By Mr. GEKAS:

—Page 41, after line 21, insert the following:

Notwithstanding any other provision of this act, none of the funds appropriated in this act shall be available for the Youth Conservation Corps until such funds are appropriated in an Act or Joint Resolution containing no other appropriation.