HOUSE OF REPRESENTATIVES—*Thursday, March 20, 1986*

The House met at 12 o'clock noon.

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

We thank You, O God, for Your precious gift of life which is given to us and to the people of every land. May our hearts and minds and souls be so conscious of that gift that we will see every person as Your creation and so understand our common humanity to one another. You have showed us, O God, what is good and thus may we do justly, love mercy, and ever walk humbly with You. 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.

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

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

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 293, nays 127, not voting 14, as follows:

[Roll No. 62]

YEAS—293

Ackerman
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Archer
Aspin
Atkins
AuCoin
Barnard
Barnes
Bateman
Bates
Bedell
Bellenson
Bennett
Berman
Bevill
Biaggi
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Breaux
Brooks
Broyhill
Bruce
Bryant
Burton (CA)
Bustamante
Byron
Callahan
Carper
Carr
Chappell
Coats
Coelho
Coleman (TX)
Combest
Conyers
Cooper
Coyne
Crockett
Daniel
Darden
Daschle
Davis
de la Garza
Dellums
Derrick
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Eckert (NY)
Edgar
Edwards (CA)
English
Erdreich
Evans (IL)
Fascell
Fazio
Feighan
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Franklin
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Gradison
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hall, Ralph
Hamilton
Hammerschmidt
Hansen
Hatcher
Hawkins
Hayes
Hefner
Heftel
Hertel
Hillis
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Hyde
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kanjorski
Kaptur
Kasich
Kastenmeier
Kemp
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lipinski
Livingston
Lloyd
Long
Lowry (WA)
Lujan
Luken
Lundine
MacKay
Manton
Markey
Matsui
Mavroules
Mazzoli
McCain
McCloskey
McCurdy
McDade
McEwen
McHugh
McKinney
Mica
Mikulski
Miller (CA)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moody
Moore
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nowak
O'Brien
Oakar
Oberstar
Obey
Olin
Ortiz
Owens
Packard
Panetta
Pease
Pepper
Perkins
Petri
Pickle
Porter
Price
Pursell
Quillen
Rahall
Rangel
Ray
Reid
Richardson
Rinaldo
Ritter
Robinson
Rodino
Roe
Rose
Rostenkowski
Rowland (CT)
Rowland (GA)
Roybal
Rudd
Russo
Sabo
Schneider
Schulze
Schumer
Seiberling
Sharp
Shelby
Shumway
Sisisky
Skelton
Slattery
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Snyder
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stokes
Stratton
Studds
Sweeney
Swift
Synar
Tallon
Tauzin
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weaver
Weiss
Wheat
Whitley
Whitten
Williams
Wilson
Wirth
Wise
Wolpe
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (MO)

NAYS—127

Armey
Badham
Bartlett
Barton
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boulter
Brown (CO)
Burton (IN)
Campbell
Carney
Chandler
Chappie
Cheney
Clay
Clinger
Cobey
Coble
Coleman (MO)
Conte
Coughlin
Courter
Craig
Crane
Dannemeyer
Daub
DeLay
DeWine
Dickinson
Dornan (CA)
Dreier
Edwards (OK)
Emerson
Fawell
Fiedler
Fields
Frenzel
Gallo
Gekas
Gregg
Gunderson
Hartnett
Hendon
Henry
Hiler
Hunter
Ireland
Jacobs
Kindness
Kolbe
Kramer
Lagomarsino
Latta
Leach (IA)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Loeffler
Lott
Lowery (CA)
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCandless
McCollum
McGrath
McKernan
McMillan
Meyers
Michel
Miller (OH)
Mitchell
Monson
Moorhead
Nielson
Oxley
Parris
Pashayan
Penny
Regula
Roberts
Roemer
Rogers
Roth
Roukema
Saxton
Schaefer
Schroeder
Schuette
Sensenbrenner
Shaw
Shuster
Sikorski
Siljander
Skeen
Slaughter
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solomon
Spence
Stangeland
Strang
Stump
Sundquist
Swindall
Tauke
Taylor
Thomas (CA)
Vander Jagt
Vucanovich
Walker
Weber
Whitehurst
Whittaker
Wolf
Young (AK)
Young (FL)
Zschau

NOT VOTING—14

Addabbo
Broomfield
Brown (CA)
Chapman
Collins
Evans (IA)
Gephardt
Gingrich
Goodling
Grotberg
Martinez
Ridge
Savage
Scheuer

□ 1110

Ms. OAKAR changed her vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

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 dates the President approved and signed a bill and joint resolutions of the House of the following titles:

On March 14, 1986:

H.J. Res. 371. Joint resolution to designate March 16, 1986, as "Freedom of Information Day."

On March 19, 1986:

H.J. Res. 345. Joint resolution to designate March 1986, as "Music in Our Schools Month"; and

H.R. 3851. An act to amend section 901 of the Alaska National Interest Lands Conservation Act.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced

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that the Senate had passed without amendment a bill and joint resolution of the House of the following titles:

H.R. 4399. An act to designate the Federal building located in Jamaica, Queens, New York, as the "Joseph P. Addabbo Federal Building"; and

H.J. Res. 563. Joint resolution to provide for the temporary extension of certain programs relating to housing and community development, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of further conference on the disagreeing votes of the two Houses on the amendment of the Senate to the amendment of the House to the amendment of the Senate to the joint resolution (H.J. Res. 534) "Joint resolution making an urgent supplemental appropriation for the Department of Agriculture for the fiscal year ending September 30, 1986, and for other purposes."

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. 209. An act to amend chapter 37 of title 31, United States Code, to authorize contracts retaining private counsel to furnish legal services in the case of indebtedness owed the United States; and

S.J. Res. 272. Joint resolution to authorize and request the President to issue a proclamation designating March 21, 1986, as "Afghanistan Day," a day to commemorate the struggle of the people of Afghanistan against the occupation of their country by Soviet forces.

APPOINTMENT AS MEMBERS OF U.S. DELEGATION OF MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER. Pursuant to the provisions of title 22, United States Code 276h, the Chair appoints as members of the United States delegation of the Mexico-United States Interparliamentary Group for the 2d session of the 99th Congress, to be held in Colorado Springs, CO, May 29 through June 2, 1986, the following Members on the part of the House:

Mr. DE LA GARZA of Texas, chairman;
Mr. YATRON of Pennsylvania, vice chairman;
Mr. RANGEL of New York;
Mr. UDALL of Arizona;
Mr. GIBBONS of Florida;
Mrs. SCHROEDER of Colorado;
Mr. MILLER of California;
Mr. LAGOMARSINO of California;
Mr. DREIER of California;
Mr. DELAY of Texas;
Mr. GILMAN of New York; and
Mr. KRAMER of Colorado.

□ 1125

PERMISSION FOR SUBCOMMITTEE ON SURFACE TRANSPORTATION OF THE COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO SIT TODAY DURING GENERAL DEBATE

Mr. GRAY of Illinois. Mr. Speaker, I ask unanimous consent that the Subcommittee on Surface Transportation of the Committee on Public Works and Transportation be permitted to sit today during general debate.

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

There was no objection.

GENERAL LEAVE

Mr. BROOMFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 540 being debated today.

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

There was no objection.

PRESIDENT'S REQUEST FOR ASSISTANCE FOR NICARAGUAN OPPOSITION

Mr. WHITTEN. Mr. Speaker, pursuant to section 722(n) of Public Law 99-83 and the order of the House of March 13, 1986, 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 joint resolution (H.J. Res. 540) relating to Central America pursuant to the International Security and Development Cooperation Act of 1985.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

□ 1129

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the joint resolution, House Joint Resolution 540, with Mr. WHITLEY in the chair.

The Clerk read the title of the joint resolution.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, March 19, 1986, the gentleman from Illinois [Mr. MICHEL] had 1 hour of debate remaining and the gentleman from Mississippi [Mr. WHITTEN] had 1 hour of debate remaining.

The Chair recognizes the gentleman from Michigan [Mr. BROOMFIELD].

Mr. WHITTEN. Mr. Chairman, I yield my 1 hour of time to the gentleman from Washington [Mr. FOLEY], and I ask unanimous consent that he be allowed to yield time.

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

There was no objection.

Mr. BROOMFIELD. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, opponents of the President's request for assistance to the democratic resistance in Nicaragua have argued we need to give negotiations a chance. Well, the President has now offered a compromise to respond specifically to the concerns of a number of Members of Congress to demonstrate his continued commitment to negotiations.

The President, with this offer of compromise, has taken a significant step to show his good faith in responding to the calls for a bipartisan approach to the crisis in Central America. It is now up to us in the Congress to meet the President halfway and accept his compromise and support his efforts to find a negotiated settlement in the region.

The President is responsible for the conduct of American foreign policy. We must give him the opportunity and the resources he believes necessary to carry out his duties.

As we conclude debate today on this most important national security issue, it is essential that we maintain the incentives for the Nicaraguan Communist leadership to negotiate. We must apply the carrot-and-the-stick approach. The President's compromise represents that approach.

The Nicaraguan Communists could have negotiated with their internal, unarmed opposition to participate in elections in 1984. Instead, they have continued to reject negotiations.

Now, the President's compromise proposal gives the Communists yet another chance to show they are sincere about negotiating.

The opponents of the administration say they do not want a military solution in Nicaragua. Yet, if they defeat aid to the Contras, they will ensure the military defeat of the Contras by the Communists, and after that, the military defeat of all remaining internal opposition.

The burden of proof also rests on the critics of the administration to demonstrate they want to give negotiations a chance and are not simply looking for a partisan, political victory over the President. The President's compromise is a sincere offer to seek the negotiations everyone says he wants. Now, let us set politics aside and support the President on this national security issue.

A defeat on this issue today will send a clear message to the democracies of Latin America that they cannot count

on the U.S. Congress to stand with them in defense of freedom.

I urge my colleagues to vote in favor of the President's compromise proposal.

Mr. FOLEY. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. BARNES].

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

Mr. Chairman, every now and then issues come before the Congress that really are momentous and historic; this is one of those. Today, we will decide whether the United States wants to support increased military action in Central America. Whether the United States wants to involve U.S. forces in the training and advising of guerrillas who are engaged in an effort to overthrow the government of another country with which the United States has normal diplomatic relations.

□ 1135

We will decide whether or not we want to give the President of the United States total discretion once again to involve the Central Intelligence Agency and all of the defense agencies of the United States in the running of this war in Central America.

This is indeed one of the moments when we have a very difficult decision to make.

Over the last 2 or 3 years the Congress has provided really when you think about it, it has in many respects been the Congress that has provided excellent leadcrship in the field of foreign affairs, not only in Central America, but elsewhere.

Let me just cite a couple of examples of where the Congress has stood up to the administration's foreign policy and has achieved some objectives that I thank all of us, Republicans and Democrats, are fairly proud of today.

In Central America, for example, the Reagan administration for its first days in office wanted to provide military assistance to Guatemala, wanted to provide unrestricted military assistance to El Salvador, wanted to have a close military to military relationship with the military dictatorships in those countries.

The Congress said no. The Congress said no military aid to that vicious, brutal dictatorship in Guatemala, and it said yes to military aid to El Salvador, but only under restrictions that require free elections, that require that the death squads be brought under control.

The Congress fought with the administration over those policies. As you will recall, many advocates of the administration's position came to this floor and said no restrictions on aid, let us give military aid to Guatemala, let us give military aid to El Salvador without restrictions; but the majority in the Congress, Republicans and Democrats alike, prevailed and today the administration points with pride to a newly elected democratic President in Guatemala who says it never would have happened if this Congress had gone along with the President's position.

The administration points with pride to the cutbacks in actions by the terrorist death squads in El Salvador, to the democratic elections in that country, that President Duarte himself has said never would have happend if this Congress had not put strict conditions on the aid that we provided to El Salvador.

Let us look at a more recent example of congressional leadership on foreign policy. To the very last minute, the Reagan administration wanted to stand with the Marcos dictatorship in the Philippines. At the very last minute, while the entire international community was saying that Marcos was stealing that election, was saying that he had to go, President Reagan was saying, "Well, there is fraud on both sides. You know, occasionally we have problems with our elections in this country. It's not all that bad and, after all, we have bases there."

It was not until this House passed a resolution saying we ought to terminate our aid, it was not until Senator LUGAR, a Republican, the gentleman from New York, STEVE SOLARZ, a Democrat, this bipartisan leadership, stood up to the administration and said, "No, your policy in the Philippines is wrong. We ought to cut that tie to Marcos."

And finally, the administration got on board the congressional policy with respect to the Philippines.

This Congress is capable of providing leadership and we have the opportunity again today, just as in the Philippines, where the United States was isolated in the international community, where no other country, except the Soviet Union, was standing with Marcos.

We are isolated again today. A policy that the administration says is designed to isolate Ortega, designed to isolate the Nicaraguans, has tragically isolated the United States from our best friends, from our best friends in Europe, from our best friends in Latin America.

We ought to have a positive policy that we can be proud of. We ought to be supporting our democratic allies and friends around the world and the Congress should loud and clear say today that there is an alternative, a better alternative to war in Central America and that is what we are being urged to do by all of our democratic friends all over the world.

The Congress can provide leadership again.

Mr. BROOMFIELD. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Chairman, I want to quote from one of the great authorities on Latin America. His name is MICHAEL BARNES. I will tell you when he said it and where you can find it in the RECORD after I give you his message, and I quote:

> Nicaragua must now, unequivocally, choose the path of freedom, democracy, nonalinement, and respect of basic freedom for its people. Most recently, on September 29 I joined six other Members of the House in addressing a private letter stating these concerns to the Nicaraguan junta and directorate. That letter has not been answered.
>
> Mr. Speaker, I must now say to the leaders of Nicaragua: What do we have to show for our efforts? What do we have to show for our forbearance? How much longer do you expect us to remain silent in the face of what seems to be the slow but inexorable destruction of the ideals of your revolution?

Now, you can find that on page 33445 of the CONGRESSIONAL RECORD of December 21, 1982.

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

Mr. LEHMAN of California. Mr. Chairman, today, this House is being asked to support the President's request to provide aid to Contras who are in their fifth year of fighting the Sandinista government. We are once again faced with a decision to help the Contras and, in the President's own words, "deny the Soviet Union a beachhead in North America."

I agree with the President that the presence of Soviet and Cuban advisers in Nicaragua is a cause for national concern. The fact that human rights abuses are committed by both sides against innocent civilians concerns me a great deal and is something that we should seek to end. However, giving the Contras in Nicaragua $70 million in military aid contradicts the administration's stated objectives for resolving the problems in Central America.

According to the administration, the U.S. objectives in Central America center around "support for a political solution to the conflicts in Central America, via peaceful dialog within and among the countries of the region, and renewal of economic development and growth to address the root cause of turmoil and conflict." It seems to me that if the United States is serious about resolving the civil unrest in Central America, then the United States ought to commit its resources and energy toward the goals of "peaceful dialog" with the Contadora nations.

Then, on Sunday, the President appeared on national television to sell his aid request to the American people and to Congress. He tried to convey to the American people the need to act now before the "malignancy" in Nicaragua spreads to our "southern frontier." Well, Mr. President, your plea worked. As a result of over 300 phone calls and telegrams I received in response to your speech, I will vote against the request for aid to the Contras. Over 62 percent of my constituents who contacted me since Sunday have told me they are strongly against any aid to the Contras.

They told me that they want to see this country push for peace negotiations. They have said they are scared that we are repeating the course of history they and their children experienced in Vietnam. Moreover, they have asked me why we are giving the Contras $100 million when this Nation faces a bloated deficit and when domestic programs they need are being eliminated. I share their concerns and I will vote accordingly.

Finally, I have read with outrage several articles dealing with this issue which label those of us who are representing their constituents and voting against the President's request as supporting the spread of Marxism. Since when does voting in accordance with the views of the majority of my district mean that my patriotism and support for the country I love should be called into question? It is regrettable that debate on this issue has been lowered to this level. These attacks have only served to confirm my long-held views on this subject.

In July 1983, when this body voted to end all covert aid to the Contras, I addressed the House and said, "The only way the United States can truly achieve the President's objective of fostering democracy for the people of Central America is to help them establish the basis for a positive future." I believe now, as I did then, that this can best be accomplished by helping the countries of Central America resolve their differences peacefully, and formulating a realistic long-term policy which promotes economic development and eradicates widespread poverty and illiteracy.

I urge my colleagues and this administration to put our support behind the eight Latin American countries who have strongly advised this Nation against a self-defeating policy of blindly sending money to groups we cannot identify or hold accountable.

Mr. FOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. VALENTINE].

Mr. VALENTINE. Mr. Chairman, I would like to say to the gentleman that I appreciate the fact that he made available to me this time.

Mr. Chairman, I rise to express my opposition to the President's request for $100 million in U.S. assistance for the Contras in Central America.

Let me say at the outset that I take a back seat to no Member of Congress in my support for a strong national defense or in my opposition to Communist aggression anywhere in the world. I believe that my record clearly reflects my unwavering commitment to providing the military capabilities necessary to protect our vital interests.

Moreover, I have consistently sought opportunities to support the President on matters of national security. America's foreign policy is not a matter for partisanship.

I am concerned about the current aid request and disturbed about the terms in which this debate has been framed by some of the participants.

This is not a dispute over the patriotism or anticommunism of House Members—I know of no House Member who is not firmly opposed to Communist aggression.

This is not a dispute over support for the Sandinista government—I know of no House Member who supports the suppression of human rights in Nicaragua, Sandinista backing for insurgencies and terrorist activities that threaten the stability of other nations in the region, or the growth of Soviet and Cuban influence in Nicaragua.

This dispute is about the best way to protect American interests in a region that is of critical importance to us. I believe that the President has chosen the wrong approach.

The administration, in my opinion, has not presented arguments that justify the major step of providing aid to insurgents fighting to overthrow a government we recognize and with which we have diplomatic relations. If the threat from Nicaragua is as great as the President says, we should at least sever diplomatic relations with that nation before launching a major effort to bring down its government.

I also believe that we deserve a much better accounting of the assistance that we have already provided for the Contras. Recent reports that the General Accounting Office is unable to trace a substantial percentage of the aid authorized last year are disturbing, to say the least. If we do not know what happened to that aid, how can we even contemplate a fourfold increase?

Reports of widespread Contra atrocities and human rights violations also cannot be ignored. Do we want to pin our hopes for the region on a group that has compiled the record of the Contras? Do we want to send American tax dollars to an organization that includes many individuals formerly in the employ of the Somoza security force, the group most responsible for the conditions that promoted the Sandinista revolution?

Mr. Chairman, we face a difficult set of choices. We must fashion a policy in Central America that serves as a foundation for long-term stability in the region. In my view, only if we have the support, and indeed the active participation, of the nations with the greatest stake in the area can we hope to succeed.

For that reason, our policy must include the democracies of Central and South America. We have been told that those nations privately support American assistance to the Contras but cannot take that position publicly for fear of Communist retaliation. I understand that argument, but I do not find it to be sensible from the point of view of these nations.

Do these governments believe that they will be spared Sandinista aggression if they refrain from publicly acknowledging their own national interests? Do they believe that they are threatened by Nicaragua but that the Sandinista menace will melt away if they do not express support for the Contras? If those governments do fear the Sandinistas, I believe that it would be in their long-term interest to give public support to efforts to address that threat.

Mr. Chairman, I do not take this position in opposition to the President's request lightly. But I do believe that it is the wrong policy at the wrong time and that it will produce the wrong results. I hope that the administration and the Congress will be able to agree on a bipartisan policy that protects our interests and can command the support of the American people as well as of the nations with greatest stake in Central America.

Mr. BROOMFIELD. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. Sensenbrenner].

Mr. SENSENBRENNER. Mr. Chairman, until yesterday I was one of those undecided votes. My concern about this aid request fell into two categories.

First, there were not appropriate safeguards to insure that the aid went to those that this country intended the aid to go to and was not sold on the open market or the black market in Central America.

Second, I was concerned about the very legitimate allegations of human rights violations on the part of the Contras.

I brought these matters to the attention of both the Vice President and Mr. Abrams and have received a letter, which I will ask to insert in the RECORD, that hits both of these points. Basically this letter says that there will be some postaudit accountability to make sure that the aid falls into those hands that this country and the administration intend it to, and furthermore, that the aid is conditioned upon any group receiving the aid having an enforceable code of military justice.

I urge the membership to support the President's request for freedom in Central America.

Mr. Chairman, I include the following letter:

DEPARTMENT OF STATE,
Washington, DC, March 20, 1986.

Hon. JAMES SENSENBRENNER,
House of Representatives.

DEAR MR. SENSENBRENNER: This letter responds to your concerns about accountability of funds to be provided to the Nicaraguan democratic resistance under the President's request and the dedication of the resistance to the protection of human rights.

First, let me address the accountability issue. We agree completely that proper procedures must be maintained to ensure that all funds are used for their intended purposes. As you know, the administration of the humanitarian assistance program as authorized by the Congress has operated under the difficulties inherent in a partially overt, partially covert program. Our ability,

under the proposed legislation, to use those agencies best equipped to monitor program implementation will ensure improved monitoring and control. Control over funds will be provided through a system of policy oversight, audits, and periodic reports to the Congress.

Policy oversight of the humanitarian assistance program is currently provided by the Secretary with the assistance of an inter-agency group chaired by Under-Secretary Armacost. We would envision a similar arrangement following enactment of the proposed legislation.

Audits will be conducted as appropriate, to ensure funds are used for the purpose intended. In addition, the Inspectors General of the relevant agencies will review their agencies' activities under the program. The President's proposal provides for releasing funds in tranches of 15% every 90 days conditioned upon submission of a report to the Congress. These reports would include details of efforts to reach a negotiated settlement, a detailed accounting of disbursements, and a discussion of the human rights practices of the resistance and the Sandinistas. Details of the covert portions of the program would be provided to the appropriate Congressional committees. This system of audits and reports will ensure that both the Executive and the Congress are fully informed about the administration of the program. Such a system is vital if we are to achieve our goals with the proposed legislation.

With respect to the human rights situation of the resistance, the key point is that the resistance's record, while not perfect, is reasonable and is improving, while the Sandinistas have adopted a policy of increasing repression and abuse. The Nicaraguan resistance has been tarred with a poor human rights image by the international human rights network. This undeserved image reflects both an active Sandinista effort to discredit the resistance and a pro-Sandinista bias among certain human rights groups. A recent New Republic article (attached) outlined this bias, which arises from home that the revolution will succeed and varies from soft-peddling Sandinista atrocities to ignoring favorable information about the resistance. The resistance's record on human rights has been good. Nevertheless, we need to do more to ensure that the human rights performance of all the groups we support continues to improve. In that regard, $3 million of the President's request will go to support continuing and strengthening human rights programs conducted by the democratic resistance.

The resistance has taken measures to ensure proper conduct by its members. Commanders have stressed the importance of lawful conduct, and UNO/FDN is training human rights officers for each regional command and task force. Troops in training receive instruction on the laws of war, and receive material to carry with them to remind them of their responsibilities in this area. Several members, including a commander, charged with improper conduct, have been tried and, when found guilty, punished. These kinds of actions are essential to maintaining a high standard of human rights and must be continued.

In 1985, UNO established a human rights commission (CDH) to monitor the human rights performance of the resistance. CDH is headed by Ismael Reyes, former head of the Nicaraguan Red Cross, and its executive director is Roberto Ferrey, who was exiled by Somoza from 1976-79. He later served as legal adviser to the Minister of Justice in the first revolutionary government, but left when he became disillusioned with Sandinista policy.

UNO has attempted to open contacts with international human rights groups. It has provided the ICRC with information on Sandinista prisoners and casualties and attempted to arrange prisoner exchanges with the Sandinistas through the ICRC. To date, the Sandinistas have refused all such proposals.

We fully support these efforts and will continue to do so. President Reagan has made plain in his letter to Congress that we will provide no assistance to any group that retains in its ranks any known violator of human rights. The Secretary in his February 7 meeting with the leaders of the democratic resistance stressed that we would not be associated with any group or individuals involved in human rights abuses or criminality of any kind.

Finally, in any discussion of human rights it must be remembered that the resistance depends on popular support for its existence. It has earned this support. It deserves ours as well.

I hope this responds to your concerns, and that you will be able to support the President's request.

Sincerely,

ELLIOTT ABRAMS,
Assistant Secretary of State for Inter-American Affairs.

Mr. FOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. COLEMAN].

Mr. COLEMAN of Texas. Mr. Chairman, I rise in opposition to the administration's request for funds to pursue a military solution to the Nicaraguan dilemma.

For some 10 hours now, this Chamber has heard a variety of sincerely held opinions about the proper course of United States policy in Nicaragua. While I certainly will not use this time to go back over previous arguments, I would like to share with my colleagues the unique perspective on this issue that comes from representing a district directly on the United States-Mexico border.

Some of the rhetoric we have heard attempts to reduce this complex issue to one of simplistic labels and slogans. But the vote today is not as clear cut as some would portray it—the choice before us today is not between aid to the Contras or the spread of communism.

There is no doubt but that there are broad areas of agreement between all Members of Congress and the President regarding Central America. No one here today would hesitate to take whatever action is necessary to prevent the establishment of Soviet military bases that would jeopardize the security of either the United States or of this hemisphere. Clearly, all Americans embrace the goals of promoting democracy, ensuring the attainment of human rights worldwide, and curbing the spread of communism.

No, Mr. Chairman, the vote today is not about this Congress' dedication to these foreign policy objectives. Rather, today's vote is about selecting a course of action that can reach these objectives. The President has pursued a confusing strategy that pays lip service to a diplomatic solution to the Nicaraguan problem while at the same time he talks of forcing the Sandinistas to "say Uncle." Unfortunately, foreign policy cannot be formulated on imprecise and frequently contradictory statements, and this is why the course of action followed by this administration has resulted in the entrenchment of the Sandinista regime in Managua.

I represent an area of west Texas directly adjacent to Mexico, a region of this country isolated from virtually every major city in the United States. This is a region comprised primarily of Americans of Latin American descent who feel a very close kinship to our neighbors to the south, Americans who do business daily with Latin America, and Americans who serve or have already served our country in its Armed Forces. And I think we west Texans have a far clearer idea of the threat posed by a politically unstable Central America. To prosper and grow in this region has caused us to appreciate the wisdom of bilateral communications to prevent conflict, and the strength to fight when all peaceful options have been exhausted. Colleagues, this country has not even begun to honestly explore nonmilitary alternatives in Central America.

Ensuring that Nicaragua not fall permanently into the Communist camp, and that the progress toward democracy attained by a host of other Central American nations will not be impeded, cannot be realized by the pursuit of a unilateral policy based solely on military strength as a threat. Indeed, the stability of democratic nations throughout Central America, especially Mexico, needs to become the focal point of a comprehensive United States policy based not on guns and bullets, but rather on the principles of mutual respect, on economic development and the improvement of the way of life for all Latin Americans, and on the realization of the sovereignty of each nation in our Southern Hemisphere.

Those who claim that the failure of the House to support the proposed package of military assistance will cause the failure of United States policy in Nicaragua miss the point—this nonpolicy has already failed. And there is little argument coming from either the military or intelligence communities that this $100 million will accomplish anything in the way of even a military solution.

So, Mr. Chairman, what is this debate really about? It is about choices. Either we pursue a unilateral, military-oriented policy that promises to fail, or we can put away our gun

money and strive to achieve a more lasting peace based on a commonality of interests and goals. Today, this House can begin a journey which strongly resembles a path embarked on over 20 years ago in Southeast Asia, or it can set an example for all of the world to respect.

I ask all of my colleagues, as freedom-loving Americans who care about human life, to vote against the President's proposal.

□ 1150

Mr. BROOMFIELD. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in support of House Joint Resolution 540 and applaud the President's acceptance of congressional effects to structure a clear, opportunity for negotiations to achieve agreements that will address the problems in Central America before military aid is released.

A year ago I stood on this House floor and fought hard against military aid and in support of humanitarian aid. The goal was to deescalate conflict, to create an opportunity for negotiations to succeed. If we examine the consequences of our policy adopted a year ago, we will have to acknowledge that the policy failed, the results have been abysmal.

Nicaragua has adopted more oppressive policies internally than at any other time in her history and has renewed the flow of resources to destabilize governments that share her borders.

Let us look back further, to 3 years ago when Nicaragua was refusing to join the regional peace process, the Contadora process. At that time, she insisted on negotiating one on one, face to face, with the nations of the region, which gave her the upper hand at the negotiation table. In the face of Nicaragua's continued refusal to join the regional peace process, we mobilized with our allies a combination of military and diplomatic pressures that influenced her to change her position. She began to participate in the regional peace process as a result of these pressures. In other words, diplomatic and military pressures worked. They did bring Nicaragua to the bargaining table. They did foster negotiations that were fruitful, if incomplete.

Stepping back to relieve pressure, as we did a year ago, did not work, and today we must have the courage to once again mobilize the constellation of pressures, diplomatic and military, that will enable a negotiated settlement to address the difficult problems we face in Central America and to bring peace and stability to that region.

Let me say once again, that if Senator SASSER's description of why some could not support the President is an honest one, and if what he really wanted and what Democrats really wanted was to assure that there would be a last opportunity to negotiate plan, then I say Democrats can vote "yes" today. This is a strong proposal. Negotiations will precede any flow of military aid, and we can fulfill our responsibility to bring peace to this region, which is so important to us, but in addition, to preserve fragile democracies and the opportunity that democracy offers people that Marxism does not offer people—ask any of my Polish constituents—for a life that is filled with freedom and prosperity and hope.

Mr. FOLEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in opposition to giving $100 million of our taxpayers' money to the Contra forces in Nicaragua and urge defeat of this resolution.

The administration's conclusion in Nicaragua is that the only response is to promote a war. This is objectionable, and indeed alarming, to a majority of Americans. Most Americans look upon war the way most Americans view taxes—something to be applied as a last resort only, not the first thing we do.

The administration's option is to look for military solutions first.

Mr. Chairman, eight foreign ministers, our allies, recently visited the United States and asked the President to please engage in diplomacy. The Contadora countries have placed three proposals for dialog on the table. Our country has not even responded. Since 1982, when it was first revealed that the CIA had provided nearly $20 million in covert, illegal aid to a Contra force in Nicaragua, the administration has promoted an undeclared war, sinking fishing boats, mining harbors, counseling assassinations, and imposing economic sanctions.

The rationale for this policy has been characterized by half-truths, even outright falsification. They have told us the Pope supports an armed struggle. Mysterious crates contained Soviet Mig fighters. The Contras are the moral equivalent of George Washington and Thomas Jefferson. Now Democrats opposed to the administration's policy, they told us, are supporters of Havana, Moscow, and worldwide Communist revolution.

None of these and countless other administration assertions are true. Indeed, they are absurd and demean the issue. If history teaches us anything, it is that a policy based on misconceptions and fabrications is fundamentally flawed, and I hope we reject this reckless policy.

When it involves tens of millions of dollars in military equipment and arms, the commitment of American troop advisers and our country's good name, the policy becomes reckless and it is the responsibility of Congress to reject it, and reject it soundly.

Nicaragua is a tiny country of 2.8 million people, the population of northeast Ohio's five-county region. To suggest that this mite of a country can threaten America's southern borders is absurd. The notion that our only option in addressing Managua's ideological orientation is war, betrays a lack of imagination and an absence of confidence in our country's moral, economic, political, and cultural strength.

The administration's present course with respect to Nicaragua is driving the vast majority of Nicaraguans to rally behind the government against the outside invader, the Contras who are largely led by the hated Somocistas and, if the administration continues to have its way, by United States military and CIA advisers. This course of pursuing a military approach to the problems of Central America unwisely narrows our options to either war in the region or forfeiture of the hemisphere to Soviet hegemony. Recent experience with the administration's military approach to the problems of the Middle East led to the tragic debacle in Beirut where we lost hundreds of marines and diplomatic personnel. The examples of Haiti and the Philippines, where we kept our options open, demonstrated how the skillful use of the full range of American resources can lead to resolutions that serve our national interests and the interests of the people in the countries in question.

In the case of Nicaragua, the administration characteristically overstates its case. The Sandinistas have indeed announced a Communist orientation. Two-thirds of the Nicaraguan economy, however, is in the private sector. We should be working to strengthen that sector, instead of trying to undermine it. The Catholic Church in Nicaragua is vibrant and outspoken, often scolding the Sandinista government. We should be working on the basis of the many contacts between church and other private groups in our country with their counterparts in Nicaragua. In fact, during the last 5 years, more than 100,000 Americans have visited Nicaragua. This provides a firm basis to influence events in that tiny country. There is even an active political opposition in Nicaragua. It did not win the most recent election there, but it had a chance to compete in a process that was no more corrupt than the recent election in the Philippines. I did not support the corruption in the latter country, but I also did not see

corruption as grounds for war. Neither did President Reagan.

Our country has vast resources that can be applied to the problems that confront us in Central America. President Kennedy demonstrated that we can keep the hemisphere free of Soviet nuclear arms. We should take the same resolute stance should we ever be confronted with a similar situation in the future. We are not confronted with that situation today. Let us keep our political, diplomatic, economic, cultural and military options open by rejecting the President's $100 million request. War should be a last resort, not the first thing you try.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. COUGHLIN].

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

Mr. Chairman, as the world watches today, I hope the American people consider two alternatives and two scenarios to prevent a Soviet military surrogate in Nicaragua.

In the first scenario, the United States cuts off all aid to the democratic opposition fighting in Nicaragua. Nicaraguan leader Daniel Ortega forgives them all, and seeks national reconciliation. He sends his Soviet and Cuban advisers home, reduces the size of his armed forces, and restores individual, press, and religious freedoms. He also ceases to foment revolution in his Central American neighbors. We all live happily ever after.

In the second scenario, the United States also cuts off all aid to the democratic opposition. Nicaraguan leader Daniel Ortega consolidates his power and members of the opposition become refugees. Soviet and Cuban influence strengthens. Ortega becomes more aggressive in fomenting unrest among his Central American neighbors. There is no domestic opposition left; our only remaining option is military force.

Which scenario seems more likely?

The first scenario is possible only if you believe Nicaraguan strong man Daniel Ortega is not fully committed to Havana and Moscow.

Which scenario would young Americans prefer? Letting Nicaraguans solve their problems with our help to counterbalance the Soviets or, ultimately, resolving this situation through intervention that could result in American lives?

If we are to prevent a Soviet military surrogate in Nicaragua it is best done by Nicaraguans who espouse the cause of freedom and who have our assistance. The administration has said, time and again, that no Americans will be involved in Nicaragua. No American pilots. No American advisers. No American CIA agents. No Americans in Nicaragua, period.

In the Democratic response to the President's address of March 16 on Nicaragua, it was agreed that "Nicaragua must never become a base for Soviet military adventurism." It called for a negotiated settlement.

That sounds nice. The problem is, however, that it defies credulity to believe Daniel Ortega will voluntarily give up his Soviet and Cuban roots.

We support the Contadora process. We want a negotiated settlement. It is in fact the Sandinistas who most recently rejected Contadora proposals and who chose in December 1985 to postpone further talks.

And the President's most recent action, which withholds the most significant amount of this aid in an effort to promote another diplomatic attempt to resolve this crisis, further demonstrates the U.S. commitment to negotiate.

Much has been said about atrocities in Nicaragua. Much is regrettably true. But the atrocities are not limited to one side. A recent America Watch report documents atrocities on both sides. And former Sandinista Alvaro Baldizon, who worked in the Nicaraguan Ministry of the Interior until his defection last year, has detailed murders by the Sandinistas and government assassination squads disguised as Contras fighters.

Neither President Reagan, nor this administration, nor for that matter any previous administration, condones or has condoned any such atrocities. We have always abided by the Geneva Conventions. We are not a ruthless people; it is not in our nature.

In fact, the United Nicaraguan Opposition, with our support, has taken positive steps to deter such acts by the establishment of the Human Rights Commission [UNO-CDH], headed by Ismael Reyes, former president of the Nicaraguan Red Cross.

I will vehemently oppose any use of the funds in this package for wanton acts against civilians, repugnant CIA pamphlets, mining of harbors, and other terrorist acts.

Concerns have also been raised that our allies in Latin America and elsewhere have not been overt in their support for current American proposals. As they read the U.S. political debate, Latin leaders may have some right to concern about the constancy of U.S. policy.

Latin American concern about Soviet imperialism, moreover, is at least as overt as is their concern about "Yankee" intervention. And they know that only the United States can counterbalance the Soviets.

The future of Central America belongs to bold leaders both there and in the United States. In the words of former President John F. Kennedy: "If not us, who; if not now, when?"

□ 1200

Mr. FOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. ANDREWS].

Mr. ANDREWS. Mr. Chairman, I rise in opposition to the President's proposal.

Central America, and Nicaragua in particular, pose serious and difficult challenges for America. Unfortunately, just as the need is greatest for us to work together toward a solution, the issue of funding the Contras has sharply divided the Congress and the American people.

Many of us in the Democratic Party have supported the President in his major foreign policy initiatives with consistency and resolve. The shrill and exaggerated partisan rhetoric of the White House during the past few weeks has only weakened the administration's case—not strengthened it. The White House has played politics with this debate and that has cost them votes. No Democrat is going to be intimidated into being bipartisan.

On questions of this magnitude, previous Presidents have wisely put policy ahead of politics. During Woodrow Wilson's administration, the advice of his able White House aide, Colonel House was clear: "The best politics is to do the right thing." That advice is still true today. The partisanship and politics that have clouded this issue are the reasons we face today two equally dangerous extremes.

On one side are those who argue that the Sandinistas are not hostile to freedom, that they are neither a threat to America nor their neighbors, that they do not commit the atrocities of which they are accused, and that their domestic policies are a result of American intervention.

The other side, led by the exaggerated rhetoric of the White House, tells us that the Contras are the moral equivalent of the Founding Fathers, and that without $100 million in U.S. aid today the Contras will fail and communism will win in our hemisphere.

Proponents of both of these positions base their arguments on half truths. The Sandinista government has betrayed its revolution. This Communist-inspired totalitarian government is supporting the guerrillas in El Salvador and subversion throughout our hemisphere. The people of Nicaragua have been subjected to civil rights abuses of the worst order. In Nicaragua today, there is no real freedom of the press, of religion, or of assembly. Their idea of a criminal justice system includes neither the right to habeas corpus nor the right to trial.

While I was in Managua last year, Minister of the Interior Thomas Borge, on a whim, entertained me by releasing from prison a man who had been incarcerated there for many

months without a hearing. The commandante wanted to show me the justice of his system; in reality, of course, he proved just the opposite.

Nor do the Contras have clean hands. In fact, the Contras have little internal discipline and as a result, gross atrocities have been committed against the Nicaraguan people. Many of the Contra leaders are former Somoza henchmen. They have had very little success on the battlefield, and many of our military leaders tell us they cannot win.

More importantly, they have not shown to the Nicaraguan people or to the world the kind of government they would be should they be successful.

While in Nicaragua, I met several conscripted Contra soldiers who were only 13 years old. I talked to one poor woman who said the Contras had come through her village and destroyed their small hospital. Such tactics fail to gain the support of the Nicaraguan people. Without major reform, their chances of real success are grim.

Between the proponents of these two competing views, only one thing is held in common: the belief that our choice today is all or nothing. Both would convince us that there can be no compromise, no bipartisan policy that can bring about a peaceful restoration of democracy in Nicaragua. Both extremes are wrong and both are self-defeating. There is a better choice.

One hundred and sixty-four years ago this month, the United States first urged the recognition of the emerging Latin American republics. Simon Bolivar spoke then of his plans to make the Americas the greatest region in the world. "Greatest," he said, "not so much by virtue of her area and her wealth, as by her freedom * * *."

Bolivar's vision has never been in greater peril.

We must begin today to craft a policy that makes sense for the United States and for the Nicaraguan people; such a policy is both urgently needed and eminently possible. There is a growing concensus in this body that rejects both of the polarized positions represented by this vote. We will not hear a great deal in defense of the Sandinista government in this Chamber today; that is no longer the issue. The issue before us is more difficult: What should we do about the Sandinistas? What kind of long range policy will give stability to Central America and help democracy to flourish?

Congress and the administration are capable of constructing such a policy. What is most needed is a plan that promises real progress in Nicaragua. Such a policy should include the following points:

First, we should provide immediate financial support to the Contadora group and give them more than hollow assurances of our support.

Second, a bipartisan observer team should be appointed by the leadership of the House and Senate. The group would report regularly on the progress of the negotiations and the status of civil rights in Nicaragua.

Third, we need to commit ourselves to a long-range partnership with the fragile democratic governments of Central America. The Kissinger commission report, all but forgotten by this administration, should be revived and implemented. We need a mini-Marshall plan for the economic development of Central America. Not since the Alliance for Progress in the early 1960's has any administration set clearly defined social and economic goals for the region and then aggressively worked to achieve those goals. A revitalized Peace Corps, an expanded program of surplus food distribution, attention to the needs of Central America in health and education, perhaps a restructuring of Latin American debt, all should be considered if we truly want democracy to prosper.

Fourth, we should provide an immediate $30 million in nonmilitary aid to the democratic resistance that would be primarily designated for training and reform. The funds would go not only to the Contras, but rather would be dispersed to all of the major resistance forces within Nicaragua.

Fifth, an additional $70 million in military aid should be put in escrow for 90 days. If after that time the President and the bipartisan observer team agree that peace negotiations have failed and that no genuine domestic reforms are being carried out by the Sandinistas, the funds would become available unless Congress stops the funding within 5 legislative days.

All U.S. aid would be discontinued if the Sandinista government agrees to a cease fire, earnestly begins talks with the opposition, and removes sanctions against freedom of press, assembly and religion.

Sixth, the United States must more clearly define to Cuba and the Soviet Union our vital security limits in Central America. We must be prepared to enforce those limits with American strength. Our responses must be specific and unequivocal—not undefined strategies such as the random mining of Nicaraguan harbors.

Finally, our efforts must all drive toward a single aim: to give political support and visibility to the legitimate opposition to the Sandinista government within Nicaragua. The new political leaders who will fulfill the dreams of democracy for the people of Nicaragua will emerge in Managua—not Miami.

Will this compromise proposal work? There are no guarantees. But surely the two alternatives before us today: to do nothing or to rely solely on a military solution, are self-defeating and fraught with peril.

There are great opportunities for democracy to flourish in Central America. In Honduras, in Guatemala, in El Salvador, fragile democracies are trying to grow. Let us seize this opportunity to create a larger policy for our hemisphere.

As President Kennedy said 25 years ago:

> Our continents are bound together by common history, the endless exploration of new frontiers. Our nations are the product of a common struggle * * * and our people share a common heritage, the quest for the dignity and the freedom of man.

Only by defeating this proposal today can we move toward a compromise that will not only strenghten America's role, but also give strength and direction to those striving for democracy in Central America.

Mr. BROOMFIELD. Mr. Chairman, could you tell us the time remaining on both sides?

The CHAIRMAN. The gentleman from Michigan [Mr. BROOMFIELD] has 50 minutes remaining and the gentleman from Washington [Mr. FOLEY] has 44 minutes remaining.

Mr. BROOMFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconisn [Mr. GUNDERSON].

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

Mr. GUNDERSON. I yield to my colleague from New York.

Mr. FISH. Mr. Chairman, I have thought long and hard on this issue and have sought out information from those in and out of the Congress close to this issue. I sense this year a significant change in the debate. The realities of the Sandinistas are now universally recognized.

To reduce the debate, as I understand it, its essential is how to achieve a Contadora negotiated settlement and containment of Sandinista adventurism. On the one hand, we are told that the neighboring countries in Central America will achieve it on their own. I believe this is unrealistic and that we will need the military pressure to back up our diplomatic and political efforts to achieve our objectives.

I thank the gentleman for yielding.

Mr. GUNDERSON. Mr. Chairman, I have never supported military assistance to the freedom fighters in Nicaragua. It has always been my position that each country in Central America ought to have the right to chart its own destiny, whether we like their chosen destiny or not.

Yet, after careful and intense review of intelligence material I am convinced beyond any doubt that the Sandinistas of Nicaragua are exporting revolution throughout the region.

Such a conclusion caused me to carefully study the two options before us today. And I found them both unac-

ceptable. To vote this package down and do nothing is to guarantee the destabilization of the entire region. Yet, to persue a military solution seems both premature and a far greater commitment than can be achieved by this proposal.

It is for this reason many of us sought a bipartisan concensus that could produce a defensible long-term policy for the region. And this compromise for which the President announced his support last night provides us this opportunity. It is based on a preference for negotiations. It contains no new appropriations, rather a reprograming of previously appropriated defense dollars. And it uses military assistance only as a leverage to pressure all sides into serious negotiations. I want to assure those concerned that intelligence sources suggest the Contras would need many times more this amount of military assistance to have any hope of a military victory.

The compromise included in the President's legislative proposal now before us, the President's message to Congress of yesterday, and the draft executive order the President will sign upon passage of such legislation continue the humanitarian assistance at $25 million. It also provides an additional $2 million in support of the Contadora process. And it delays the $70 million in direct military assistance for 90 days during which negotiations should occur on an internal, a regional, and bilateral basis.

At the end of 75 days, the President must report to Congress on the status of negotiations and the hope for future progress. Congress then has 15 days to deauthorize the military funding if it so chooses.

However, most important, the status of the military funding is actually in the hands of the present Nicaraguan Government. For they can prevent the military funds from ever being released. And if the funds are released they can stop further distribution by three simple and positive measures. First, declaring a cease-fire; second, conducting internal negotiations with the various opposition parties; and third, lifting the "emergency rule" which restricts religious, political, and free speech restrictions. Never has such an incentive for positive negotiations been presented to any country in the world. They alone can choose between military confrontation with the Contras or negotiations for peace.

In addition to these efforts at negotiations, the compromise also directs a new commitment toward economic aid based upon the recommendations of the bipartisan Commission on Central America. Finally, this package also includes continued review of human rights abuses by both the Sandinista and the freedom fighters.

Mr. Chairman, I and many of my colleagues would have preferred to accomplish this compromise through legislative action. Yet, the decision of the Democratic leadership to force a simple up or down vote on the President's proposal has denied us that direct opportunity. Yet, the President has promised to implement these conditions through an Executive order which has the force of law. And, most important, he has agreed to name a bipartisan congressional commission to monitor the negotiations and report back to the Congress and the administration on their progress, their potential for resolution, and an honest assessment of who is seriously committed to this process and who isn't. It is important for the public to know that this five-member commission will be based upon one nomination each from the Speaker and minority leader of the House, and the majority and minority leaders in the Senate. The four will then choose the fifth person. Through this commission, the President agrees to monitoring and review of all administration decisions on negotiations and the release or nonrelease of military aid to the Contras.

If there ever was any doubt of the President's commitment to negotiations over military action, I believe this compromise dispells such myths. If there ever was a program based on negotiations, with military assistance as only pressure to make the negotiations work and used in a last resort, this compromise is it.

I believe this compromise presents the best opportunity we have ever had for a bipartisan long-term policy in Central America. Thus, I encourage my colleagues to support the proposal before us.

Mr. Chairman, during the weeks of discussion on aid to the Contras it has become apparent that neither of the options now facing Congress is acceptable.

This is not a clear-cut issue that can be settled by a yes or no decision. The problem with the legislation presented to us by President Reagan is that our choices are extreme.

To reject the aid and do nothing is wrong. It will send the wrong signal to Nicaraguan President Daniel Ortega and our other Central American neighbors. Walking away from the issue will not bring an end to Nicaraguan support and sponsorship of terrorism and revolution throughout the region.

But to authorize $70 million in military aid—with no strings attached—is just as wrong. It is clear to me that the approach of diplomatic negotiations has not been exhausted. And if our policy is now one of a military solution, the $70 million is totally inadquate.

If America is to play a positive role in resolving the conflict now plaguing the region, it must be willing to develop a policy that goes beyond the black and white alternatives Congress will consider today. That is why I joined a number of my colleagues in the House, both Democrats and Republicans, in urging a different proposal.

This alternative addresses the problems in Nicaragua from several angles. It places negotiations above fighting. It emphasizes respect for human rights. It provides the funds needed for advancing the Contadora process. It stresses the economic development of the region. And it increases the pressure needed to bring about a negotiated settlement.

The key difference between our plan and the President's plan is that under our proposal, military aid is a last resort. It will only occur if the Sandinistas leave America no alternative.

We in this country work best when we work together. Most predictions say that the vote on the President's package will come down to a handful of votes. We send no meaningful signal to the region when we decide to take a step of such major importance by the narrowest of margins. I believe that the alternative proposal can receive broad bipartisan support—support necessary if America is to promote an effective and successful policy in Central America.

Before discussing the specifics of our proposal, it is important to identify the problem we are attempting to address. After hours of classified briefings, pages of intelligence reports, and countless discussions with individuals representing the full range of opinion on the issue, it has become clear to me that the Sandinistas' threat to the region is real.

The $500 million in weaponry provided by the Soviet Union is not the result the administration's overactive imagination. The assassination of Supreme Court Justices in Columbia with weapons later linked to Nicaragua is fact, not fancy. The 10,000-foot runway at Punta Huete, which is the longest runway in Central America and is capable of accommodating any aircraft in the Soviet inventory, will not go away just because we wish it would. The photo of Sandinista Commander Daniel Ortega proudly raising the hand of Libyan terrorist Muammar Qadhafi could not convey a clearer message.

There is no law, nor should there be, requiring that all nations must think, act, and behave the same as America. But that does not mean that America should stand idly by and watch as a nation uses murder and coercion to bully their neighbors. America is acting in response to Nicaraguan abuses, not the other way around. Nicaragua smuggled arms to rebels in El Salvador long before Contra forces were funded by the United States. Today, Nicaragua is assisting revolutionary efforts in almost every country in the region.

Yes; the threat is real and we must act to bring an end to that threat. But we must explore other options before we provide the Contra rebels with unrestricted military aid.

We must first put more emphasis on a negotiated solution. I do not believe that the Nicaraguans or the United States have adequately pursued the negotiation process on an internal, bilateral, or regional basis. The alternative we proposed places negotiations above all other considerations.

With $2 million in aid to the Contadora group, our proposed compromise makes clear America's commitment to meet the financial needs required in pursuing a regionally negotiated settlement. If we hope to achieve a regional settlement it is important that we not

give up on those Latin American nations that are working so hard to bring about peace.

We create a five-member bipartisan commission, comprised of distinguished and respected experts, to monitor all negotiations and report back to Congress. Through this commission, we can achieve the unbiased and objective perspective that has all too often been absent from debate on this issue. The establishment of this commission will unequivocally demonstrate the determination of Congress to pressure both the Sandinistas and the Reagan administration into undertaking serious and responsible negotiations.

Our plan calls for $30 million in humanitarian assistance and possibly $70 million in military aid to the Contras.

But we would not allow any money to be spent on military aid until 3 months have passed and these conditions are met:

The governments of the Central American nations involved in the Contadora negotiations have not reported an agreement.

A declared cease-fire is not in effect in Nicaragua and new elections are not taking place there.

Trade and economic measures have failed to resolve the conflict.

No other avenues exist for a negotiated settlement.

If the President certifies these conditions exist and provides notification that military aid will be appropriated, Congress will retain the power to pass a joint resolution blocking the aid. The bipartisan commission would serve as an objective and outside source of information for Congress as it considers the aid request.

Let there be no doubt, military assistance to the Contras would be a last resort. I pray that it is an option we need never choose. But, it is up to the Sandinistas. If they continue to subvert their neighbors. If they choose to sleep with the Qadhafis and Arafats of the world. If they refuse to ignore domestic, United States, and Latin American demands to join in serious and meaningful negotiations on an internal, regional, and bilateral basis, then the United States will be left no alternative but to run up the pressure and grant military aid to the rebels.

Military aid could be suspended at any time if the Nicaraguan Government implements a cease-fire, begins direct negotiations with the opposition, and lifts restrictions on freedom of the press, assembly, and religion.

Economic development is critical to a lasting peace in Central America. The proposal we have offered makes economic development an integral part of United States efforts, providing economic aid for Guatemala, Honduras, Costa Rica, and El Salvador.

America must loudly and repeatedly communicate its abhorrence with human rights violations committed by either party to the Nicaraguan conflict. Provisions in the compromise package would allow for the suspension of Contra aid if abuses take place and those who are responsible are not punished. If any member of a resistance group engages in drug smuggling or the diversion and misuse of funds, and if that person is not dismissed, the group shall be ineligible to receive U.S. assistance.

This plan provides a much better long-term policy for both Nicaragua and all of Central America.

There are no simple yes-or-no answers to the quagmire of problems facing Nicaragua. The facts demand that we not take a walk and simply trust the Sandinistas to respect the rights and interests of its neighbors; something it has so far failed to do. But we should not look to a military solution, if there is any hope that negotiation remains a viable alternative. In offering a proposal that fences in military assistance, using it as an incentive to negotiations, it is my hope that we can break the current impasse and help bring about a lasting and real peace for the region.

Mr. FOLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH of Iowa. Mr. Chairman, I would like briefly to address the issue of compromise. That proposed by the President would appear to be of a tactical variety: consequential perhaps in dealing with Congress but of limited significance to constraining the administration's intended policies.

The only kind of compromise this Member would consider credible would be one precluding the provision of militarily related assistance to armed intervenors in the region and one requiring administration reacceptance of the jurisdiction of the World Court in issues of this nature.

After all, what is at stake in these deliberations relates less to the irrational decisions of a leftward lurching government in a small area of Central America and more to the constitutional process of decisionmaking here at home and to the rule of law in our policy abroad.

Given the preemptive executive decision to commence without congressional sanction a civil war in Nicaragua, the Congress is placed in the difficult position of having to determine which is a greater misdeed: pulling the rug from armed mercenaries who were trained and equipped in violation of United States law and who are currently marauding a countryside in violation of international law; or pulling the rug from the values we cherish as profoundly American: the sanctity of law, the rights of others to determine their own destiny in their own way; a decent respect for the opinions of mankind.

It is worthy of note that the vast majority of our allies in Europe and of our friends in Latin America have called on us to reverse gears and end assistance to the Contras. It is worthy of note that Brooklyn Rivera, the leader of the Miskito Indian resistance, told this Member just last week that we've backed the wrong horse. Whatever statistics are trotted out about what percentage of officers of the FDN are former Somocistas, the understandable view of virtually everyone in Nicaragua is that the United States wants a return to the past and wants to impose its will by force. Is there any wonder a policy of support for armed groups who destroy crops and execute social workers is counterproductive? Is there any wonder there is no one in or out of Nicaragua that's predicting success for these forces? The issue isn't arms; it's morality.

The Sandinistas have fallen victim to a kind of ideological corruption. But instead of allowing the weight of its own mismanagement to sink itself, we leaped precipitously into the fray and backed a force that can't win. We are responsible for escalating violence in a traditionally pacific country. Enough is enough.

Liberals may have erred by believing the Sandinistas wouldn't opt in the direction of police state controls; but our country nevertheless has an obligation to stand by the side of law, with the understanding that not only do procedural concerns matter but that adherence to proper rules in the long run are more likely to produce proper results. There is simply no evidence America is very good at running a civil war oriented foreign policy. There is evidence, as recent as last month in the Philippines and Haiti, that despots cannot stand for long when their policies don't serve the interest of their people.

The time has come to reconsider an ill-chosen path. It is better to cut bait now than troll into waters whose depths are unfathomable, whose currents are uncontrollable. Prudence dictates restraint.

Mr. BROOMFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. KOLBE].

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

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

Mr. STANGELAND. Mr. Chairman, I rise in support of the resolution providing military and further humanitarian support for the Contra freedom fighters of Nicaragua.

Let me first state that I have disagreed with President Reagan on certain issues, most relating to agricultural policy. If I was convinced Nicaraguans live under lawful rule and that the present regime posed little threat to its democratic neighbors and eventually the United States, I would cast a "no" vote. But that simply is not the case and I support the President.

Reflecting on previous Contra aid debates I recall that several Members of the House, from both parties, would point to democratic overtones of the Sandinista regime. They used to explain to us that Comandante Ortega and his government did not assist Communist movements, that they allowed free elections, freedom of religion, freedom of speech, and, in general, a pluralistic society.

However, the truth about Nicaragua is now well known and those arguments are no longer faithfully made by my colleagues. In fact, the House appears united in the belief that the Sandinistas are revolutionary Marxist-

Leninists who are guilty of widespread repression and their policies must be changed. We must now decide how best to introduce democracy to this beleaguered nation.

I contend that passing this resolution and adequately assisting the Contras will present the greatest opportunity for democratic reform in Nicaragua. Negotiations between the Sandinistas and Contras are important, but we should not expect the Communists to relinquish power, share power, or institute democracy without significant military pressure from the opposition.

By helping the Contras, who are willing to fight for their freedom, we will also lessen the chance that America will be forced to directly intervene militarily. Use of United States fighting forces would be unpopular both in the United States and Latin America and probably would not further the ongoing movement toward democracy in the region.

Some think we should not worry about a small, poor nation even if they may be a Soviet client state. However, I feel the Soviet Union, Cuba, Bulgaria, Libya, the PLO, North Korea, Vietnam, Czechoslovakia, Iran, and East Germany are not pouring weapons and military and civilian personnel into Nicaragua for nothing. They have a great stake in the outcome of the civil war. As Col. Muammar Qadhafi said in a September 1, 1984, New York Times article, "Libyan fighters, arms, and backing to the Nicaraguan people have reached them because they fight with us. They fight America on its own ground."

I guess the questions we will soon answer are: Is it proper for free people who cherish liberty and all its benefits to sit idly by and overlook the totalitarian mistreatment of their fellow men? Or are they responsible to help those willing to risk everything to ultimately live in, or if necessary, die with dignity?

Let's do what's right and give freedom and democracy a chance in Nicaragua.

Mr. KOLBE. Mr. Chairman, I rise today, near the close of this lengthy debate with full knowledge that almost everything has been said. This debate, while it has not always been enlightening or elevating, is what the democratic process is all about. It is good, not only for this body, but for our country, to have a full and vigorous discussion of an issue of this magnitude. There is room for legitimate disagreement in a democracy—and I would hope that none of us, on either side of this issue—would question the motives, the integrity, or the patriotism of our colleagues who may differ with us.

I stand here today in the hope that I might bring a slightly different perspective to this issue that we have been hearing in the main, for the last 24 hours. I was undecided on this question until the beginning of this week. I did oppose military aid that was requested last year.

Now, I have come to a different conclusion, in part because of a visit I made to the region over the weekend. But let me make one point very clearly: I don't believe one goes to Nicaragua for 24 hours—or even 24 days or 24 months—and comes back knowing everything or seeing everything in black and white. I went to Nicaragua on the razor edge of decision, and returned with a nudge to one side.

So what did I see and hear that caused me to decide that military assistance is the best alternative available?

Yes, I did see Soviet helicopter gunships, but no, I didn't see any Cuban pilots or Soviet technicians. I didn't expect them to show me their military buildup or have me interview Cuban military commanders.

But I did meet with Vice President Sergio Ramirez. In answer to my direct question he said there were virtually no circumstances short of surrender, that his government would ever negotiate with the opposition forces. Mr. Chairman, peace in this region requires negotiations, not just between the United States and Nicaragua, but also with the opposition within that country that remains bitterly opposed to the tyranny of a Communist government.

We met with Cardinal Obando y Bravo. He did not wave the American flag or sing our national anthem. But he did tell us in vivid terms how the Catholic church is being persecuted in his country and his fear that Nicaraguans will not be permitted to express their religious beliefs.

And yes, we met with members of the Permanent Commission on Human Rights, a group founded during the Somoza regime to monitor human rights violations. And no, they didn't tell us that the opposition forces—the Contras—are saints. But they did say that human rights violations by the Sandinista government are far more widespread, systematic and sinister.

We met with business and labor leaders. No, they didn't tell us that they want to replicate the U.S. economic model in Nicaragua. But they did say that they want free unions and the right to make choices in the marketplace.

I return from this visit with a couple of impressions that I want to share with my colleagues. One, there are no simple, no clear cut moral choices in Central America. The opposition forces in the field are not the ideal opposition. But it strikes me as paradoxical to suggest that we shouldn't train these forces because they are ill-disciplined and have committed acts outside the accepted rules of warfare.

If they had training they would be better led and better disciplined. And we should remember that they are only part of the opposition—the field force of an opposition that includes labor leaders and church leaders, human rights activists and newspaper publishers.

Two, the Sandinista government in Nicaragua is a hardcore, Marxist-Leninist regime. No amount of whitewash will cover that up. Even the slight bow to democracy with opposition political parties and the vestige of a free press is entirely consistent with that conclusion. They are a threat to stability in the region and the United States has every right to be concerned for our security and that of Central America.

Third, if we don't give aid, we will not have this debate next year. That conclusion is a stark one, but inevitable. Two years with no military assistance to speak of, pitted against literally hundreds of millions of dollars of arms and weapons that have flowed from Cuba and the Soviet Union, has left the opposition forces on the ropes. It is now—this year—or not at all.

Mr. Chairman, on our return to the United States, we stopped in El Salvador and met with President Jose Napoleon Duarte. What El Salvador and President Duarte proves is that revolutionary economic and social change can take place in the democratic context. President Duarte said to us that the Nicaraguan experience has accelerated the democratic process in Latin America, that the "domino theory of democracy" is sweeping this region of the world.

The question that we must ask ourselves is simply this: Will the domino of democracy fall across Nicaragua?

Mr. FOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. MURPHY]

Mr. MURPHY. Mr. Chairman, I rise today in opposition to the President's request for $100 million in aid to the Contra rebels.

No one doubts that the Sandinista government is a Communist supported regime. The departure from reality is made, however, when one assumes that this poses an inherent threat to the United States. The fact is: an impoverished, rural, and debt plagued country of less than 3 million people with a smaller armed forces than the police presence in the District of Columbia is no threat to U.S. security.

Political philosophy is not and should not be a precondition of relations. We have maintained close ties with many Communist regimes. China, Poland, Yugoslavia, Romania, Bulgaria, Czechoslovakia, Hungary, North Korea, East Germany, and the U.S.S.R. all have strong diplomatic ties to the United States and some have even been granted favored trade status. There are benefits in understanding the dynamics of international relations and striving for international cooperation.

Our experience in Vietnam should have taught us of the limitations in trying to topple any regime that is deemed to be politically unacceptable. But the administration seems determined to lead us down that horrid road again. The scenario is all too familiar: A request for aid to assist the

rebels followed by a request for advisers to complement the aid and leading eventually to a request for troops to protect our advisers and our investment. We spent 50,000 lives and a trillion dollars in defense of democracy in Vietnam. Yet, when we left there was still no democracy and still no threat to our national interest.

At least in Vietnam there was early support for our involvement. But today, our polls, our letters and our phone calls related the same message: don't waste our tax dollars on an unwinnable war.

What is more, there is not even support for the aid from our friends in the region. Those who border on Nicaragua don't want us funding the Contras. The President cites a USIA poll taken last July that claimed 69 percent in Central America favored the aid. A poll taken last week by the Tico Times in Costa Rica, however, severely mitigates those outdated numbers. This most recent poll concludes that only 39 percent are now in favor of the aid.

There is another issue that concerns me, Mr. Chairman. At a time that we are being forced to cut vital domestic programs, such as revenue sharing, job training and education, it is preposterous to even think of handing over this sum to a group of ragtag guerrillas without the slightest hope of furthering U.S. interests or democracy in Central America.

The United States has already poured over $250 million to the Contra cause and gotten no results. It is time we reevaluate our priorities and invest in programs that help our people at home.

This Nation is faced with a $2 trillion national debt. We are paying $150 billion a year on interest for that debt. But, for the first time in the Reagan Presidency we are seriously considering deficit reduction measures. Are these initiatives to be forgotten in light of an imagined Communist threat in Nicaragua?

Economic reality dictates that in order to provide an additional $100 million in aid to the Contras: We will be forced to borrow more money, add to the national debt, pay a great percentage of the budget toward interest payments and pass the entire fiasco on to our children. Future generations of Americans should not be forced to finance the military ventures of today.

The administration claims that no new moneys will be required. All that will be needed, they claim, is a transfer of funds already appropriated. Well, if there is an extra $100 million laying around the Pentagon someplace, I can think of a hundred better ways to spend it.

That $100 million would restore the housing subsistence for 100,000 Americans. It would fund general revenue sharing in my district for 12 years. It would restore half of the Reagan cut in low-income weatherization. It would restore funding for rural waste water disposal grants.

My district has three times as many unemployed workers than there are Contra rebels, $100 million would go a long way toward helping these Americans get back on their feet. For example, that money could be used to fund trade adjustment assistance for 2 years. It would restore the Reagan cut in the Vocational Rehabilitation Program or half of the proposed cut in higher education categorical programs.

There are countless other important domestic programs that have been subjected to severe cutbacks in light of our commitment to deficit reduction. UDAG, EDA, Amtrak, library assistance, juvenile justice grants and many more have seen the administration's knife. Given the financial realities that face us today, can aid to the Contra rebels be truly justified?

Mr. Chairman, conscience dictates that we apply these tax dollars where they can really make a difference—back at home.

Mr. BROOMFIELD. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas [Mr. ROBINSON].

Mr. ROBINSON. Mr. Chairman, my time is very limited so I want to quickly preface my remarks by thanking all of my constituents back home that have been so sincere in sharing their viewpoints over the past several weeks. I also want to thank my colleagues on both sides for being sincere throughout this debate.

Notwithstanding the sincerity of this great body, however, some today want to cast their vote to make Daniel Ortega cry uncle, while others want to cast their vote to make the President of the United States cry uncle by making him come back in April for another vote. Well, today I want to associate my remarks with a different type of uncle. I want to talk about Uncle Sam and what this vote means for our country.

The whole world is watching us today to see whether or not, once again, we will in a very weak-kneed way, back off and not do what we know in our hearts is right. I have a 17-year-old son, and on this day in 1896, the marines landed in Nicaragua.

On this day in 1986, I am going to vote "yes" to keep my son out of Nicaragua.

Mr. FOLEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee [Mrs. LLOYD].

□ 1215

Mrs. LLOYD. Mr. Chairman, I am going to vote against House Joint Resolution 540 today so that we can allow consideration of an alternative policy that we can debate and legislatively bound on this issue.

More than 160 years ago, John Quincy Adams, then Secretary of State, drafted a document which is the heart of our discussion today. This document was the Monroe Doctrine. It was a simple message and it was a simple warning: That was that the United States of America would take an active interest in the American Hemisphere.

This warning is really what we are debating today; that we will not tolerate the intervention of foreign powers in our own backyard. If we are going to assist in bringing to an end the conflict in Central America, if we are going to end the threat of communism, then what steps are best, what steps are necessary?

I think that is a real issue; what is best for America, not whether we are against or for the President. I think it is in the best interests of America to work out a compromise that would allow for any military assistance provided for the Contras to be fenced in for a brief period, perhaps 30 to 45 days. This would allow sufficient time for President Duarte to pursue his peace initiative and press for a regional summit.

However, should the negotiations not occur, should the Nicaraguans refuse to participate in diplomatic processes, then our process, our response should be automatic.

Once the time period has passed, the President should be free to certify the release of Contra aid funds approved by the Contras.

Last Saturday morning, Mr. Chairman, I met with President Ascona of Honduras. I asked him for his views on the delays, and his response was direct: He said:

> A small period of waiting after any legislation has passed would be very helpful for the negotiations. The negotiations of a political settlement with Nicaragua.

President Ascona was frank and to the point. While preoccupied with the internal situation he expressed his concern.

I urge my colleagues to vote no and to vote for the alternative.

Mr. BROOMFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. SKELTON].

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

Mr. SKELTON. I yield to the gentleman from California [Mr. McCANDLESS.]

Mr. McCANDLESS. Mr. Chairman, the most important critical ingredient in any political movement is the composition and identity of the men who lead it: The United Nicaraguan Opposition, who they are, and where do they come from.

Mr. Chairman, much has been said about the opposition forces in Nicaragua, a great deal of which is misinformation and inaccurate, such as the as-

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sertion that the opposition movement is nothing more than Somoza sympathizers and former members of the Somoza national guard, attempting to return to power. For this reason, I feel the need to share with my colleagues some background information on the leadership, composition, and organization of what has been referred to as the Contras, now unified under the banner of the United Nicaraguan Opposition.

The membership of the United Nicaraguan Opposition includes:

Nicaraguan Democratic Force [FDN]: The largest of the freedom fighter groups, the FDN is a fighting force of 18,000 to 22,000 men and women, 25 percent of whom are former Sandinistas. Their leader is Adolfo Calero.

Revolutionary Nicaraguan Armed Forces [FARN]: Led by former Sandinista Fernando Chamorro, who had fought Somoza since 1960, FARN has about 1,000 fighters and operates in southeastern Nicaragua.

United Villages of the Nicaraguan Atlantic Coast [KISAN]: An alliance of Miskito, Sumo, and Rama Indians, and English-speaking black Creoles, KISAN is a new organization made up of previously independent guerrilla groups. They have about 4,000 armed fighters and over 100,000 civilian members. Its military commanders are Raul Tobias and Wycliffe Diego, and its civilian leader is an Indian named Roger Hermann. Leader of the black Creoles within KISAN is the Reverend Jenelee Hodgson.

Nicaraguan Opposition Coordinator [CON]: A coalition of civilian political parties, business organizations, and trade unions in exile. This represents the vast majority of the non-Communist political leadership of Nicaragua, much of which had formerly been aligned with the Sandinistas.

The UNO directors are:

Adolfo Calero-Portocarrero: A graduate of Notre Dame who did graduate work in industrial management at the University of Syracuse, and holds a law degree from the University of Central America in Nicaragua. In the late 1950's, Mr. Calero became manager of the Coca-Cola Co., of Nicaragua. In the 1970's he was one of the founders of the Authentic Conservative Party, and in 1978 he was his party's representative in the Broad Opposition Front [FAO]. He was jailed along with other FAO leaders for initiating a general strike that shook the Somoza regime.

Arturo Cruz-Porras: A longtime member of the Democratic Conservative Party. He holds graduate and undergraduate degrees from Georgetown University. He was twice jailed by Somoza. He was a member of the Sandinista junta for 9 months, and served as Nicaragua's Ambassador to the United States from June to December 1981. He resigned that post in protest over the growing Marxist-Leninist totalitarian tendencies of the Sandinistas.

Alfonso Robelo-Callejas: A chemical engineer who served as director of the University of Central America from 1970 to 1972, and was president of the Nicaraguan Chamber of Commerce until 1975. Following the assassination of La Prensa editor Pedro Chamorro, Mr. Robelo founded the Nicaraguan Democratic Movement [MDN], a political party of businessmen, industrialists, and professionals opposed to the Somoza regime.

The military forces of the FDN—under the UNO—are led by:

Enrique Bermudez-Varela: He served in the national guard under Somoza, but was cleared of "war crimes" by the Sandinista regime in December 1982. He has described himself as a professional soldier and, under Somoza, not interested in politics. He is a graduate of the Nicaraguan Military Academy and received training at the U.S Army Command and General Staff College and the U.S. Army School of the Americas. During the last years of the Somoza regime, Bermudez served in Washington as defense attaché at the Embassy of Nicaragua. The Carter administration supported Bermudez as a military expert with no ties to the Somoza regime, who would have made an excellent leader of the post-Somoza Nicaraguan Armed Forces.

The leader of the Revolutionary Nicaraguan Armed Forces [FARN]:

Fernando "El Negro" Chamorro-Rappaccioli: He has been a prominent anti-Somoza figure since the 1940's. He participated in numerous military actions against the dictator and was repeatedly jailed or exiled by Somoza. In 1979 he fought on the southern front with the Sandinistas. The increasingly Communist nature of the Sandinistas, and the absence of any effort to carry out the democratic goals of the revolution, drove him into exile in 1982.

The leader of the Nicaraguan Indian and Creole Leaders [KISAN]:

Wycliffe Diego: A Miskito Indian leader from the Atlantic coast town of Puerto Cabezas, he was a Moravian pastor and was jailed by Somoza in 1971, for allegedly being a Communist. He has a reputation for effectiveness and honesty.

These are dedicated people who are putting their lives on the line to bring about what their revolution was originally designed to accomplish—the implementation of democratic institutions in Nicaragua. They need and deserve our support.

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

Mr. SKELTON. I yield to the gentleman from South Carolina [Mr. TALLON].

Mr. TALLON. Mr. Chairman, I urge bipartisan support for the President's proposed compromise.

Nicaragua is an increasingly totalitarian regime determined to consolidate its power and subvert the political independence and territorial integrity of the neighboring countries in the region.

In Nicaragua, there must be a reconciliation of differences that separate the government from the democratic opposition. The Sandinista government must be willing to sit down and negotiate in earnest with its own people.

I believe that the Executive order offered by the President in response to congressional concerns, outlining new conditions on aid to the Contras, offers a constructive alternative. It includes a 90-day delay in military assistance and full cooperation of a bipartisan commission established by Congress to report directly to the Congress on negotiations. This compromise demonstrates to the American people that we are diligently pursuing reasonable possibilities for a regionally based political solution.

I am convinced we cannot negotiate with a Communist-supported Marxist regime in Nicaragua without applying pressure, and I believe this compromise proposal shows the world and this Nation that we are presenting the Nicaraguan Government with a clear alternative to a prolonged conflict. I urge bipartisan support for the President's compromise proposal.

Mr. SKELTON. Mr. Chairman, I rise in support of the proposal that is before us today. I do so as one who voted for the humanitarian aid the last time, and against the military assistance the last time.

I do so based upon the agreement that has been worked out with others, especially the gentleman from Washington [Mr. CHANDLER] and myself, and I do this because it is a workable solution to the problem that is ahead of us.

It is based upon a proposed Executive order. We asked for certain things to be addressed, and they were. We asked about human rights; we asked about negotiations, having a last chance; we asked about humanitarian aid and holding off military aid for 90-days, and during that 90 days we suggested that there be training and of course air defense.

We asked for a commitment to Central America and to a policy based upon the Henry Jackson report. We also asked that all resistance forces be included.

Mr. Chairman, this is what we have accomplished. We want to give negotiations one more chance, and this we have succeeded in having.

I would be remiss if I did not say at this juncture that the gentleman from Oklahoma [Mr. MCCURDY] was very helpful in this work; he and I agree on so many aspects of it; disagreeing, I believe, on the vehicle on which we reach the same goal.

I would like to very briefly review what we have accomplished in the negotiations and agreement with the White House. That humanitarian assistance would be given immediately, and that other assistance would be withheld for 90 days following approval of this request.

That immediately, equipment and supplies for defense air attack would be supplied. That support for democratic, political, and diplomatic activities be given. That immediate training be given.

Following the 90 day period, additional types of assistance would be provided to the Nicaraguan democratic resistance only if it has been determined after consultation with Congress that the Central American countries have not concluded a comprehensive agreement, that the Government of Nicaragua has not engaged in serious dialog, and that there is no reasonable prospect of achieving these developments through further diplomatic measures and that there has been a report to Congress.

Also, that there is a commission established to make the reports to the Congress on a bipartisan basis.

We have also included in this an agreement to require assistance to human rights. Also, we have stopped receipt of any assistance by those who violate human rights or involve themselves in drug smuggling.

This is one that involves an equal proportion of assistance to the Indian groups as well as to others.

Mr. Chairman, this body seems polarized on this issue, but it is not the first time that this body has been polarized over Central America. The first time was back in the early 1800's when Henry Clay was the Speaker. The great decision at that time was whether to endorse freedom from the Spanish rule for those countries in Central and South America.

After a long and bitter debate, the House came down on the side of freedom for those countries. We set a precedent then that has been maintained ever since.

Mr. FOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky [Mr. HUBBARD].

Mr. HUBBARD. Mr. Chairman, some of those who are very enthusiastic about $100 million in aid to the Contras of Nicaragua like to paint the opponents as liberal Democrats or liberal Republicans who are apparently not worried about the spreading of communism in Central America.

This Congressman is a Democrat who frequently votes with President Reagan and who met with the President in the Oval Office on Wednesday of last week for 25 minutes.

I'm a Democrat who genuinely likes and admires our President.

Some of you consider this Kentucky Democrat a hawk on defense issues—and I am.

I represent Fort Campbell, KY, home of the 101st Airborne Division, Air Assault, and several of my constituents are employed at Fort Knox, KY.

If this country ever goes to war again, among the most valued troops first to be called upon would be Fort Campbell's 21,000 soldiers.

Last Sunday night my wife Carol and I watched with interest the President's speech.

The whole awkward rationale for the $100 million in aid for the Contras was summed up in a few arresting sentences.

I quote our President:

> Clearly the Soviet Union and the Warsaw Pact have grasped the stakes involved, the strategic importance of Nicaragua. The Soviets have made their decision—to support the Communists. Fidel Castro has made his decision—to support the Communists. Arafat, Qadhafi, and the Ayatollah Khomeini have made their decision—to support the Communists. Now we must make our decision.

An elderly lady at Beaver Dam, KY, asked me last Monday morning: "Gee whiz, are Arafat, Qadhafi, and the Ayatollah really concerned about Nicaragua?"

Let's be serious. If I thought the United States were actually faced with the kind of armed threat and refugee invasion pictured by our President, I assure you $100 million in aid to these Contras waging a losing battle in Nicaragua would not be appropriate for us to be considering today. The use of U.S. troops would be the issue of the day if our security were actually threatened.

The foreign ministers of eight Latin American nations—known as the Contadora group—visited with Secretary of State George Shultz here in Washington last month to ask that their Contadora process be given a chance to work. The nations at the meeting were Mexico, Colombia, Panama, Venezuela, Argentina, Brazil, Peru, and Uruguay. These eight countries plead with you and me today to give the pursuit of the Contadora process a chance to bring about a meaningful, lasting peace in Central America.

This is my 12th year in Congress. During all this time and through seven administrations Fidel Castro has led a Communist regime just 90 miles from Key West, FL. They haven't attacked us yet.

No one advocates today sending $100 million in military and economic aid to anti-Castro Cubans.

Let's establish economic improvements and not war in Central America so that democracy will be the chosen form of government in Nicaragua and all of Central America.

Please vote "no" today.

□ 1225

Mr. BROOMFIELD. Mr. Chairman, I yield 6 minutes to my friend from Pennsylvania [Mr. MURTHA].

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

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

Mr. FASCELL. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the pending resolution to provide military assistance and other assistance to the Contras in Nicaragua. Now I would like to say by way of preface here that all of us recognize that there are deeply and sincerely held differences of opinion on how to approach this matter. I take no issue with any of my colleagues. I have certainly no quarrel with the rationale by which they try to solve their dilemma. I reached my decision based on my own conclusion, observations, and analyses. In the last administration I was one of the congressional leaders to help put through a program of assistance to the new government in Nicaragua to try to help undo 40 years of misery with which the United States had at least a little something to do. I am not ready to give us all of the blame. But nevertheless, it was an unfortunate experience. There were people in the hills for years and years and years who fought against the dictatorship of Somoza. And when a new government came in, all of those people who were part of the revolution of Somoza thought a new day had come, that there finally was the opportunity to bring democratic processes to the people of Nicaragua. Those of us who visited Managua at that time, who took the lead in this House to extend the hand of friendship to that new government, found out very quickly where that government was coming from. They cut us off at the elbow.

Their concern was not for democratic processes or carrying out their statements on which the revolution was predicated, but simply to consolidate Communist power. I guarantee you they followed the handbook paragraph by paragraph on how to consolidate Communist power, how to subjugate the people and get rid of all opposition.

Many of the people who fought and were part of the revolution against Somoza, and started out being part of the new government in Nicaragua, were frozen out. They were forced to quit. Their whole being was shattered by virtue of the fact that the revolution they had fought for had been subverted beyond any question.

That is my conclusion also after having talked to every single member of the Directorate, either down there in Managua or up here in the United States, and to every single member of the junta, and after having talked to

the leaders of all of the democratic elements that were part of the fight to get rid of Somoza.

And they all say unanimously, "We did not fight to get rid of Somoza to wind up with a Communist goverment subjugating our people." And where are those leaders? They are out in the hills again. They are called all kinds of names, Contras, counterrevolutionaries, whatever you want to call them. But the first guy was Pastora. He fought Somoza with a ragtag outfit and with no apparent support from anybody. People said he would never win. But he was part of that revolution, and he was part of the new government. He is back in the hills fighting again.

He told me personally, "I will fight for as long as it takes, with or without anybody's help, because this is not what I fought for, this is not what the Nicaraguan people are entitled to. They are entitled to something better than this." The same is true for, Robello and for Colero, and for Cruz.

The thing that really brought down Samoza was the assassination of Chamorro—from one of the principal families of Nicaragua and who ran the free press—and now that family is right down the middle. Now, ever since we had to cut off our assistance—which was designed to be friendly and establish a new relationship with this new government—absolutely nothing has happened in terms of democratic processes, with or without force, with or without diplomacy. I have come to the conclusion the only way we are going to get any kind of talk at all, if indeed we can, is to go to the two-track approach. And to do that military assistance in a serious way is absolutely essential. That is where I come down.

In conclusion, let me say, and I thank the gentleman for yielding, unfortunately there will be no victory here today by one vote, or two votes, or three votes, or whatever the vote is. This issue is here before us for a long time. And if the Congress is divided and the country is divided, you cannot have a long-term policy to deal with the issue. It is not going to go away. The issue is: Will we have democracy in Nicaragua? We have to do our best to start now to help bring it there.

Mr. FOLEY. Mr. Chairman, may I inquire how much time remains?

The CHAIRMAN. The gentleman from Washington has 36 minutes remaining, and the gentleman on the minority side has 32 minutes remaining.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. MOODY.]

Mr. MOODY. Mr. Chairman, I rise in opposition to the resolution before us today.

I recently met with Lt. Col. Edward L. King, U.S. Army, retired, formerly a combat soldier, Joint Chiefs of Staff military liaison officer to the U.S. delegations to the Inter-American Defense Board, and still an acknowledged expert on military conditions in Central America. For those interested in the military merits of the President's Contra aid package, it might be useful to share Colonel King's observations.

First, the Contras are nowhere near capable of effectively fighting the Sandinista army.

The Sandinistas' so-called irregular warfare battalions are highly trained, highly motivated counterinsurgency soldiers and have had growing success against the Contras. Meanwhile, the United States has invested approximately $130 million in the Contras, yet their actual military capability remains very poor. They have inadequate training, low morale, poor leadership, inappropriate tactics, and no coherent strategy. Another $100 million won't substantially correct these inadequacies. Unless the U.S. commits about $400 million and at least 2 years of intensive military training, the $100 million will be largely wasted.

Second, there are now only small bands of Contras actually fighting in Nicaragua.

Eden Pastora's group fo Contras have been virtually eliminated in southern Nicaragua and their remnants driven back into Costa Rica. In northern and central Nicaragua, all but about 1,000 of the original 12,000 to 14,000 troops have been driven back into camps in Honduras. Those Contras now remaining in Nicaragua are capable of only hit-and-run tactics against chiefly civilian targets.

Third, the President's claim of 20,000 Contras is grossly exaggerated.

There remain only 3,000 to 4,000 highly motivated Contra troops. Most of the larger number counted as Contras by the President include: Dodgers of the unpopular Sandinista draft; Sandinista POW's given the option of becoming Contras or dying; villagers pressed into service by the Contras; teenagers who hear that joining the Contras is a good way to eventually get to the United States; and several hundred, according to Honduran radio reports, unemployed Hondurans looking for work.

Colonel King's cogent observations have strengthened my conviction that President Reagan's Contra policy is fundamentally flawed in five important ways:

First, it is unrealistic. Without massive funding, the Contras will never pose a sufficient military threat to force change in the Sandinista government.

Second, the President's policy plays right into the Sandinistas' hands. It gives them an excuse to continue domestic repression, press censorship, tight economic controls, and the unpopular military draft.

Third, the President's policy alienates our allies in Latin America and Europe. Not one democractically elected government in Europe or Latin America supports U.S. military aid to the Contras.

Fourth, the President's policy inflames and encourages anti-U.S. emotions throughout the region as we are again seen as utilizing "gunboat diplomacy" to promote our aims. Such a policy, which may have worked once upon a time, is perceived as unwelcome confirmation that the United States still wants to substitute force for negotiations in the region—a policy that deeply offends the sense of nationalism and sovereignty held by Central Americans today.

Fifth, the President misdiagnoses the real appeal of revolution in this region: Poverty, illiteracy, and exploitation of the compesinos—made far worse by 5 straight years of falling regional income.

Many of the Nicaraguan people are dissatisfied and resentful of the Sandinista government. But military aid to the Contras fails to tap into that reservoir of feeling, and in fact strengthens the Sandinistas.

I urge all of my colleagues to vote against President Reagan's request.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. DOWNEY].

Mr. DOWNEY of New York. Mr. Chairman, I rise in opposition to the proposal to provide $100 million in assistance to the Contras. I also oppose the compromise of the President is offering now that it is clear that there is not sufficient support for his original request.

Today, we face a choice, and it is a choice which we have confronted several times over the past 5 years. Will we seek a diplomatic resolution of the crisis in Central America, or will we commit ourselves to military involvement in Central America?

Let us not deceive ourselves, for if we approve $100 million in assistance today—no matter how many Executive orders, no matter how many 90-day windows of negotiation we cloak it in—we will have moved one step closer to a direct military commitment.

Let us not deceive ourselves, for we all know that this aid package will not be enough to bring victory to the Contras—$70 million, $100 million, $200 million will not do the trick. The Contras have been in the field—or as their partisans here like to say—in the hills for several years. Where is the popular support for the Contras? It has not materialized. How much longer must we wait for some sign that the people of Nicaragua support the Contras?

When it comes to the Contras, the only consistency we find is that the administration's means never quite match their stated goals. When we first started our overt covert support for the Contras, it was to interdict the supply of arms to the rebels in El Salvador. Unhappily for the Contras' supporters, no interdicted arms ever surfaced. Our next goal in supporting the Contras was to exert influence on Nicaragua to change its orientation and somehow reduce its dependence on the Soviet Union and Cuba. That did not work. Rather than change the means, the administration changed the goal yet again. Now the goal is to bring the Nicaraguans to the negotiating table. What is clear is that the means never change—just the goal.

Let us not deceive ourselves, Mr. Chairman. The real goal is now, and

has always been, the removal—not the reform—of the Nicaraguan Government.

Rather than choosing the path of military involvement, I urge my colleagues to choose the diplomatic path. Let us not deceive ourselves. The diplomatic option has never been fully tried. U.S. diplomats have offered lip service to the Contadora peace process, but the underlying commitment to support the Contadora nations has been lacking.

Last summer, Congress accepted a compromise with the President in return for a letter promising negotiations. But in the succeeding 9 months, there is precious little evidence of the administration's commitment to negotiations. The administration has undercut the Contadora nations. Let us not deceive ourselves. Every time it has appeared that the Contadora nations are nearing a diplomatic breakthrough, the administration rushes in to denigrate their efforts, to point out the shortcomings of the proposed solution. This is not constructive engagement; this is not the way people interested in reaching a negotiated settlement respond to breakthroughs.

Mr. Chairman, I believe that we should be clear about our goals. Our goal is to deny the Soviets an offensive military base in Central America. This is not an impossible goal. Our goal should also be to promote peace in the region. This is a goal which is not incompatible with the first goal.

The question has been raised as to whether we can negotiate from a position of weakness. A position of weakness? The United States and Nicaragua? Where is the weakness in our position? Even if by some stretch of the imagination we concede we are weaker than Nicaragua, how will providing $100 million to the Contras make us stronger? Can we buy strength so inexpensively? Mr. Speaker, we can negotiate with the Nicaraguans and we can do so in a confident and strong manner, and we do not need to give the Contras $100 million to protect our negotiating abilities.

I believe that we can reach these goals by a wholehearted commitment to the Contadora nations' efforts. They have committed a significant amount of their own resources to a peaceful resolution. They are on the frontline. They are willing to trust in a diplomatic solution. Why shouldn't we? Mr. Chairman, I urge the defeat of House Joint Resolution 540 this afternoon. One hundred million will not bring peace to Central America.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. SMITH].

Mr. SMITH of Florida. Mr. Chairman, I rise to associate myself with the remarks of the gentleman from Florida [Mr. FASCELL].

Mr. FOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, I am touched by the sincerity of the debate today and the high level of information imparted by our Members and especially the previous speaker from Florida, the chairman of the Committee on Foreign Affairs.

I will say to him that I oppose this resolution but I agree with many of the things that he has said. I too went to Nicaragua in 1980 as an emissary to meet with the factions there. However, my views on this issue differ from his largely because I see the Contra army in a much different light. I have a letter which I will submit for the RECORD by Edgar Chamorro, who is a Nicaraguan who opposed Somoza. He later joined the FDN and became one of the directors of the Contra movement until 1984. He became disillusioned with the Contras because, in his words, his letter says, "The Contras do not represent a viable military force, a successful political project, nor an appropriate means for reaching U.S. foreign policy goals in Central America." This former Contra leader says that ultimately it is the Nicaraguans themselves who must resolve this problem and we must put faith in pluralism and democracy to allow it to work in that region.

The letter follows:

WASHINGTON, DC,
March 19, 1986.

Esteemed Members of Congress:

Over the past few days I have spoken with many members of both the House of Representatives and the Senate. As many of you know, I was a member of the national directorate of the FDN, the principal armed group fighting the Saninistas. I am now firmly convinced, based on my experience within the FDN, that the United States should stop its support of the contras and seek a political solution in Nicaragua.

I left Nicaragua in June 1979, just before the ouster of Somoza. I feared the radicalization of the revolution and went to Miami with my family. In exile, I became an organizer of the expatriate Nicaraguan community. In 1982 I was contracted by someone who identified himself as representing the United States government to join the directorate of the FDN. All the leaders of the FDN were similarly handpicked by the CIA to join with the remnants of the old National Guard in the fight against the Sandinistas.

I joined the FDN hoping to bring democracy to Nicaragua. But I realized that this would be impossible within the context of the FDN which is controlled, directed and financed by the CIA. I soon found that we civilians on the directorate had no control over the military. We were simply a democratic facade to convince Congress and the American public of our good intentions. I feel the current civilians associated with the FDN and UNO are being similarly used.

Over time I came to know of the consistent use of terror tactics by the FDN combatants against the civilian population. I criticized these tactics and tried to change them with no success. Ultimately, my break with the FDN came when the CIA produced its now-Infamous "Manual on Psychological Operation" that called for the hiring of professional criminals, selective assassination of government officials, and the creation of martyrs among our own ranks. I tried to delete the more offensive aspects of this manual, but it was distributed over my objections. This experience convinced me that the FDN could never be a democratic organization and by the end of 1984 I left.

All of this history is well known. With time, more revelations will emerge regarding the dirty tricks used by the CIA and the contras to manipulate public opinion in Central America, lobby the U.S. Congress and deceive the public in the United States.

In summary, the contras do not represent a viable military force, a successful political project, nor an appropriate means for reaching U.S. foreign policy goals in Nicaragua. By any standard, the contras have been a failure. Instead of encouraging democracy in Nicaragua, the government has restricted civil liberties in response to military attacks. Rather than halting an arms build-up, the Sandinistas have armed themselves to defend against the contras and threatened U.S. aggression. The contras provide a ready scapegoat for Sandinista economic failures, build international support for a beseiged "David" facing the U.S. "Goliath", and justify the Sandinista's tilt toward Cuba and the Soviet Union.

All of these arguments have been made and heard in this debate. I would like to turn to the future and the options facing the United States and Nicaragua. First, imagine the best case scenario of the Reagan policy. Suppose after years of protracted conflict, thousands more deaths and millions of dollars spent—suppose the contras win. The fighting will not be over. The Sandinistas would fight on from the hills, from neighboring Costa Rica and Honduras—destabilizing fragile democracies. The northern contras would fight the southern contras—because they don't fight for the same reasons. The Miskitus would fight whatever government for their autonomy. In short, you would have the fragmentation—the Lebanonization—of Nicaragua and an increased possibility of regional war.

If the contras win with direct U.S. intervention, then we are back to 1928. Back to the Marines in Nicaragua and the creation of a new Somoza, a new National Guard, and a new Sandino.

Speaking in practical and realistic terms, what would constitute a constructive, positive approach by the United States toward Nicaragua? We must start by acknowledging the positive aspects of the revolution, and grant that revolution the right to exist. There should be no rolling back the revolution. The revolution has brought many positive things to Nicaragua—equality, pride, self-respect, and national dignity—values which America shares and should promote. The United States is, after all, a revolutionary country.

A political solution is still possible in Nicaragua. A genuine opposition exists inside Nicaragua. The United States should encourage and support these internal democrats in a non-military way. Look at the successful example of the Philippines. There the United States supported the internal opposition—not with contras—but with political and moral support. This was very successful.

The United States has a historic opportunity to approach the Nicaraguan problem through its Latin American allies. The Contadora process represents a multilateral,

diplomatic approach with great promise for a political solution acceptable to all the countries in the Hemisphere. The foreign ministers of the eight countries of Contadora and the Support Group made an exceptional plea to the United States when they came to Washington; a plea for restraint, understanding, and time to work out a solution. To ignore this gesture is to invite disaster.

The United States is the dominant political, military and economic power in the region. As a great power it can afford to be magnanimous with its smaller, weaker neighbors. It is inarguable that if the United States faces a security threat in the Hemisphere it must act with resolve and strength to face that threat. But even if Nicaragua could be construed as a security threat, certainly the contras are not an appropriate response.

Nicaragua is a local political problem that can best be handled by local politicians. The first step toward a political solution is to create an atmosphere of trust and mutual respect. The key here is to end U.S. support of the contras and *stop the war.*

At the same time, we must demand concessions from the Nicaraguans. The security concerns of the United States regarding the presence of foreign military bases and advisors and support for subversion must be addressed by the Sandinistas. Internally there must be a restoration of civil rights, extension of amnesty to the leaders of the contras and the guarantee of safe passage back to Nicaragua for the purpose of organizing political parties and pursuing any public office. There must be assurance of a true mixed economy without fear of retaliation or confiscation, a genuine commitment to cultural and political pluralism, and respect for the rule of law.

Ultimately it is we Nicaraguans who must live together. This will require concessions on both sides. We must reduce the polarization affecting U.S. policy toward Nicaragua and encourage political moderates. The current policy does the opposite.

Sincerely,

EDGAR CHAMORRO.

Mr. Chairman, President Reagan's proposal facing Congress today is the best example so far of his shoot-first-ask-questions-later diplomacy.

While the President has said on several occasions that he supports negotiations to resolve the issues in Central America, the fact is his administration over the past 5 years has repeatedly frustrated the efforts of the Latin American nations to resolve regional conflicts through diplomacy.

Mr. Chairman, the leaders of nearly every American ally in Latin America and Europe and Japan has voiced opposition to Mr. Reagan's militarization of Central America.

Former Venezuelan President Carlos Andres Perez said that any attempt to find a "military solution to the conflict in Central America would bring regional warfare, in which the United States could not win, and Latin America could not win." In his opinion only the Soviets would benefit.

President de la Madrid of Mexico has said that United States policy was causing "anger and resentment" toward the United States among its Latin neighbors, while President Betancur of Colombia has repeatedly pleaded with the United States to abandon military intervention and use its great power to support the efforts of the Latin nations to solve their own problems from within the region.

President Alfonsin of Argentina, who credits the saving of his own life to the human rights policies of the United States under President Carter, came to Washington last year to personally tell President Reagan that "dialog, not intervention" would cause democracy to flourish in Central America. Add to this list the Presidents of Costa Rica and Uruguay, the Prime Minister of Spain, the President of France, the Pope, the new President of Guatemala, and the President of Peru.

Mr. Chairman, it is so sad to look at Nicaragua through the eyes of Latin America and see that it is the United States policies of militarization which are the instruments of chaos in Central America. It is the view of our Latin neighbors that it is the Reagan administration which is standing in the way of a genuine regional effort to resolve the conflict in Central America.

Mr. Chairman, can it be true that the nation of Nicaragua—one of the poorest nations in the world, a nation most of whose citizens are below the age of 18, and whose total population is less than half that of Tennessee—can completely thwart the will of all of its neighbors including that of the greatest nation on Earth? I do not believe that is true.

I trust the leaders of Latin America when they say there is a chance for a negotiated settlement. I am embarrassed when President Reagan says the Sandinistas will not negotiate in good faith when at the same time the nations of Latin America continue even as we speak to be engaged in a constructive and meaningful dialog with the Government of Nicaragua. I look at the diplomatic agreement the Costa Ricans and the Nicaraguans have recently implemented, and it is clear that given time, patience and earnest support from the Reagan administration, the United States can persevere. We have everything to gain through diplomacy, and everything to lose through the reckless use of our military might.

Finally, Mr. Chairman, let me turn to a second point that every one of us must consider in light of the budgetary crisis our Nation now faces.

Mr. Chairman, during the past 5 years the United States has spent $3.4 billion in bilateral foreign and military assistance to Central America. Add to that another $2.4 billion in 1986 and 1987; add to that another $21 million for military bases in Honduras; add more for training excercises, and add even more in overt and covert assistance for the Contras. It is an enormous price tag for a policy that seems at best to be without goal or purpose.

My concern about this costly policy is that it has achieved vitually nothing. The President's request for another hundred million dollars is a proposal for throwing good money after bad—more and more money for a policy we know is doomed to failure. It did not work in Vietnam. It has not worked in Central America.

During the past 2 months I have spent much of my time working with the people of my district helping them prepare for the impact of Gramm-Rudman. Unemployment in several of my counties now exceeds 20 percent, while the farm economy has reached levels equal to that of the Great Depression.

When I see so many people of my district struggling just to make ends meet, I cannot justify a vote to commit more American resources to a foreign adventure so unmistakably marked for failure.

Mr. BROOMFIELD. Mr. Chairman, what is the division on time?

The CHAIRMAN. The gentleman from Michigan has 32 minutes remaining, and the gentleman from Washington has 35 minutes remaining.

Mr. BROOMFIELD. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. CLINGER].

Mr. CLINGER. Mr. Chairman, today I will be voting in favor of the $100 million aid package before us. I have, in the past, voted against military aid to the Contras because it was offered in the absence of a coherent, rational, long-term policy for Nicaragua as well as for the Central American region. There has been confusion over whether we are intent on overthrowing the Sandinista regime, or on taking an active role with the Contadora countries in negotiations between the warring factions in Nicaragua. The aid package alone does not offer any opportunity for reconciliation, however, the bipartisan compromise embodied in the President's Executive order to allow a period of 90 days for negotiations forms a workable, reasonable outline for United States strategy in Nicaragua and represents the first step toward democracy in that country without immediately resorting to military action.

I believe the key provision of this compromise is the requirement that a special envoy be dispatched to the Contadora nations to begin the negotiations. The nations making up the Contadora group—Mexico, Venezuela, Colombia, and Panama, once shared the problems that currently afflict their heighbors in Central America—their understanding of the social and political problems there is more acute than our own. These four, along with the Central American countries, are

the key actors in Latin America, the ones to whom America's strategic interests turn. The Contadora group warns the United States of the disastrous long-term consequences a military invasion would have on our relations with Latin America. The group also points out the long-term benefits of an enhanced American standing in the region if we resolutely commit ourselves to negotiations. All four governments are firmly anti-Communist and unwilling to see an expansion of Soviet influence on the mainland of the Western Hemisphere. This commitment to the Contadora process and the $2 million earmarked for the Central American democracies will bring us that much closer to national reconciliation.

Should, after 90 days, the Sandinistas choose to reject the United States and Contadora efforts, and fail to show good faith in implementing the conditions stated in the Executive order, the President would then, in the face of such intransigence, release the $70 million in military aid.

Mr. Chairman, it is my fervent and sincere hope that the President will never have to resort to this action. But, if the Nicaraguan Government is unwilling to sit down and negotiate with its own people, then Nicaragua, not the United States, should be held up to the international community as the obstacle to peace and reconciliation.

The status of our future relations with Latin America will in large part be determined by the decision Congress makes on this aid package. Let us today show Central Americans and the world that our commitment to pluralist democracy and economic development is genuine by working to implement a cease fire in Nicaragua as called for in the compromise and begin negotiations toward an eventual political settlement.

Mr. FOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. JACOBS].

Mr. JACOBS. Mr. Chairman, I speak to all of the American people and, according to the polls, I speak for 58 percent of the American people. You need not wait until tomorrow to read this debate. You can read it on every day of the CONGRESSIONAL RECORD during the Vietnam war, you can read the same debate in the Lebanon blunder.

The gentleman from Pennsylvania [Mr. COUGHLIN] has quoted President Reagan as saying, "Absolutely, no Americans will be sent, no American flyers" et cetera.

Let me read you a quotation from President Reagan on October 25, 1962, just in case you are interested to know what the President will do when this so-called Contra force fails, as everybody in this Chamber knows it must fail on its own with or without our financial aid—this is what President Reagan said in 1962:

> Can any of us deny when we abandoned the 1,500 Cuban fighters in the Bay of Pigs that we turned our back on their suffering and the fact that they were dying in prison because we were willing to sacrifice honor in order to avoid unpleasantness?

"Unpleasantness," what a euphemism for the kind of slaughter our young men suffered in Lebanon. Lebanon was to save this country in its vital hour of need. So it was argued in the case of Vietnam, in World War I, to "make the world safe for democracy."

Mr. Chairman, and the 58 percent of the American people who have learned the lesson of history, if this country ever gets involved in a war again, let it be because we have to, not just because we have a chance to.

I yield back the balance of my time.

Mr. BROOMFIELD. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Michigan [Mr. HENRY].

Mr. HENRY. Mr. Chairman, as we engage in the final moments of debate over the President's request for military aid to the Contra resistence in Nicaragua, let each of us refrain from such exaggeration and rhetorical excess that we would seek to mislead those yet uncommitted on the issue, and inadvertantly fall into the trap of engaging in the same polarized extremism which has all too often characterized the politics of our Latin American friends who themselves now search for the political center.

To those uncommitted on the issue, let me note first of all that the divisions between both sides of this issue are not as great as our own rhetoric would have us believe. If we compare the President's statement of Sunday last with the response on behalf of the Democratic Party offered by Senator SASSER, we note that both acknowledge the present regime in Nicaragua to be Marxist in character, that both acknowledge the export of revolution and terrorism from that country, and that both acknowledge the appropriateness of discussing aid to the Nicaraguan resistence. What does distinguish the two positions is the issue of waiting up to 6 months before releasing such assistance, in order to allow yet one more opportunity for a negotiated settlement both within Nicaragua and between Nicaragua and its neighbors. And now even this difference has apparently been resolved.

Mr. Chairman, during the recent task force visit to Central America, of which I was a part, the nine Members of Congress met with Nicaraguan Vice President Sergio Ramirez Mercado. I asked him during that meeting why Nicaragua was the only Central American government unwilling to sign the Contadora treaty proposal. His direct response was, and I quote verbatim, "We won't get anywhere if we debate this issue. I prefer simple answers to simple questions."

Why, then, should we release these funds as immediately as possible? First, to add military pressure to the efforts to secure a negotiated settlement in the face of such intransigence. Second, to add risk viability to those who courageously resist this regime, be it militarily or from within the civil resistance.

But there is yet an even more important consequence and significance to our vote on this matter today. In Central America, we have the tale of two cities, two nations, which have experienced two very different types of revolutions. And the differing character of each of these revolutions has profound impact on the current struggle between those committed to and those opposed to the dream of freedom for the Latin American peoples.

These two revolutions are as strikingly different as the English Revolution of the 17th century, and the French Revolution of the 18th century. In the one—as in El Salvador—the necessity of mediating social change through democratic political institutions is recognized as central to the ultimate character of its final result. In the other—as in Nicaragua—the end is elevated above the means. And the "liberators" have subsequently become the new "oppressors."

Mr. Chairman, our constituents are not particularly sensitive to the critical nature of this distinction. Nor for that matter have we been as sensitive as we ought in acknowledging its importance. But our Latin American friends have been—and they look to us for a sign as to where we stand on the issue. The Nicaraguan resistance looks to us in desperate hope of reclaiming a revolution betrayed. And its neighbors wonder whether it is worth the while to stand firm against those who, while using the language of democracy, use tyrannical means to reach their ends.

The assistance to the resistance within Nicaragua is not only a matter of supporting the forces for democratic change within that country, but a signal of profound diplomatic significance sent throughout the region. And it has direct implications for the democratic revolution in El Salvador which needs an opportunity to consolidate its gains against subversion from abroad.

Finally, Mr. Chairman, it is we, the American people, who are being tested. Can we continue to be passive in the face of Communist subversion in the region? Can we permit our own ignorance of world affairs, or our preoccupation with profoundly important domestic concerns, to allow the Soviet bloc to operate with relative impunity and without cost in destablizing the

fledging steps of infant democracies in the region?

As we close our debate, Mr. Chairman, regardless of the outcome of this vote, let us speak honorably and respectfully of those with whom we disagree on the choice before us. And as such, let us seek to move forward together in the continued quest to honor the ideals of freedom both in our own land and abroad.

□ 1240

Mr. FOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. MAVROULES].

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

Mr. Chairman, profound changes have come about in Latin America during the last decade. These changes have come through peaceful means. They have been brought about by ballots not by bullets.

This map, distributed by our State Department, vividly portrays the massive movement throughout this hemisphere toward democratic societies.

Ten years ago, most of the southern tilt of our hemisphere was dominated by military dictatorship of the right or the left. They are portrayed in brown.

Today, by the patient application of peaceful dialog and constitutional process, 90 percent of the inhabitants of Latin America live under constitutional systems.

Not one of these changes was brought about by U.S military intervention—nor by our financing violent overthrow of existing governments. Our Latin American friends tell us that would have been counterproductive. The people who live in these democracies insist that we can help the cause of democracy not by financing invasion and violent efforts to stain their lands red with blood, but rather by the process of negotiation and reason.

We must understand, just as in Lebanon, our well-intentioned but clumsy efforts to direct events by force of arms bred only resentment and hatred of the United States by these people. If we wanted to influence these people in the right direction we would heed the leaders who understand the mores, the sensitivities, the conditions and the great underlying strengths of their own society. We would not do it by presuming the right to dictate from Washington whom they chose to run their own country. Surely we have the right to insist that each such country would leave its neighbor in peace.

Our friends in Latin America insist that this goal can best be achieved by the Contadora process for the things that Latin Americans themselves are anxious to do to promote peace and democracy in the hemisphere and to influence Nicaragua within. As President Duarte and the democratic forces are demonstrating in El Salvador, the future lies not in military conquest but in orderly democratic procedure.

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

Mr. STUMP. Mr. Chairman, I rise in strong support of House Joint Resolution 540.

Mr. Chairman, I rise in support of the Michel-Murtha resolution to approve the President's request for aid to the Nicaraguan Democratic Resistance. The time has come for all Members of the House to stand and be counted in support of those fighting for freedom and democracy in Nicaragua. The United States must respond effectively to the Communist challenge in Nicaragua.

We can spend the money the President has requested now to help the members of the Nicaraguan Resistance fight for their freedom, or we can abandon them and thereby abandon the only hope for a free Nicaragua. Money spent today will obviate the need to spend much greater sums in future decades to arm our southern border and liberate a Communist Central America.

I urge my colleagues to vote in favor of House Joint Resolution 540 to protect the security interests of the United States and its allies and to help in the fight for a free Nicaragua.

Mr. BROOMFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. KEMP], who is a member of the Kissinger Commission.

Mr. KEMP. Mr. Chairman, I thank my friend from Michigan for yielding me this time.

Mr. Chairman, Congress has been debating what to do about Nicaragua each year since 1982. And each year, Communist oppression within Nicaragua has grown, and Soviet-Cuban arms shipments have risen, and the Sandinista government in Managua has reaffirmed several times its solidarity with Havana and Moscow.

Last year we voted to provide $27 million, in humanitarian aid only, to the democratic resistance. At the time, I believed we should have done more, that we should have provided military assistance as well. But the majority supported the limited measure as a last ditch effort at stimulating negotiations, to avoid the need to resume military support.

What has happened since?

In October, all civil liberties were suspended in Nicaragua.

President Duarte's daughter was kidnaped by terrorist guerrillas, and her release had to be negotiated through representatives in Managua. The implied threat behind that act cannot have escaped the attention of the democratic leaders of Central America.

And the resistance forces, in large part, have been forced to retreat into Honduras and Costa Rica, chased by Soviet helicopter gunships.

And so today, President Reagan has come to the Congress with an urgent plea for military assistance for the freedom fighters. Yet many of our colleagues have urged a vote against this request, arguing that our policy should rest entirely on negotiations.

It is easy to stand here and say, "We should talk." Congress excels at talking. But the fact is that we have already tried negotiations. We have talked bilaterally and multilaterally, directly and indirectly, until we are blue in the face. During the Carter administration, we even provided generous economic assistance to the Sandinistas, in the hope that they would fulfill their promises of free elections. All to no avail.

It is clear by now to any person of good faith that the Sandinistas see negotiation as a way to buy more time, further entrench their totalitarian government, and starve out the democratic freedom fighters.

As Jeane Kirkpatrick has written, while they talk, the Sandinistas move "to further consolidate their power over the economy, church, schools, press, military—and all other aspects of Nicaraguan society."

While we negotiate, thousands of Miskito Indians have taken refuge in Honduras, fleeing from aerial bombings and Sandinista gunfire. While we negotiate, the leaders of the Catholic Church in Nicaragua are threatened with state censorship. The tiny Jewish minority in Nicaragua is facing religious persecution. And political prisoners are jailed for daring to speak out about Sandinista repression.

In its military and political campaign against the democratic opposition, the Communist government seeks to destroy the Contras and to intimidate the population into submission. Their task becomes much easier if the Contras are given no means with which to fight and the people see nothing but talk out of the United States.

The Contras cannot sustain themselves with our words. They cannot continue without our help. And if they go, Nicaragua loses any hope for a democratic future.

And I wish the opponents of this bill would tell us what to do when the Marxist-Leninist Sandinistas turn their large military forces against neighboring countries to pursue what they call "the revolution without borders"? I served on the Bipartisan Commission on Central America, and I would like to quote its report:

> The Commission encountered no leader in Central America, including democratic and unarmed Costa Rica, who did not express deep foreboding about the impact of a militarized, totalitarian Nicaragua on the peace

and security of the region. Several expressed the view that, should the Sandinista regime now be consolidated as a totalitarian state, their own freedom, and even their independence, would be jeopardized.

And as we debate whether to support freedom fighters in Nicaragua, Daniel Ortega has just returned from Havana, where he helped draft resolutions that called for armed struggle against the United States.

It is all well and good to talk about compromising and more trial periods and more delays. But there is more at issue here than the capacity of diplomats and Government agents to manufacture talking points and working drafts. We must never lose sight of the fact that there are lives—and freedom—in the balance.

There comes a time when the people of Nicaragua can sustain themselves no longer. If the Contras do not receive our aid, what would aid opponents have them do? Are they supposed to return to Nicaragua, to face certain imprisonment and death? Are they supposed to live in exile, either in the region or in the United States? What of their families living in refugee camps or hiding in the hills? What shall we say to these people who have turned to us for help?

If aid is denied today, and Congress later decides we made a mistake, what then? We can't just wave a magic wand and wish the lives unshattered—bodies untortured—units reconstituted. These are not chessboard pieces. They are real men and women with families and hopes and dreams. They can't simply be put on hold. They must know what we will do. Will we support them, or not?

Is the United States committed to extending freedom? Or do we believe that is no longer our concern?

By our actions in Nicaragua, people everywhere in the world will know our answer.

I have heard some colleagues argue that $100 million is too little to dislodge the Sandinista government. And so they oppose this aid request—as they have opposed aid requests in the past. Do they mean that they would support a larger request? Of course not. But their argument is simply a self-fulfilling prophecy. The resistance cannot succeed if it cannot fight. And the hope of victory is necessary to win active popular support.

Charles Krauthammer has correctly pointed out what he calls "an unexceptionable and rather undeniable fact: If the Contras wither, as the House Democrats devoutly wish, there will be an irreversible consolidation of Sandinista power in Nicaragua." He likened a vote against Contra aid to a vote for the fatuous "neutrality acts" of the 1930's.

We were elected to take these votes. We were elected to take this stand. We were told by the American people to support democracy with freedom and justice. We cannot escape this vote. And our vote will be recorded in history as to which side we are on.

The time for equivocation has passed. The time has come to act. The time has come to provide the Nicaraguan freedom fighters with the arms and training they need to win. The time has come to give freedom a chance.

Mr. FOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Chairman, here we go again. If there is a problem, throw some money at it.

I have not heard one committee chairman really come forward and give us a documented litany of facts surrounding this matter. We are here again under an air of emotionalism, and a lot of people are waving the flag, but whomever I have talked to in the last several months when asked this question, What happens if our $100 million bluff should fail? Everyone of them says we are up a creek without a paddle.

Ladies and gentleman, we need to formulate policy, and $100 million is a Band-Aid. It is not going to treat the cancer in Central America. And we have been herded in here again on emotionalism, and we have yet to get any facts from this President.

Mr. Chairman, I think that our committees, after we defeat this measure, should demand those facts, if we have to close this House down, shut off C-SPAN and give us a litany of facts showing what really is the case in Central America.

Mr. FOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas [Mr. SLATTERY].

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Mr. SLATTERY. Mr. Chairman, in the spring of 1966 I graduated from high school, in Atchison, KS.

The war in Vietnam was heating up, and I was thinking about joining the Marines.

My dad was a Kansas farmer, and I still remember him saying: "This war just doesn't make sense."

Today, Mr. Chairman, we are debating another war, in another place, at another time.

Once again, we are approaching a fateful decision that will escalate this war, and escalate our commitment to it.

But we are asked to act without a consensus in Congress, and without much hope of military success.

We are asked to act without the support of the church, and without the support of our people.

And we are asked to act without the support of our democratic allies in Latin America.

It just doesn't make sense.

Mr. Chairman, we must have a bipartisan policy, and we do not have one today.

The lesson of history is clear: As a nation, united we are strong, divided we are weak.

And today, we are divided.

On February 3, I joined with 30 other Members, in a letter to President Reagan.

We urged him to postpone his Contra request.

We urged him to work with the Latin democracies, to search for peace, and to work with Congress, to search for consensus.

Our advice was ignored.

And then, only days later, eight Latin Foreign Ministers came to Washington.

They represented Colombia, Panama, Mexico, Venezuela, Argentina, Brazil, Peru, and Uruguay.

They urged the administration—unanimously—to withold the Contra request, and to support the Contadora process. They, too, were ignored.

Mr. Chairman, we can develop a bipartisan policy, and we can agree on goals to contain communism: No foreign military bases in Nicaragua. No foreign military advisers. No interference with the other nations of the region. And human rights for the people of Nicaragua. But Mr. Chairman, despite the gloom and doom rhetoric of this debate, one point is clear: Throughout Latin America, democracy is winning, totalitarianism is losing. Throughout the himisphere, the trend to democracy is clear. The democracies are not surrounded by Communists. The Communists are surrounded by democracies. Will we work with, or against, these democracties. That is the question.

And our answer must be a renewed commitment to these democracies.

We must work with them—diplomatically, politically, and we must help them economically.

We should respect them, and join them, in a common effort based on common principles. Mr. Chairman, in closing, I hope we all understand that the proposal before the House today: Does not have the support of the American people. Does not have the support of our allies in Latin America, or Europe. And does not have the support of the church. To pursue such a policy, in our democracy, just doesn't make sense. That's why we should vote down this request, and develop a policy, working together, that does.

Mr. BROOMFIELD, Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. RITTER].

Mr. RITTER. Mr. Chairman, I'd like to confine my remarks to the risk to peace of aiding or not aiding the Contras. The risks are borne by:

The Nicaraguans themselves;

The people of the region; and

The people of the United States.

I ask you to consider whether it is safer or more dangerous for the people of Nicaragua to experience the increasing brunt of Soviet-style communism's hopelessness, pain, and failure or an internal struggle to divert the country from Sovietization. What are the tradeoffs between living under the mailed fist and fighting for liberation? Does slavery under communism without struggle equate to peace?

One need only ask the American people what they would do in a similar circumstance if faced with similar choices. Would my Democratic colleagues voting against Contra aid put up with what the Nicaraguans are expected to bear under Soviet communism?

I ask you to consider whether it is safer or more dangerous for the people of the region—and indeed, all of Latin America—to have a conflict inside Nicaragua which slows or stops the establishment of a Soviet-Cuban military base or to allow unfettered the completion of such a base which, by its very size and capability and historic parallel, projects power and violence outward (as in the support of Communist rebels in El Salvador or, with the M-19 terrorists, in Colombia, or in the training and arming of Communist revolutionaries) for export.

Maybe we should ask the East Europeans whether proximity to Soviet military bases has had an impact on their national and personal lives.

Finally, is the United States safe or endangered by a new Soviet-Cuban base on the Central American land bridge so close to our borders; so capable of subversion, among our nearest southern neighbors; so involved with the international terrorist movement; so certain to create the vast refugee stream northward; so ready to project Soviet air and naval power in the Caribbean and up along our west coast.

For the answer there, we need only look at the island of Cuba serving as the U.S.S.R.'s operations base in this hemisphere, and its support for subversion, and Soviet overflights or our east coast; its supply of proxy troops and military advisers for hemispheric and worldwide ventures of violence.

And that, Mr. Chairman, is the key to this vote—the safety of the people of the United States and the people of this hemisphere. Considering the facts, considering the history, it is far safer for us to provide assistance to the Contras than to withold it.

Mr. BROOMFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Alabama [Mr. SHELBY].

Mr. SHELBY. Mr. Chairman, today, the House is addressing what may be one of the most important foreign policy decisions for the remainder of the century—United States support of the freedom fighters of Nicaragua.

We do not know what will happen if we do or do not approve the President's request for aid to the Contras, but we can certainly make an educated guess based on past Soviet behavior.

The Soviet Union's recent performances in Afghanistan and Poland portray the true role of the Soviet Union—a role of aggresssion and totalitarianism.

The stage is now set for another new performance much closer to home—the establishment of a second Cuba on the mainland of Central America.

Before us is basically a question of national security, or more precisely, a threat to our national security.

Cuba has been used as an island base to spead communism and terrorism. Can we imagine the horrible possibilites of a land base in Central America?

There is no doubt of the intentions of the Soviet Union, Cuba, and Nicaragua—a triumvirate of revolution.

The Soviet Union and Soviet-bloc countries have orchestrated a massive flow of arms and material—over $1 billion—to Nicaragua. A deep water port capable of basing Soviet submarines is being constructed on Nicaragua's Caribbean coast. The largest military air field in Central America is being built outside Managua.

These are not Soviet public works projects. These are the trappings of a military operation strategically located so as to launch a revolution to the north and to the south, to El Salvador, Guatamala, and Colombia, and even Mexico. From this base will come the direct export of terrorism to the United States.

The establishment of a Soviet-backed military presence in this crucial part of the Western Hemisphere poses an intolerable threat to the Caribbean sea lanes through which half of America's foreign trade, including oil, passes. Vital supplies for our NATO allies are also shipped through these narrow passages.

If a Soviet-styled totalitarian state is established, millions of families will be forced to flee to the United States in search of freedom.

Many would tell us that negotiations are the key. I have no doubt that everyone in this body would want to see a peaceful solution and the return of democracy. Does anyone believe that the Soviet-backed Sandinistas will negotiate with a group of abandoned Contras? Did the Soviets negotiate in Afghanistan? No, Did the Soviets negotiate in Poland? No. Will they relinquish power to the democratic forces? No.

Without our support, the Contras will become demoralized, eventually disband, and the hope of democracy will be forever dashed. Who can rise up to fight for democracy? Who will take the risks, knowing that the United States will not support the effort?

If we abandon the Contras, we will extinguish the hope of democracy in Nicaragua and ignite the fear of a future of terrorism and repression in those living in the neighboring countries of Central America.

If we step aside now for the Sandinistas and their Soviet and Cuban mentors, our next debate will be on aid to freedom fighters in Costa Rica.

I urge you to stop now this Soviet threat at our doorstep and support the President's aid package to those fighting for the freedom and rights that we enjoy.

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

Mr. EDWARDS of California. Mr. Chairman, I strongly urge a no vote on this resolution. The Congress should not give 1 cent to this band of terrorists. And the American public should vociferously object to the way in which the President and his aides have conducted the debate on this crucial issue. They should be angered by the cowboy mentality which has once again been revealed at the White House.

For the President, the Contras are the guys in the white hats. The bad guys, wearing the black hats of course, are the Sandinistas, Members of Congress who oppose the aid request, and any American who suggests that waging war in Central America is not necessarily a good idea. To President Reagan and those who speak for him, the issue is simple—if you don't support the President, you must be one of the bad guys. White House Communications Director Patrick Buchanan summed up the administration's viewpoint with his now infamous comment, "With the vote on Contra aid the Democratic Party will reveal whether it stands with Ronald Reagan and the resistance—or Daniel Ortega and the Communists."

What the administration fails to understand is that opponents of Contra aid are acting on the basis of their well informed understanding of what is in the best interests of the United States. Fortunately, to most Americans, the issue isn't reduced to the "let's get 'em boys" mentality.

Americans do not have to choose between Nicaraguan President Daniel Oretega and President Reagan. The decision is not that simple. Instead, we have to do our best to sort the reality from the rhetoric. Why is it, for example, that the United States recognizes the Sandinista government and maintains an Embassy in Managua, while during the last 5 years U.S. taxpayers have paid over $100 million in efforts to overthrow the same government?

Let's take a look at the reality. While the Reagan administration claims that the Contras number about 20,000, news reports put the number at somewhere between 6,000 and 16,000. Despite the administration's generous estimate, the Contras for years have been fighting a losing battle without control of a single village, without popular support and without progress. The reality is that the Contras cannot win without the support of the people, and the support of the people is not for sale.

If we give the Contras another $100 million, which incidently would double the investment we've made over the past 5 years, where will the money end up? Let's not forget that there

are already millions of dollars for which we have no account; $7.1 million, in fact, has been lost without documentation, record, or account. Taxpayers should demand to know what this money has purchased.

Although Congress specifically demanded strict auditing procedures to ensure delivery of the aid, the General Accounting Office recently concluded that of the $27 million appropriated for the Contras last year, $7.1 million was deposited in a Miami bank account held by one of several brokers for Central American suppliers. Other than this report, virtually no record has been kept as required by law. With all the talk of across-the-board budget cuts and the dire need for deficit reduction, the administration's request for more money, when it lacks the methods or the will to monitor what becomes of these funds, just doesn't make sense.

As we consider the Contra aid issue, we are forced to consider some very difficult questions. We must take a hard look at history, and we must take a hard look at the present.

For some of us it's hard to look back at the Vietnam experience. We can't, however, forget the lessons we learned. We learned that no amount of money or weapons could win the support of the Vietnamese people. Equally important, we learned that to succeed, American foreign policy must have the backing of the American public. To some, the Vietnam war is an old argument against the administration's requests for military aid for the Nicaraguan rebels. These arguments may be old, but they have lost none of their validity.

In the 5 years of United States financing, training, and attempting to legitimize the Nicaraguan guerrillas, the end result has simply been the promulgation of suffering by the Nicaraguan people. And with the path our administration has chosen, we are well on the way to direct U.S. intervention. When this happens, the suffering will be brought home through the experiences of young American soldiers who will pay the price of an irresponsible foreign policy. Above and beyond the effects of our 5 year, multi-million dollar investment in the Contras, this is the more penetrating long term effect which we have not considered.

Where do we go from here? Should we support the President's freedom fighters? The answer is "No." Instead, we should join Mexico, Peru, Argentina, Brazil, Colombia, Venezuela, Panama, and Uruguay in strongly urging the President not to provide aid to the Contras. If the administration supports the cause of democracy in Latin America, how does it explain the failure of the United States to support the Contadora peace effort? While doing everything in its power to undermine the work of the democracies of the Contadora group, and the Contadora support group, the United States has consistently opposed renewal of direct negotiations with Nicaragua.

Though the Reagan administration has attempted to legitimize the Contras through money and rhetoric, they are not legitimate, they are not our allies, and they are not our friends.

President Reagan has dispatched Ambassador Habib to Central America, but it's clear that the President is not committed to negotiations, diplomacy or to cooperating with our Latin American allies. This is evident by the cursory treatment the foreign ministers of the Contadora group received this February, when they met with Secretary Shultz in Washington.

Yet, the best solution is the Contadora process which calls for the expulsion of all foreign troops in Central America. Until this is recognized by the President, the United States will continue to move closer to a disaster.

The vast majority of Americans believe that waging war is wrong, and that the alternative to war is diplomacy, negotiations, and the Contadora process. Since President Reagan will settle for nothing less than a wholesale "restructuring" of the Sandinista government, it is hardly surprising that the administration's "diplomatic" initiatives have led nowhere.

Rightly so, the American people are alarmed by the threat of United States troops in Nicaragua. And rightly so, the American people deserve an honest debate on the real issues surrounding this question, free of aspersions on patriotism.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. LAFALCE].

Mr. LAFALCE. Mr. Chairman, I rise in opposition to the resolution.

Mr. Chairman, most Americans, and a large majority of the constituents I have heard from, oppose the President's request for $100 million to aid the Contra rebels in Nicaragua. Our national security is so vital, though, and our interests in Central America so compelling, that if the President were right I would stand by his policy and vote for the aid.

But the President is wrong. His Nicaraguan policy seems to be based on a simplistic one-dimensional analysis that sees only left and right and ignores the actual circumstances in Nicaragua and Central America. His policy is hurting the people, especially the true democrats, of Nicaragua, our allies in Central America, and the hemispheric interests of the United States, and it will make more mischief the longer our Government pursues it.

Let us be clear from the outset; the issue under debate is not the Sandinistas. I do not favor or like the Sandinistas or Mr. Ortega. However, the issue under debate is whether funding the Contras is the best policy to achieve our national interests in Central America.

It is not; in fact, it is counterproductive. It involves four major consequences that undermine American interests: self-delusion about the Contras; escalation of the military conflict, both within Nicaragua and throughout Central America; isolation from our democratic allies in the region and throughout the world; and polarization of Nicaraguan society between two repressive forces, at the expense of the democratic center.

After discussing these problems of self-delusion, escalation, isolation, and polarization, I will outline the elements of a constructive and potentially more effective policy to achieve our goals of democracy in Nicaragua and security for its neighbors. Finally, I will comment on the difference in perspective between myself and the President.

SELF-DELUSION

The Contras, after 5 years and 100 million American dollars, have never held control of a single village in Nicaragua. They have completely failed to build either political or logistical support in their country. Almost all of them have now fled Nicaragua, and most are camped in Honduras.

The Contras have been hurt by Nicaragua's increasingly strong counter-insurgency capability, but no amount of American assistance is likely to even the odds because their dismal record of failure is primarily due to internal faults. Many of the Contra troops are simply dodging the Nicaraguan draft. Many others were recruited at gunpoint. Their desertion rate is high, and despite ideological coaching their motives remain selfserving and incapable of sustaining the will required to take the offensive.

Former officers of Anastasio Somoza's hated national guard created and still control the Contras, severely constricting their appeal in a country that has no desire to escape Sandinista tyranny by restoring Somocista tyranny. To improve the Contras' image, at least in the United States, the Reagan administration recruited three Nicaraguans who support democracy—Adolfo Calero, Arturo Cruz, and Alfonso Robelo—to form the UNO, which supposedly oversees the Contras supported by the United States, known as the FDN. I wish the Contra leaders were all as democratic as Calero, Cruz, and Robelo, but they are not, and real power belongs to the military comandantes in the FDN, led by former national guard leader Enrique Bermudez. Another democrat in the UNO, Edgar Chamorro, broke with the organization because he refused to serve as a figurehead propped in front of reactionary Somocistas.

The Contras' record of violence against civilians has contributed further to their unpopularity. The Sandinistas have also abused human rights, but impartial observers agree that even their record is less dirty than the Contras' record.

Delusions are reinforced by calling the Contras the democratic resistance, freedom fighters, or by comparing them to the Founding Fathers of the United States. The triumvirate that signs their press releases comprises three democrats, but power belongs to right-wing comandantes who kept Somoza in office through violence and repression and are now trying to shoot their way back into government. Even UNO member Arturo Cruz passed up the opportunity to run for office in Nicaragua's elections of November 1984, despite the fact that he could have received very strong support and reinforced the other non-Sandinistas who now control one-third of Nicaragua's National Assembly. When I visited El Salvador a month after the Nicaraguan elections, President Duarte told me he thought Cruz had seriously erred in his failure to participate in the elections and enlarge the democratic opening.

We must stop deluding ourselves and face squarely the fact that the Contra's goal is to win power by military means. The Contra comandantes have repeatedly and consistently stated that they intend to overthrow the Government of Nicaragua. This is important because all unbiased experts, including our own intelligence agencies, agree that the Contras cannot do this without the direct help of American combat forces.

ESCALATION

We must not underestimate the dangers of military escalation, which is taking two forms. One is the increasing destructive power, and cost, of the arms in use. The other is the geographic broadening of the war.

Nicaragua has already imported Mi-24 Hind helicopter gunships from the Soviet Union. These gunships have allowed Nicaragua to pursue similar counterinsurgency tactics to those adopted so successfully by our allies in El Salvador. Now the Contras want advanced surface-to-air missiles to fight the Hinds. We should consider how unlikely it is that those missiles would win victory for the Contras, and how likely it is that, instead, they will provoke the importation of more, and more advanced, East-bloc aircraft into Nicaragua. And if the Nicaraguans import, say, Mig jets, would the United States feel compelled to call an air strike by our brand new B-1 bombers? It is not mere happenstance that the first B-1's delivered were based, not in the Dakotas to threaten the Soviets, but at Dyess Air Force Base, TX, just 2 hours away from Managua.

A more dangerous possibility is that continued buildup of the Honduran-based Contras will provoke a Nicaragua invasion across the border, requiring direct American intervention and igniting the Central American powder keg in a regional war. During "exercises" in recent years, the administration has spent millions of dollars, often without congressional knowledge or approval, to develop a military infrastructure in Honduras of air fields, base camps, hospitals, docks, armories, radar installations, and communications networks. They are harmless in themselves, but they indicate a readiness to commit American ground troops as the Contra war escalates.

As evidence that the Contras are raising international tensions, I cite the item in this morning's newspaper, from the Associated Press, stating that Honduras has just sent 5,000 troops to reinforce the border in response to a reported mass deployment of Nicaraguan troops near the frontier. Nicaraguan troops had been reported to be heading north on Tuesday, following a series of Contra attacks.

ISOLATION

If the United States is not worried about this escalation, our democratic allies in Central America certainly are. They do not want a costly and dangerous arms race in Central America. Furthermore, they do not believe that support for the Contras will bring democracy to Nicaragua. That is why they continue to participate in the regional Contadora negotiations, and why they refuse to support the American policy of aiding the Contras.

The administration hints that our allies are too scared of Nicaraguan power to openly support us, so they have to communicate their support for us through private winks and nudges. This is hard to believe. Any winks or nudges are more likely meant to keep American aid flowing from an intransigent and pushy American Government. What they say publicly about desiring peace in the region is what they mean.

This is clearly the case with Costa Rica, which has entered into direct negotiations with Nicaragua in spite of objections from the United States. The two countries are establishing a border commission that will, in effect, protect Nicaragua from the Costa Rican-based Contras.

Even Honduras, which has cooperated with the United States more closely than any other country in the region, has lately tried to distance itself from the Contras. It has apparently recognized that the Contras are doomed to failure and is understandably worried over the prospect of several thousand armed and undisciplined guerrillas in its territory. It has, therefore, stopped allowing aircraft carrying supplies for the Contras to land in Honduras, causing severe logistical problems for the Contras and further impeding their effectiveness.

Obviously, these countries no longer believe their security is protected by the escalating militarism of the administration's policy. Indeed, our support for the Contras has placed us in direct opposition to all 13 Latin American countries participating in the Contadora process. Indeed, every democracy in the Americas, from Canada to Mexico to Venezuela to Brazil to Argentina, opposes our policy. Any Central American policy that can't find a word of allied support between Baffin Bay and Tierra del Fuego deserves serious reconsideration.

We should be especially circumspect in our policy considering the history of unpopular intervention by the United States in Latin America generally and Nicaragua in particular. All our efforts in recent decades to become good neighbors to the rest of the hemisphere are being undermined by the Reagan administration's actions, which lend new credibility to the old charges of gunboat diplomacy and Yankee imperialism. Our Nicaraguan policy may backfire as it shows the hemisphere, once again, the arrogant face of the ugly American.

Our support for the Contras has caused Nicaraguan nationalism to be directed against the United States, when it should properly be directed against the Sandinista Front. But, even more dangerous to our foreign policy in the long run, the military adventure against a government we recognize as legitimate has concerned nationalists everywhere. Our Contra policy has weakened our credibility and lowered esteem for us in the eyes of our allies, and lent credibility to the charges of our adversaries. Everywhere we discuss international relations with other democracies, whether in Japan or Europe or Latin America, the discussion is soured by our own allies' vocal objections to our support for the Contras. The damage we have already inflicted upon ourselves is likely to weaken our foreign policy for many years.

Far from standing tall in the world, we are standing alone. Our isolation prevents us from rallying diplomatic pressure against the Nicaraguan Government. In fact, we have provoked sympathy for Nicaragua from other countries. They not only refuse to join our economic embargo of Nicaragua, they are actually sending foreign aid there.

We have also prevented ourselves from making our case in the Organization of American States, which could otherwise press Nicaragua for adherence to its original commitments to free enterprise, political pluralism, and strategic nonalignment. We have failed to press our case in the United Nations, where our own policies have been attacked from all sides. No international organization will take our side against Nicaragua as long as we support the Contras.

POLARIZATION

Our policy has been extremely damaging to the prospects for progress toward true democracy in Nicaragua, because it has polarized Nicaraguan society and weakened the forces that could otherwise form a democratic center, a "third force," in their country. Nicaragua, unlike, say, Cuba, has a strong middle class and vital social institutions that can provide the basis for political pluralism. Private businesses, labor unions, churches, independent news media, and opposition political parties, are all deeply rooted in Nicaraguan society and all work naturally to press for democracy. They have been starved, though, by the President's trade embargo. They have been repressed under the state of emergency declared in response to the war by the Contras. They have been caught in the middle of the increasingly polarized political situation, accused by the Government of being traitors and by the Contras of being collaborators.

The longer we continue to support the Contras, the weaker the nonviolent opposition will become. The situation is especially critical now, because the Nicaraguan National Assembly is drafting a new national constitution that is supposed to be ready by the end of the year. This constitution could answer American concerns about Nicaraguan domestic policy, and the United States should be putting an international spotlight on the drafting process to ensure that the new constitution is democratic. Instead, the administration pins its hopes on the Contras who are futilely trying to overthrow the Government, and provokes a reduction of the political space in which nonviolent opposition forces could bring about a real democratic evolution in Nicaragua.

ALTERNATIVES

The cornerstone of a sustainable, effective policy toward Nicaragua should be support for the institutions within Nicaragua that can bring liberalization from within much more easily than we will ever be able to force it from without.

One example of such support would be to allow American trade, perhaps even subsidized by the United States, with the Nicaraguan private sector, but not with the Nicaraguan Government or its agencies until specific reforms were adopted. This would strengthen the private sector, which will eventually work for democracy. Since most of the Nicaraguan economy is controlled by the private sector, Nicaragua would be under strong pressure to accept our trade to revive its economy. And the policy's effectiveness would be bolstered by cooperation in it with our allies. Such cooperation will only be won, though, if the United States ends its aid to the Contras.

Other measures should be found to buttress independent labor unions, the print and broadcast media, opposition political parties, and the churches. I would not overlook the importance of this last group, considering the vital role played by the Catholic Church in bringing democracy to the Phillippines. Our hope for a moderate and open democracy in Nicaragua

lies with all the indigenous institutions, not with the Contras.

Armed resistance to the Nicaraguan Government may well continue after the United States ends its assistance. Eden Pastora's ARDE forces, and Brooklyn Rivera's Misurasata, have been fighting the Sandinistas without assistance from the United States, because they are supported by the Nicaraguan people. They have gained a kind of legitimacy from their popular support that American dollars cannot buy for the FDN, and in some ways they have been more successful. The Nicaraguan Government, for example, has negotiated with Misurasata but refused to negotiate with the United States-backed FDN. Even if the United States ends its support for the Contras, armed resistence will continue as long as the Nicaraguan Government continues its repression. But it will be a more legitimate, and therefore a more effective, armed resistance.

Furthermore, if the only armed resistance were indigenous and justified by internal repression, democracies throughout the region and throughout the world could be expected to lean on Nicaragua for reforms. We must take away from Nicaragua the sympathy it receives as the victim of a superpower's undeclared and uncompromising aggression.

An aggressive diplomatic front, though, should not be the only element in a new policy toward Nicaragua. We should offer whatever support would be effective and appropriate in bolstering the institutions of pluralism in Nicaragua. Business, labor, religion, the press, and political parties will all be more effective in building democracy from within Nicaragua than the United States will be by aiding the Contras from outside.

At some point, it might be appropriate to take the final step toward normalization of relations with Nicaragua by offering economic aid if certain conditions are met, including the adoption of a democratic constitution, the free and fair election of a new government, the restoration of civil rights, and the loosening of ties with Cuba and Soviet-bloc nations. Nicaragua's geography gives it strong incentives to want cordial relations with the United States, and we should show that we will not be the ones to prevent such relations from developing.

In the meantime, we must lay down conditions for direct military intervention against Nicaragua. For example, the establishment of Soviet military bases in Nicaragua, or aggression, either direct or indirect, against our Central American allies, are two threats to our security that would justify the use of force. We must be clear in drawing our lines, though, because there is a broad consensus among the American people that it is wrong to use military force arbitrarily, and our support for the Contras as pressure on Nicaragua has seemed arbitrary to many Americans.

To help defend the security of our allies in Central America, it may be necessary to increase our military assistance to them. One effective way to help them defend themselves would be to support border patrols that would prevent the secret support of rebels in other countries. Nicaragua and Costa Rica, as I have said, have already begun working for agreement on such a plan. Nicaraguan support of rebels in El Salvador was the administration's original justification for aid to the Contras. For less money than we might waste on an ineffective Contra policy, we could help build very effective border security for our allies.

CONCLUSION

Mr. Chairman, the controversy over aid to the Contras is not new to this Chamber. We have been over the arguments before.

But the level of escalation this request represents, the strident rhetoric with which it has been promoted, and the deepening perplexity of the public as to how their Government can continue to pursue a policy so patently doomed to failure at best, and disaster at worst, compel me to speak of the issues beyond the policy. I am concerned about the programmatic, ideological style of President Reagan's foreign policy.

President Reagan began sending aid to the Contras during his first year in office. In all the time since then, he and the members of his administration have never described the goals of the policy, how it will achieve them, and what commitment will be required from the United States.

Instead, they have staged a huge and expensive public relations campaign to paint an unrealistic picture of the Cental American situation. They have supported their judgments with hearsay and innuendo, ignoring the truth when formulating their policy, and distorting the truth when promoting it. They have shamelessly pandered our national history and ideals—the Founding Fathers, democracy, and freedom—to gangs of young men led by fugitive war criminals. They have violated international treaties that carry the force of law under our Constitution. They have propagated hysterical fear of Nicaragua, while shirking their responsibility to develop an effective policy to protect American interests from realistc concerns about the Sandinista government.

Our most stunning international achievement in recent years has been the promotion of democracy in Latin America, but that has come largely because of congressional insistence on observance of human rights, always over the administration's objections. The administration seems to lack appreciation of the natural tendency toward democracy wherever human rights are taken seriously.

Nicaragua only pays lipservice to human rights, but the Contras are no better, and even lipservice raises demands and expectations. Patience and prudence are needed to nurture the social institutions of pluralism in Nicaragua, and to build popular demands for political liberalization. Funding the Contras will only stifle the institutions, defer the demands, and create a bigger, dirtier war in Central America.

We can accomplish our goals through coordination with our allies, aggressive diplomacy to apply international pressure, strong support for pluralism and the nonviolent opposition, and clear demands, backed by armed force, for American security. The precondition for these constructive policies to work is to reject, once and for all, the failed, flawed folly of the Contras.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina [Mr. NEAL].

Mr. NEAL. Mr. Chairman, I am very much opposed to this resolution and urge its defeat.

It needs to be said first of all, Mr. Chairman, that we must not tolerate Soviet, Cuban, or any other foreign country to become established or dominate in this hemisphere. The Monroe Doctrine has not been repealed and it must be enforced. These facts should be made clear to the Soviets, the Cubans, and the Nicaraguans in the strongest terms possible.

Mr. Chairman, the United States has a legitimate stake in preventing Nicaragua from threatening its neighbors, as well as preserving the liberty of its citizens. And this, too, should be made abundantly clear to the Sandinistas.

The administration maintains that it cannot negotiate with the Sandinista government in Nicaragua. The only way to impress the Nicaraguans, according to the administration, is try to overthrow them using the Contras. We have, in effect, declared war by proxy on the Sandinista government. The CIA set up the Contras with the help of Argentina 5 years ago. And nearly $100 million has been spent directly on Contras support since then. Another $150 million may have been spent in indirect assistance.

Has this policy worked, Mr. Chairman? Clearly not.

The Sandinistas have greatly strengthened their military forces and are more dependent than ever on the Soviets and the Cubans. Moreover, the Sandinistas have used U.S. support for the Contras and our military exercises in Honduras as an excuse to increase internal repression: Suppressing the press, persecuting political opponents and antagonizing religious organizations.

Will sending another $100 million in tax dollars be enough to topple the Sandinista government, Mr. Chairman? Absolutely not. The President and his advisers of course know this. Their strategy is to use this aid to gain a foot in the door. They reason that once our commitment to the Contras reaches this level, we will not be able to stop. Mr. Chairman, If we approve this request, the administration will be back again and again for hundreds of millions, if not billions, more. They will argue that we must not abandon our valiant allies, these freedom fighters, whom they irreverently compare to our own Founding Fathers. If we continue down this path, Mr. Chairman, I am convinced that it will end tragically in loss of American lives in the jungles of Central America, without accomplishing our goals.

Is there another way? I think there is, Mr. Chairman. This approach is supported by Nicaragua's neighbors and our Latin friends. It requires that the administration negotiate directly with the Nicaraguan Government. The administration must clearly define for the Nicaraguans our dedication to keeping Central America free from Soviet, Cuban or other Communist domination, and our stake in preventing Nicaragua from threatening its neighbors. Most importantly, the Sandinistas, the Soviets, and the Cubans must understand that we are prepared to take whatever action is needed, including military intervention, to protect the interests of freedom in the region.

In this carrot and stick approach, Mr. Chairman, the threat of our military strength, especially our forces in Honduras, is the stick. The carrot is the promise of opening economic ties with Nicaragua; resuming trade between our countries, letting Nicaragua participate in the Caribbean Basin Initiative and so on. Our goal should be to end Soviet and Cuban involvement in Nicaragua and to get Nicaragua to join its Central American neighbors in a verifiable, nonagression compact, and move toward greater individual freedom for its citizens.

Will this work, Mr. Chairman? There can be no guarantee. But I believe the American people want the administration to negotiate first. We always have the military option available if we or any of Nicaragua's neighbors are threatened.

Again, Mr. Chairman, we must not tolerate the Soviets establishing a base or installing threatening weapons in Central America. But it is naive to believe that a relatively small, inexperienced guerrilla army with $100 million can prevent foreign domination of this region. We need a much more comprehensive approach along the lines I have outlined. I am optimistic that such a policy can be fully developed by April 15, 1986, when we will next deal with this issue.

It is time to end the rhetoric and red-baiting and bet on with a sensible foreign policy toward Nicaragua. I urge my colleagues to vote down this request for $100 million and let us move forward with a real bipartisan approach that has a real chance of success.

Mr. Chairman, I would like to make one other observation about this issue. I am certain that many Members sincerely believe we should continue to support the Contras, but I also sense that many, both within and outside of Congress, believe they have here a red-hot political opportunity, a chance for a massive smear campaign. My guess is that at this very moment NCPAC and other rightwing organizations are busy producing some of the nastiest smear campaigns we have ever seen. I can see the TV ads now; a jack-booted Communist hoard marching across Latin America, trampling the American flag, urged on by Fidel Castro and so on with the clear implication that anyone not now supporting a military solution in Nicaragua is a Communist sympathizer. I hope I'm wrong Mr. Chairman, but we have seen this kind of approach before and my prediction is that we will see it again. I expect soon.

I hope that our colleagues will not yield to this kind of intimidation and that the American public will recognize it for what it is. Preserving democracy at home means preserving the opportunity for open, honest intelligent discussion of issues leading to informed choices. It is not un-American to differ with each other on issues. It is un-American to try to intimidate through smear campaigns.

Mr. FOLEY. Mr. Chairman, I yield 1 minute to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Chairman, there are four things I wish to say on the eve of this vote. First, beware of letters and executive orders. If there is going to be a compromise, let it be in legislative language.

As a victim of a letter, one who believed in that letter, I speak from experience.

Second, we are spending too much time on this issue. There are other important national domestic priorities that we should be spending our time on.

I wish the President could consider some other problems domestically that we have in our country.

Third, it is clear that the ads—and I was victim of radio ads—have backfired. They produced a 4-to-1 vote against the President after provoking these ads that are shameful, that question patriotism. I hope that is a lesson to be learned.

Last, I think if this bill is defeated, the message to the President is not a rejection of his policies but a rejection of the methodology of achieving his policies. If we reject the President's package, we can truly come up with a bipartisan compromise in legislative language and supported multilaterally by other nations.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. HUGHES].

Mr. HUGHES. Mr. Chairman, I rise in opposition to aid to the Contras.

Mr. FOLEY. Mr. Chairman, I yield 4 minutes to the gentleman from Oklahoma [Mr. MCCURDY].

Mr. MCCURDY. Mr. Chairman, regardless of the outcome of this vote, in my opinion, no one really wins. We still do not have a bipartisan foreign policy, we do not have a comprehensive regional plan for Central America, we still do not have a real commitment to economic social progress in the region.

I have been a supporter of President Reagan on much of his defense posture, and as one who believes that the President is our chief national spokesman on foreign affairs. I also believe that our country has vital interests at stake in Central America.

The Sandinistas are Marxists, and their government is undemocratic and repressive. To the extent that they export revolution and subversion, and provide bases for Soviet and Cuban military operations, they pose a security threat to their neighbors and to the United States.

But Nicaragua is only one part of the equation. The other four countries of Central America have democratic governments in place and they need our support for economic development. We have made a bipartisan commitment to provide that support through the Jackson plan, and we need to deliver on it.

There is also a regional peace process in place, supported by all the major democracies of Latin America. As an American Nation, we have an obligation to demonstrate our commitment to a political, rather than a military solution.

Three years ago, when the Intelligence Committee was debating the Boland amendment, I did not believe that our Government had a well-thought-out policy with respect to Nicaragua and the region. The President's message to Congress last month did not convince me that we now have such a policy.

Since that time, there has been some movement. A number of Members on both sides have worked long and hard to address our common concerns in a bipartisan way. I want to thank the gentleman from Missouri [Mr. SKELTON] and the other Members on our side who gave many months to this effort. And I particularly want to express my appreciation and high regard for the leadership, the courage and the personal integrity of the gentleman from Washington [Mr. CHANDLER].

I wish that the administration had been as eager to work with us over the past 24 weeks as they have been over the past 24 hours. And I wish that some Members of my own party would be as eloquent in telling us what they support as they have been in telling us what they oppose.

In any event, we are faced today with an up-or-down vote on the resolution, with the understanding that, if it is enacted, the President will undertake certain commitments by Executive order. The proposed order addresses some of my concerns. For various reasons, including constitutional limitations, it does not address others.

On this issue, as on most issues, the divisions in this House reflect the divisions in the country. In my view, the best way to achieve a truly bipartisan policy—one that the American people can understand and support—is through the legislative process. Therefore, I will vote against the resolution.

Regardless of the outcome of this vote, no one in this Chamber believes that the debate will end today. In President Reagan's words, the President and the Congress share "both the power and the responsibility for our foreign policy." We must work together. The American people expect no less.

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

Mr. DORNAN of California. Mr. Chairman, I rise in support of the President and the eloquent words of my committee chairman of Foreign Affairs, Mr. DANTE FASCELL. He said it correctly. So did the last speaker. This issue is not going to go away.

Mr. Chairman, time and time again in this debate the courageous cardinal of Nicaragua, His Eminence Miguel Obando y Bravo, is misquoted on this House floor. No man of God

announces publicly for a military option. I have met with the cardinal four times and he believes that true reconciliation means the Communist government in Managua must meet with the Contra Freedom Fighters in the hills. I submit for the RECORD again the pastoral letter on reconciliation from the Nicaraguan bishops, Easter Sunday, April 22, 1984:

The road to social peace is possible through dialogue, sincere dialogue that seeks truth and goodness. * * *

It is dishonest to constantly blame internal aggression and violence on foreign aggression.

It is useless to blame the evil past for everything without recognizing the problems of the present.

All Nicaraguans inside and outside the country must participate in this dialogue, regardless of ideology, class or partisan belief. Furthermore, we think that Nicaraguans who have taken up arms against the Government must also participate in this dialogue. If not, there will be no possibility of a settlement, and our people, especially the poorest among them will continue to suffer and die.

Shortly after the publication of the pastoral letter, Tomas Borge said the following of the bishops in an interview with Mexico's Excelsior:

Those bishops belong to a race of traitors, to the sector that has turned itself over to imperialism. * * * The stand taken by such individuals, enemies to their country and their people and traitors to their own homeland, causes indignation.

No less a liberal Democrat than Senator EDWARD M. KENNEDY said the following on May 22, 1984:

Why can't some of you grasp the level of church persecution that we're dealing with down there?

When it comes to dealing with their critics in the Catholic Church in Nicaragua, the Sandinistas are flunking the test. And when it comes to taking concrete steps aimed at achieving a meaningful dialog with their opponents—the only real basis for an enduring national reconciliation—the Sandinistas are falling far short of their promises.

They [the Nicaraguan bishops] called for national healing, reconciliation and dialog among the people of Nicaragua. The Sandinistas response brought back memories of their confrontation with Pope John Paul II when he visited Nicaragua. They called the bishops' pastoral message criminal and accused the bishops of being instruments of counterrevolutionaries.

The Sandinistas' response to the bishops' letter is unacceptable. When the bishops voiced concern for the suffering of the Nicaraguan people, the Sandinistas accused them of abetting foreign intervention. When the bishops urged negotiations and dialog for peace, the Sandinistas accused them of criminal statements. When the bishops called for freedom, the Sandinistas accused them of seeking confrontation.

Mr. BROOMFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. CHANDLER].

Mr. CHANDLER. Mr. Chairman, today we have an opportunity to give peace a chance in Central America. We have the means to say to the Nicaraguan Sandinistas, to Guatemala, to Honduras, to Costa Rica, and to El Salvador that we want peace for them and a chance for democracy to flourish everywhere in this hemisphere. We have a chance to say to the American people and to the rest of the world that the United States will not tolerate tyranny and subversion of allies, but we will always extend the olive branch before aiming the gun.

Can there be any doubt in anyone's mind that the people of Nicaragua have been conquered by yet another dictator—throwing off an authoritarian from the right only to be subdued by a totalitarian on the left? And can there be any doubt that the Soviet Union and Cuba are using Nicaragua as an outpost—a staging ground for further subverting the democracies of Central America?

But knowing that, I still believe it is not too late. The Nicaraguan people want freedom. They want to practice their religion; read newspapers whose writers are free to report without interference; they want to elect their representatives in elections with real choices and in a process that assures fairness; they want to raise their children knowing they will stay at home and build a strong economy, not become conscripted riflemen in an army of terror and subversion in a neighboring land; they want to enjoy the promises made to them in 1979 when they courageously overthrew Somoza, promises coming true today for the people of Honduras, Guatemala, and El Salvador.

The President of the United States has agreed to provide a window of opportunity. He worked with us to fashion this concept of carrot before stick, olive branch before gun. He did so in good faith and, I believe, what we have before us now is superior to the measure as it existed yesterday.

In addition to the 90-day negotiations window, the President's Executive Order addresses the concerns of many Americans.

With this measure, we strongly endorse—and even provide resources for—the Contadora countries and their peace proposal.

If at any time during the next 18 months, the Sandinistas agree to genuine diplomacy, military aid to the Contras will cease.

We heighten the visibility of the diplomatic process by appointing a top-level, bipartisan commission to report to Congress on progress being made.

We implore the democratic forces in Nicaragua to unite behind a common leadership.

And, in no uncertain terms, we immediately terminate aid to any group that practices torture, kidnaping, forced recruitment, or any other violation of human rights.

We also will absolutely not tolerate anyone who deals in drug trade or misuses the funds appropriated.

And finally, the President has renewed his commitment to the economic assistance envisioned in the Kissinger Commission report, recognizing that peace takes root where there is the promise of a better tomorrow.

Yesterday I had the opportunity to visit extensively with Special Ambassador Philip Habib. He told me his instructions from the President were emphatic: "Find a peaceful, diplomatic solution to the problem in Central America."

Ambassador Habib believes, and I do, too, that a peaceful solution can be found.

Look at Central America. Nicaragua is the aberration. The spark of freedom and democracy has ignited a flame of reform and change in that region. Daniel Ortega is the only leader today who wears a military uniform. And the United States has committed itself to these democracies to help them grow and to prosper and to be free and independent. We have no quarrel with any nation in Central America that leaves its neighbors alone and rejects the certainty of slavery offered by Cuba and the Soviet Union.

We have tyranny on the run in this hemisphere. Democracy and freedom are being chosen wherever people are free to choose. I deeply believe that our vote today will send a strong message of strength and hope to these people. It will be a message of peace—of conciliation and of tolerance. But it will be backed by the rigid determination of a free people to unite behind anyone who is willing to throw off the shackles of slavery and lay their lives on the line for the values our ancestors fought and died for.

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

Mr. CHANDLER. I yield to the gentleman from Illinois.

Mr. HYDE. I thank the gentleman.

Mr. Chairman, I suggest that we have a new slogan today. It used to be "Given Peace a Chance;" today it is "Give Surrender a Chance."

Mr. FOLEY. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. BOLAND].

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

Mr. Chairman, I rise in opposition to the President's request that we provide $100 million to the Contras in Nicaragua.

We have had this debate before, and whatever we do on this request, I believe we will have it again.

The arguments haven't changed much since 1982 when we first discussed this matter on the House floor. Neither have the facts.

But the arguments have become colored by a regrettable level of rhetorical excess which has not facilitated

our ability to develop a sound policy to deal with the situation in Nicaragua.

After 4 years of debate there are some who would still frame the Nicaraguan question as a choice between the Sandinistas and the Contras.

In my judgment, that dangerously misstates our interests in Central America, and our ability to further those interests.

What are we faced with in Nicaragua?

We are faced with a Sandinista government which has quite clearly betrayed the promise of its own revolution, which has repressed freedom of expression and religion, which is totalitarian, and which is Marxist.

The Sandinistas are neither committed to, nor in pursuit of, democracy.

And Daniel Ortega will never be mistaken for Simon Bolivar.

Under the Sandinistas Nicaragua has become increasingly dependent on Cuba and the Soviet Union. The evidence is convincing that it has provided support for leftist guerrillas in other countries in Central and South America.

These facts are of legitimate concern to the United States, and to the other nations of this hemisphere.

As items of legitimate concern, they demand a sound policy response.

Our closest allies in Latin America have chosen the Contadora process as their response, President Reagan has chosen the Contras.

Who are the Contras?

By all accounts, they are a mix of fighters from the Sandinista revolution dissatisfied with its results, members of various Indian groups, and some members of the security forces of former President Somoza.

They have no internal political following.

They have not been able to capitalize on popular dissatisfaction with Sandinista rule.

They have achieved no major military successes.

They have no internal organization to get their message across.

And therein lies their other problem—they have no clear message.

They are Contras.

They are against the Sandinistas.

But what they stand for is less clear.

In a country which has, we are told, a very unpopular totalitarian government, that same government continues to arm large numbers of citizens drafted into the militia to fight against the Contras.

Those guns—in spite of the government's unpopularity—are turned against the Contras, not the Sandinistas.

No, based on all available evidence, the Contras do not appear to be the vanguard of a popular revolution in Nicaragua.

Since we are being asked to provide them with $100 million, I think it is fair to ask what the Contras can do for us.

Can they prevent Nicaragua from turning into a Soviet-Cuban outpost?

I think not.

Let no one in this Chamber be deluded.

That is our job.

If a line is to be drawn in the dirt in Nicaragua let it be a credible line, one which makes clear the importance we place on, among other things, certain types of weapons being kept out of Central America.

Only the United States can draw that line, and expect it to be observed.

The Contras cannot be its enforcers. It is dangerous, and wrong, to pretend that they can.

Can the Contras prevent Nicaragua from assisting leftist revolutionaries in Latin America?

There is no evidence to support that conclusion.

That task falls to the other nations in the region, including the United States.

It will require material support, both economic and military, and it will require the development of an allied response to those instances of Nicaraguan behavior, which the nations of this hemisphere consider unacceptable.

The Contras have not been, and by all available evidence will not be, sanctioned by Mexico, Costa Rica, Honduras, Guatemala, or any other country in Latin America, to be the instrument by which the behavior of Nicaragua is conformed to acceptable standards.

Can the Contras produce democratic reforms in Nicaragua?

History and logic suggest otherwise.

Military pressure from the Contras will not encourage the Sandinistas to ease repression, and will not cause them to sever their ties with the Soviet Union or Cuba.

A threatened government will take actions to protect its power.

In the case of Nicaragua, this will not mean better treatment of the church, a smaller army, an end to the importation of sophisticated arms, or less government control of the economy.

What can the Contras do?

Well, they can certainly be an irritant to the Sandinistas.

And I know that there are those who place great value on irritating any government that receives supplies and support from the Soviet Union, because they believe the irration flows through to the Kremlin.

Regardless of your view on that reasoning, understand two things about the recommendation the President has sent us.

Even in guerrilla warfare, $100 million does not buy an inexhaustible supply of irritation.

The military supplies in this request will be expended, and when they are gone, the administration will be back for more.

You cannot buy a Contra victory, on any terms, for $100 million.

But you should also understand that you will not be voting on just $100 million for the Contras.

If we approve the President's request, we would be making available other funds in the fiscal year 1987 intelligence budget—specifically, those in the CIA's reserve for contingencies.

We would also remove all current legal restrictions on CIA or DOD assistance with respect to the $100 million in the President's request.

This Congress has traveled down that road before, at other times, and in other countries.

I think we should seriously consider whether we want to make that journey again.

The President's proposal—the Contras—represents the sum total of his plan for a policy toward Nicaragua.

It barely acknowledges another option—an intensified diplomatic and security assistance effort, in concert with our allies, to isolate Nicaragua and to strengthen our friends' ability to resist Nicaraguan aggression.

In my view, the Contras represent a flawed plan—one which cannot achieve its announced or implied goals—and one which ought to be rejected.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Oregon [Mr. ROBERT F. SMITH].

Mr. ROBERT F. SMITH. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of the call to aid the Contras.

I realize that this isn't a simple issue for many Americans to understand. After all, very few Americans have ever experienced the situation faced by the Contras in Nicaragua.

But I believe this issue is important enough to search for that understanding.

I urge every American, and certainly every Member of this House who stands in opposition to this resolution, to look for understanding from people who have walked the mile the Contras walk today.

If you really want to know what its like to believe in freedom but run from the muzzle of a gun because of that belief—as the Contras must do—ask a refugee of the wholesale slaughters in Cambodia.

If you really want to know what its like to watch as your neighbors and friends and family are murdered because they represent an unspecified threat to the state—as the Contras are being murdered—ask a Jewish survivor of the Nazi Holocaust.

Or if you just want to know what its like to live without any political voice in your own home—as the Contras do—you need not go any farther than my own congressional district in Oregon.

When you get there, ask any native of the little town of Antelope.

In Antelope, the "politically legitimate" control was captured, perverted and abused, and the native residents placed under armed surveillance and political control of followers of the Bhagwan Shree Rajneesh.

That happened in America. Antelope, a community deeply embedded in the most open and free society in all of the world's history, was ultimately liberated—but only with our help.

Nevertheless, they can tell you what it's like to fear for your life, regardless of the righteousness of your belief.

They can tell you what it's like to watch as good is dominated by evil and enforced by terror.

We must help. Whether its Antelope, OR; Stuttgart, Germany; or Managua, Nicaragua, freedom must not be allowed to die by default.

Mr. BROOMFIELD. Mr. Chairman, I yield 7 minutes to the gentleman from Pennsylvania [Mr. MURTHA].

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

Mr. Chairman, in 1977 the United States cut off aid to the Somoza government. In 1979, the overthrow of President Somoza was broad-based, popular; it had the support of labor, business, professional groups, and the church, and most segments of Nicaraguan society.

The OAS passed a resolution of support for the revolution and this was extraordinary. It was extraordinary because they supported the overthrow of one of its members.

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But a condition of the overthrow by OAS was requiring a democratic, pluralist, and nonaligned Nicaragua. These conditions were accepted by the Sandinistas in a cable on July 12, 1979.

Now, after that we had an acrimonious debate in the House of Representatives and I remember it vividly. The gentleman from Florida, Mr. DANTE FASCELL, the chairman of the Foreign Affairs Committee, who spoke so eloquently a few minutes ago, talked about the gentleman leading the battle to get the money for the Sandinistas.

I remember being convinced that even though I did not think the Communists were going to change their minds, I remember people saying;

You've got hard line Communists, you've got people who have got money from outside the country coming into the country and you're not going to do anything at all by giving them money.

But I voted for the money, because I felt it was the right thing to do and it was about the same amount of money we are talking about today.

We offered to send Peace Corp volunteers into Nicaragua, and instead, what they accepted were military advisers and economic advisers from Cuba. They did not accept any aid from the United States and the repression that was so prevalent under the Somoza regime was back under the Communist regime that is now ruling.

As I said, the amount of aid that we gave to the Sandinistas at that time was about the same amount of aid that we are talking about today.

Now, the Carter administration had to withdraw that aid because they violated the very agreement that they made. The Sandinistas violated the agreements that they made.

As a matter of fact, during that period of time the Costa Rican national assembly investigators estimated that at least 1 million pounds of material entered Nicaragua from Cuba in the 6 to 8 weeks before the Somoza government was overthrown, so they established very clearly the link between Cuba and the Nicaraguan Government which took over.

Now, going down to the Philippines not long ago, I saw what the church can do when it supports a free election, what international observers can do. The thing that Nicaragua worries about the most are free elections. You saw the farce that they called a free election not long ago. You know that if there is a free election in Nicaragua what will happen. You know very well, even though you see on TV the people say, "Well, I support the government."

Well, if I lived in Nicaragua, I would say I support the Government also, because obviously it is not to the benefit of the people to not support the Government on TV.

But I remember vividly going to El Salvador as an observer to the elections. The press reported there would be a very low turnout and it would be a free election. Many people here were criticizing us for giving aid to the El Salvador Government and that the guerrillas were inside guerrillas, not being directed from the outside and the people would not vote and would not support an election.

I remember flying out over on election day and seeing the long lines of people and talking to some of the people who were voting, standing in those lines for hours, and saying to us after being threatened by the guerrillas and walking for miles, "They can kill me. They can kill my family, but they can't kill us all."

They were threatened with cutting their fingers off because they were going to vote and when they make a threat in El Salvador, it is a serious threat. There is no question about it, because of the violence that goes on in that country; but they ignored that and 80 percent of the people in El Salvador voted and you saw the turnout and they have a freely elected Government.

And even though we got all kinds of criticism in the United States for giving them aid, they had another election. They elected a freely elected Government and they are doing well.

Some of the very same people who criticized what we are doing in El Salvador now try to take credit for the legislation that we passed a couple years ago.

So if in this country can give aid to places like the Philippines, which is 8,500 miles away, Zaire, $4 million, 6,500 miles; Malaysia, 9,000 miles away; Gabon, Oman, Portugal, thousands of miles away, hundreds of millions of dollars to countries that are so far away, it seems to me that there can be bipartisan support for a compromise which has been worked out so that we can send a message to them that they should have free elections and the people of Nicaragua can select a majority party in that country to run that country and get rid of the repressive regime which is in Nicaragua today.

I just want to say this. In my feeling, there is no way we are going to have a chance in government down there unless the United States has military aid in order to stimulate a change in that government.

There is no way the other democracies will survive unless the United States supports what is going on down there.

So I very strongly urge this House to support the aid recommended by the President under the compromise position under the skeleton plan.

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

Mr. MURTHA. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, would the gentleman agree with me that the question here is not negotiations. It is whether you negotiate from weakness or from strength and that if you believe you can negotiate with a Marxist-Leninist government from weakness, then vote "no"; but if you believe you need the correlation of forces to negotiate successfully with a Marxist-Leninist government, then vote "yes."

Mr. MURTHA. I think in order to have a free election, we have got to have some pressure. In order for them to negotiate, we have to have pressure. The only way we are going to have pressure is to have some sort of military aid.

Mr. FOLEY. Mr. Chairman, I yield 2 minutes to the gentleman form Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Chairman, this is perhaps one of the most difficult votes that I have had to cast since serving in this great body. The leadership in our country is divided on the issue. Those from whom I seek counsel and advice are divided on the issue. My district is divided on the issue in a sort of polarizing way where it has become very divisive.

I have prayed for divine guidance, Mr. Chairman, and I have come to one conclusion. If I strip all the rhetoric

and come only to the single basic issue, if I dissect it and have only the naked issue, with no rhetoric around it, I come to the basic question: Do I use my taxpayers' money to put guns and arms in the hands of a group of Nicaraguans to kill other Nicaraguans with whom they have an ideological difference?

There has to be, there must be, a better alternative.

Mr. Chairman, until then, I must vote "no."

Mr. FOLEY. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Chairman, a great deal has been said about the persecution of Catholics, the persecution of Jews in Nicaragua. Nothing has been said about the persecution of blacks, because there is none.

For the first time in the history of Nicaragua, blacks are enjoying some sense of freedom.

Under Somoza, they were semislaves in the sugar cane and the coffee fields. Now most of them come from the Caribbean. They are enjoying at least some freedom of moment, some sense of equality and I just thought the Members ought to know this.

Mr. HYDE. Mr. Chairman, if the gentleman will yield, think about the Indians, too.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. OWENS].

Mr. OWENS. Mr. Chairman, I rise in opposition to the delivery of $100 million into the hands of a group of bandits whose record of murder and torture of civilians is undisputed. Nicaragua can be saved from the jaws of totalitarian oppression but this is not the way to do it.

Much has already been said about the need for a comprehensive policy for Central America. I would like to join those who deplore the piecemeal approach of the administration with respect to a policy for the promotion of security, peace, and a decent standard of living within the Western Hemisphere. The time has come for a policy which initiates a true partnership with our neighbors in the Western Hemisphere. The United States has always assumed certain privileges and prerogatives. The time has come for the United States to assume certain vital responsibilities as well.

Nicaragua and the rest of the countries of Central America can be saved from outside interference and influence if the United States would accept greater responsibility for the well-being of all of the citizens of this hemisphere. The threat of gunboat diplomacy is obsolete. Financing rightwing rebellions is a waste of the American taxpayer's money. Only a policy which promotes a true partnership in the development of the economies of our neighbors will enhance real security within this hemisphere. Our fellow Americans in Haiti, Grenada, and in NIcaragua also deserve life, liberty, and the pursuit of happiness.

Sharing the American way of life is the best way to prevent the establishment of beachheads of communism in the Western Hemisphere. Citizens who live in countries like our longstanding ally, Haiti, should have more to look forward to than mud and misery. The eroded soil of Haiti stands as a stark symbol of the rewards of loyalty and friendship to the United States. Our approval and friendship with Samoza and our friendship with Duvalier are glaring examples of how not to conduct foreign policy in the Western Hemisphere.

The work of the Peace Corps and the initiatives of the Alliance for Progress under President John F. Kennedy are far better examples of the elements which must go into a new foreign policy for the Western Hemisphere. Instead of $100 million for murder and mayhem, let us follow these two examples and spend money to provide bread and promote democracy. We need a Marshall plan for Central America, Haiti, and the Caribbean area.

All Americans want security in this hemisphere. But the security we seek will not be gained by financing bandits. Let us have instead a comprehensive policy based on a true respect and partnership with our fellow Americans, inlcuding the citizens of Nicaragua. I urge my colleagues to vote no on this wasteful and dangerous resolution.

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

Mr. FOLEY. Mr. Chairman, the question before the House today is a historic one. I think if there is anything about the debate that has been disturbing for some of us, I hope on both sides, it is the occasional references that have been made to the patriotism and commitment of Members. Nobody in this House is anything but a patriotic American seeking to find the best solution for our country, but we were, as the gentleman from New York [Mr. KEMP] said quite accurately, elected to make this decision.

The President was not elected to make it for us.

I would personally prefer today to be in the position of supporting the recommendation of this President or any President of the United States; but I believe it is most ill-advised for us to move forward on a course of escalating the violence in Nicaragua until we have truly exercised every effort to explore negotiations. That is the position of the countries of Latin and South America and of the other countries around the world with whom we are allied.

As objectionable as the conduct of Nicaragua is viewed to be both here and abroad, attempting to change it by pure military pressure has not succeeded and will not succeed.

We need to have a policy that reflects the intentions, concerns, and values of those in the hemisphere in addition to ourselves who respect democracy and freedom. Clearly, that is not the policy that is proposed to us today.

We continue to have the opportunity to consider alternatives to this issue and problem, and we will, but let us have a program which Americans can stand behind.

Let us have a program that the Congress can stand behind, united and determined together.

Let us have a program that our allies and friends, those who respect democracy and freedom around the world, can support, applaud, encourage, and help in. The policy before us today, however, offers no such possibility or hope.

For this reason, I urge you to vote no on this resolution; in doing so, allow us to continue working for an acceptable bipartisan solution that brings us together.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. OXLEY].

Mr. OXLEY. Mr. Chairman, I rise in support of the resolution.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Montana [Mr. MARLENEE].

Mr. MARLENEE. Mr. Chairman, those opposing aid to the freedom fighters would demagogue the issue by stating the question, "should $100 million be spent on the agricultural producers or the freedom fighters?" My response is that both are critical areas. On one hand, our producers are losing their farms, if not all at once, then little by little they should be helped far in excess of $100 million.

In Nicaragua, they are losing their farms to a totalitarian Communist regime and along with their farms, they are losing their freedom and any chance to rebuild.

In America, there are people in need and we try to help them. In Nicaragua, there are people in need, but they can't be helped until they become refugees in Honduras or Costa Rica. They can't be helped because they don't have a ration card if they don't support the totalitarian Communist regime. Under conditions where whole villages have been burned in an attempt to motivate communism, how do our farmers get their products to the people of Nicaragua who need them?

Yes, there are a group of us ag rebels who understand how painful the economy is to the American producer, and as a result we sought and received an audience with the new Secretary of Agriculture. We wanted an opportunity to air our grievances.

As a result, in my opinion, there is hope for American producers. The Secretary stated his commitment to making the 1985 farm bill work, instead of manipulating regulations. The Secretary exhibited sensitivity to producer problems. The Secretary promised an aggressive pursuit of exports. He assured us there would be no crosscompliance for 1985. He has delayed the deadline for reconstitution from March 1 to April 1. He has assured us that the nonprogram crops bill will be signed; $750 million has been diverted into FmHA.

And, most important, the Secretary's stature is being brought to bear on the Federal Reserve, to bring pressure to allow banks to carry, without prejudice, farm loans.

I remind my colleagues that a lot has been done, and, given the opportunity, the new Secretary will attempt to do more.

Just as we must work to solve the problems of the producer, we must work to see that communism does not destroy our sea lanes of commerce, the freedom of our producer neighbors, our markets to the south, or the lives of our children.

Support aid to the freedom fighters.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington [Mr. MILLER].

Mr. MILLER of Washington. Mr. Chairman, I want to zero in on where we in this House agree and where we don't.

I believe there is broad agreement on a number of issues.

First, most of us agree the Nicaraguan regime is Communist and moving Nicaragua down the road of totalitarianism. Some may argue the degree of press censorship or religious persecution, or the number of political or labor leaders jailed. We may argue the numbers of Soviet or Cuban advisers and troops or the number of Mesquito Indians murdered, but most of us accept that the Communist leaders are doing exactly what in their unguarded moments they've said they would do: Change Nicaragua into a Leninist state.

Second, most of us agree this Nicaraguan Government is exporting violence and terror. We may argue as to whether the shipments go by air or sea or land. Or how many rifles or rounds of ammo there are. But most of us accept that the Communist regime in Nicaragua goes on trying to extend, as they put it, a revolution without borders.

I believe most of us here agree that the opposition to the Nicaraguan Government offers more hope for democracy and security than the Nicaraguan Communist leaders. There is some disagreement on this issue. Some question the democratic credentials of some of the regime's opponents. Some question alleged human rights violations on all sides. But most of us if asked "who offers more chance for democracy and security in Nicaragua—the Communists or the opposition?" would not answer "the Communists."

We agree therefore that Nicaragua should change. We disagree on how to bring that change about.

But even here there is some agreement. Most of us here agree that we should not send United States troops into Nicaragua.

Most of us here agree we must pursue diplomatic efforts to change Nicaragua.

Where we disagree—and deeply—is on one issue: whether we should aid the democratic resistance—those Nicaraguans fighting to bring change.

Let's not kid ourselves. This issue is not economic U.S. military aid. It's whether to help them. Any aid to a fighting force has a military purpose.

Put another way we disagree on whether along with diplomatic pressure there should be military pressure.

But look, in facing this choice we must realize that our diplomatic efforts to get withdrawal of Soviet and Cuban forces simultaneously with withdrawal of our support for the resistance have failed, failed during bilateral negotiations, failed during the Contadora process, and failed at the Organization of American States. In all these forums we have also failed to get the Nicaraguan Communist rulers to agree to negotiate with the democratic resistance and with the internal opposition.

Yes, I know that we have no guarantees that military aid will bring change and success. But I also believe to deny military help—to rely solely on diplomacy without some teeth will guarantee no change—will guarantee failure.

Last month we gave our support to democratic change in the Philippines. A phone call from Senator LAXALT or a visit from Phil Habib may work with a corrupt despot in the Philippines. That option has not and will not work with the Communist elite of Nicaragua.

That is why diplomatic efforts to succeed need military pressure. That is why I believe we must help the Nicaraguan democratic resistance to help themselves.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. O'BRIEN].

Mr. O'BRIEN. Mr. Chairman, I rise in support of the resolution.

Mr. Chairman, I would like the record to show that I cast my vote today for the President's proposal to provide further aid to the Contra freedom fighters in Nicaragua.

Mr. Chairman, I want to publicy and officially express my thanks to under Secretary of the Army James R. Ambrose for his leadership in resolving a difficult situation at the Joliet Army Ammunition Plant, a situation which for a time delayed my opportunity to support the Contra freedom fighters.

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

Mr. DREIER of California. Mr. Chairman, I rise in strong support of House Joint Resolution 540.

Before I visited Nicaragua last week, I thought the Sandinista government was a totalitarian regime. After I returned, I was certain of it. Everything I saw and heard demonstrated that the Sandinistas had blatantly violated their revolutionary pledges of freedom. Most unfortunately, my conversations with the Nicaraguan Government gave me no confidence that the Sandinistas are willing to give peaceful negotiations a chance. I continue to hold hope for negotiations, but I have no reason to believe that we can bring the Sandinistas to the table without effective pressure from the democratic opposition.

Mr. Chairman, perhaps the most striking symbol of the situation in Nicaragua came during our meeting with Cardinal Obando Y Bravo the leader of Nicaragua's Catholic Church. When I asked him for the best way to bring change to the country, he called for whatever pressure the United States could bring to bear. When I pressed him to be more specific, he replied "We're not in the United States but Nicaragua. Our words have to be measured."

In the past, debate on assistance has focused on the nature of the Sandinista society. The Sandinista's apologists have clung to the facade of democracy provided for their consumption. Today, the nature of the Sandinista government is no longer a question. It is an oppressive, Communist totalitarian state which nobody denies. For most Nicaraguans, the 1979 revolution is still under way almost 7 years after Somoza's fall. The names of the oppressors have changed but the oppression remains and is in most cases greater.

Our conversations with the editorial staff of La Prensa revealed the extent of repression through censorship. The nation's leading opposition newspaper regularly has 40 to 90 percent of its stories censored. Under the Sandinista's 1982 state of emergency, the Government regularly excludes reports of military contact but also of the country's depleted economy and human rights record. Censorship extends to the minute details such as the closing of local markets unable to survive the country's economic policies.

Articles reporting on the Catholic Church or Cardinal Obando are cut from copy. The exclusion of the church from the news effectively limits the church to communicating through daily Mass. On October 12, 1985, the Sandinistas banned Iglesia, the Catholic Church's newspaper. On January 1, 1986, the Government closed the Catholic radio station because it failed to broadcast President Ortega's year end message.

Sandinista Vice President Sergio Ramirez flatly lied during our interview. His lies came among a familiar chorus of denials that Nicaragua was aligned with the Soviet Union and Cuba or exported its revolution to other countries. When questioned about the great exodus of Nicaraguans seeking refuge in neighboring countries, Ramirez refused to accept the numbers, claiming they were gross distortions. He also indicated that those Nicaraguans which had left the country had been taken against their will—kidnapped he said.

In the same conversation, Ramirez denied the construction of prisons which have been clearly documented by aerial photographs. He also claimed the prisons which he admitted exist have model conditions for cleanliness and treatment. This statement was in stark contrast to those of the independent local permanent Commission on Human Rights which described the prisons as worse than those under Somoza and certainly more populated. Commission members described prison cells as absolutely dark with no sanitary facilities. My discussions with the staff of La Prensa confirmed that it does not limit its measures to censoring opponents. Carlos Ramirez, a La Prensa editor, told me about his kidnapping and beating by the Sandinistas. He is only one of several La Prensa staff to be so arrested. I couldn't blame him for fearing for his life.

As I vote in favor of the President's aid package to the Contras this week, I do so with several thoughts in mind. First, it is the Sandinistas who, having accepted the objectives of the Contadora group in 1983, most recently asked that negotiations be suspended. Second, the United States, who has no official role in the Contadora process, has supported the process and offered repeatedly to reopen bilateral talks with the Sandinistas on the condition that they do not undermine the Contadora process. Third, previous restraint exercised by the House has not shown the Sandi-

nistas any more willing to negotiate. In fact, from 1979–81 when we were providing aid to the Sandinistas, there was no sign of cooperation on their part.

I seek to remind those, who oppose aid and screech for America to disengage from Central America, of an important consideration. We are inherently involved in Central America as a member of the international community and as a leader of the free world. If we decide this week to void our intervention by not approving aid, we must realize that we are not really disengaging ourselves from the situation. De facto we will be involved by aiding the Sandinista government in its consolidation of power.

Mr. Chairman, as I talked to the opposition, I realized I was talking to the same Nicaraguans that led the charge against Somoza. It was the assassination of La Prensa Editor Chamorro which ignited Somoza's fall. It was the same human rights group which supported the Sandinistas and even comforted imprisoned Sandinistas, like Tomas Borge, in Somozan jails. These were the same revolutionaries who assumed they were achieving their democratic goal when Somoza fell in July 1979.

As I said in the well yesterday, Mr. Chairman, the revolution for freedom continues for the people of Nicaragua. The Contras, while not perfect, provide our only hope for pressure on the Sandinistas. Supporting this aid package takes a bold step toward ensuring that we will never be forced to send a U.S. combat troup to fight for our liberty in the region.

I implore my colleagues—vote "aye" on House Joint Resolution 540.

Mr. FOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. GEPHARDT].

Mr. GEPHARDT. Mr. Chairman, I think the problem we face today is that not enough of us are sure that we know what the goal of the administration is in its policy with regard to Nicaragua. In order to have a successful foreign policy, there have to be some clearly defined and perceptible goals that our Nation is trying to achieve.

In looking at what the administration has said in the past 3 or 4 years, I cannot, and I think a lot of Members of the House cannot understand what our goal is. If our goal is to negotiate with the Sandinistas to try to increase the security of the United States and the security of nations in the region, then why have not those negotiations gone forward? Why have we not taken the Sandinistas at their word and said not to allow Soviet and Cuban advisers, stop sending Cuban and Soviet advisers, stop sending arms to other countries, and let us have on-site verification of whether or not you are willing to do that.

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The Sandinistas have said they are willing to make those promises in writing, and if that is our goal, why have we not tried to negotiate that treaty? The fact is, we have not. The fact is, the Congress has voted for Contra aid on four or five different occasions on the assumption that that kind of a negotiation was our goal, and yet that kind of a negotiation has not gone on.

Because there is not a clearly perceptible goal that we are trying to achieve, there is no unity in the Congress and there is no unity in the country with regard to our policy on Nicaragua, and there will not be unity until the American people understand what it is that we are trying to do.

If we have learned nothing from the last 20 years, surely we have learned that the only way America has a sound foreign policy is if the American people understand what it is that we are trying to do, accept the goals that we are trying to achieve, and then support the President and the Congress in trying to achieve those goals.

My worry, my concern today, is that those goals have not been articulated and the American people are not behind this policy. Therefore, I intend to vote "no" and I urge the Members of this body to vote "no," and if the House sustains that "no" vote, maybe finally the Reagan administration will begin to articulate to America what our policy is in Central America. If that can be done, the Congress and the American people will report that foreign policy.

Mr. HAMILTON. Mr. Chairman, I make a point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Eighty-seven Members. A quorum is not present.

Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 63]

Ackerman
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Armey
Aspin
Atkins
AuCoin
Badham
Barnard
Bartlett
Barton
Bateman
Bates
Bellenson
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Biliraki
Billey
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boulter
Boxer
Breaux
Brooks
Broomfield
Brown (CA)
Brown (CO)
Broyhill
Bruce
Bryant
Burton (CA)
Burton (IN)
Bustamante
Byron
Callahan
Campbell
Carney
Carper
Carr
Chandler
Chapman
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 (IL)
Fascell
Fawell
Fazio
Feighan
Fiedler
Fields
Fish
Flippo
Florio
Foglietta
Foley
Ford (TN)
Fowler
Frank
Franklin
Frenzel
Frost
Fuqua
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Gradison
Gray (IL)
Gray (PA)
Green
Gregg
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hamilton
Hammerschmidt
Hansen
Hartnett
Hatcher
Hawkins
Hayes
Hefner
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
Loeffler
Long
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lundine
Lungren
Mack
MacKay
Madigan
Manton
Markey
Martin (IL)
Martin (NY)
Martinez
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
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Mrazek
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
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
Sikorski
Siljander
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Snyder
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stenholm
Stokes
Strang
Stratton
Studds
Stump
Sundquist
Sweeney
Swift
Swindall
Synar
Tallon
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)

Torres	Watkins	Wise
Torricelli	Waxman	Wolf
Towns	Weaver	Wolpe
Traficant	Weber	Wortley
Traxler	Weiss	Wright
Valentine	Wheat	Wyden
Vander Jagt	Whitehurst	Wylie
Vento	Whitley	Yates
Visclosky	Whittaker	Yatron
Volkmer	Whitten	Young (FL)
Vucanovich	Williams	Young (MO)
Walgren	Wilson	Zschau
Walker	Wirth	

□ 1340

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

The Chair will advise that there are 9½ minutes remaining on the majority side and 10½ minutes remaining on the minority side.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, I rise in strong opposition to this resolution.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from West Virginia [Mr. MOLLOHAN].

Mr. MOLLOHAN. Mr. Chairman, it is after a long and careful assessment of the current situation in Nicaragua and the Central American region as a whole, that I rise today to oppose the President's request for $100 million in military and humanitarian aid to the democratic resistance forces in Nicaragua. I vote against the President's request not because I am unconcerned about the situation in Nicaragua; indeed, I am deeply concerned about the situation there and I am certain that the majority of my colleagues in the House share my concerns. I feel strongly that the United States needs to fashion a comprehensive policy in the region which will strengthen economically our democratic friends in the area as well as help move the Government of Nicaragua toward democracy.

Frankly, Mr. Chairman, I am not confortable with a policy in Nicaragua which leads with military force without serious support and consideration given to diplomatic initiatives. In light of the statement issued in January by the Contadora group and the Contadora support group which called for a Latin American solution to the Central American problem, I feel that the time has come for a major diplomatic initiative by the United States in support of Contadora.

On February 3, I joined 30 of my colleagues in sending a letter to the President. In our letter, we asked the President to support the democracies of Latin America in their efforts to seek a solution to the problem in Nicaragua. The President and the administration have tried to address our concerns and work with us in developing a more comprehensive policy toward Nicaragua. However, I must say that I am neither satisfied nor comfortable with the compromise offered by the President yesterday.

This is not the end of our debate on United States policy in Nicaragua. The question we will decide today is whether the United States should send $100 million in military and economic aid to the democratic resistance in Nicaragua. The question we may face in the weeks ahead is: What direction do we want the future of our policy in Nicaragua to go? Many of our colleagues in the House have worked together to develop compromises to the President's request. I am very encouraged by the proposal put forth by the gentleman from Oklahoma [Mr. MCCURDY]. I feel that Mr. MCCURDY's proposal offers strong incentives for both parties in the conflict, as well as the Contadora countries to negotiate a Latin American solution to the problem in the region. I am hopeful that the House will vote against the $100 million aid request today so that we will have the opportunity to debate Mr. MCCURDY's proposal or something similar April 15.

In the final analysis, the debate today is one of means; not of goals. All of us would like to see a cease-fire in Nicaragua, direct talks between the Sandinistas and the democratic resistance, and the restoration of freedom of press and religion within Nicaragua. This debate is about the means we will use to achieve our goals. I urge a "no" vote on the resolution before us.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. GRAY].

Mr. GRAY of Pennsylvania. Mr. Chairman, I rise in opposition to the resolution.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. MACKAY].

Mr. MACKAY. Mr. Chairman, I rise in opposition to the resolution.

As the Congress debates the conflict in Central America, I want to outline my reasons for opposing $100 million of additional military aid to the Contras.

I want to make clear that I dislike the Sandinista government of Nicaragua as much as the President does. Furthermore, I do not intend to stand by and allow Nicaragua to be used as a base to export communism throughout Central America. But I don't think $100 million in military aid will solve anything. The money will only escalate the human suffering and will deepen the quagmire we are already in.

The alternative I support was developed by a bipartisan group of moderate and conservative Congressmen. It is patterned after the recommendations of President Reagan's Blue Ribbon Commission on Central America. That Commission recommended a two-track approach, combining military pressure with diplomatic negotiations—which is exactly the policy that other nations of Central America as well as our allies in Western Europe and Japan have asked us to follow. In fact, our proposal is entirely consistent with President Reagan's approach in dealing with the Soviet Union and other Communist nations.

I propose undertaking serious and committed diplomatic efforts to achieve national reconciliation in Nicaragua. While this effort is in progress, the United States would provide humanitarian aid to the Contras, but no military aid. All opposition groups would be included in the negotiations, including the internal opposition parties in the Nicaraguan Government.

If the Sandinistas are unwilling to sit down and negotiate with their own people and their neighbors in Central America, then Nicaragua, and not the United States, will have been identified as the true obstacle to peace in Central America.

I believe that before we provide military assistance to the Contras, we must demonstrate to the American people that we have diligently pursued all possibilities for a regionally based political solution. I firmly believe we must show the world that this Nation is presenting the Nicaraguan Government with a clear alternative to a prolonged conflict. If good faith negotiations are tried and fail, I will support military assistance to the Contras and other Nicaraguan opposition groups who are willing to carry on the fight without targeting civilians or engaging in human rights violations.

I have not arrived at my position lightly. My study and discussion of this question has included personal meetings with the Contra leadership, officials from the State Department, the CIA, and leaders of various church groups. I have talked with leaders of the internal opposition parties in Nicaragua, as well as Nicaraguan businessmen and ordinary citizens. I have raised this issue for discussion, at numerous town meetings and forums in ever county in my congressional district, and have discussed my views with hundreds of my constituents.

It isn't clear which side will prevail in the debate. But both President Reagan and Speaker O'NEILL need the votes of our bipartisan group. So both of them have agreed to incorporate more elements of our compromise into their policy if their position prevails. So our effort has been of importance, no matter how the vote turns out today.

One more point. I have been working hard for weeks to develop the bipartisan compromise outlined above. I believe the issue is of crucial importance, because without this compromise, we must choose between being untrue to America's historic principles, on the one hand, and jeopardizing our national security on the other. It is sad commentary on today's politics that even while this good faith effort was going on, complete with meetings at the White House and personal discussions with top officials in the Reagan administration, I have been subject to a barrage of paid political ads accusing me of disloyalty and favoring communism.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. GARCIA].

Mr. GARCIA. Mr. Chairman, verbal warfare over this legislation started off with a fevered pitch when White House Communications Director, Patrick Buchanan, wrote in an op-ed piece that, "With the vote on Contra aid, the Democratic Party will reveal whether it stands with Ronald Reagan and the resistance—or Daniel Ortega and the Communists."

Mr. Buchanan has missed the point. Opposing aid to the Contras is not a question of siding with Daniel Ortega. It is, instead, a question of what is the best policy for the

United States to pursue not only with regard to Nicaragua but toward all the nations of Central America.

Pressure must be applied on the Sandinistas, but a two-track approach—using military pressure via the Contras, while at the same time seeking a negotiated settlement—has not proven to be effective. The Contras have not been able to firmly establish themselves within Nicaragua, and the Reagan administration, despite promises and protestations to the contrary, has not continued to pursue a negotiated settlement, either bilaterally or through active support of a regional agreement through the Contadora nations.

In many ways, the Contras are as destabilizing to Costa Rica and Honduras as they are to Nicaragua. In fact, the Sandinistas have continuously used the Contra war as an excuse to consolidate their power in Nicaragua. As journalist Christopher Dickey wrote in his book, "With the Contras," "With the war against the Contras as a reason and as a pretext, the Sandinistas moved steadily into the Soviet orbit.* * *" The longer the war continues the further the Sandinistas will drift away from serious bargaining either with the United States or within the framework of Contadora.

A recent article on the Contras characterized them as being plagued by "internal disputes, inadequate training, and human rights abuses, as well as (having) little political direction and faltering public appeal." Yet, even if the Contras were somehow able to establish a presence in Nicaragua, the Sandinistas would not be any more willing to make changes or "cry uncle." They fought a prolonged war with Somoza; they most certainly would be willing to do so with U.S. backed rebels.

None of these arguments against aid touch on the financial burden that extended support for the Contras would entail. The present Presidential request of $100 million is merely part of the down payment. The guerrillas in Guatemala have been fighting for nearly 30 years. It is conceivable that the same thing could happen with the Contras—if we continue to support them. Thirty times $100 million is a lot of money, particularly in light of Gramm-Rudman inspired cuts to domestic programs. One hundred million dollars would go a long way to build houses in the Bronx.

If, however, the President remains determined to come to the aid of the nations of Central America, which in principle is a good idea, then he should use that money for economic development. President Oscar Arias Sanchez of Costa Rica in an interview with conservative journalist, John McLaughlin, said that if the United States really wanted to help the nations of the region, then we should use the $100 million to help the ailing economies of Guatemala, Honduras, Costa Rica, and El Salvador. The prosperity of its neighbors, economically and politically, will finally undercut the Sandinistas.

Reports indicate that there is growing discontent in Nicaragua with the draft, the failing economy, and the chastisement of the church. The Sandinistas are crumbling from within; if given enough rope they will hang themselves. The Contras are one of the best excuses they have to avoid their excesses and corruption.

In essence the argument over the Contras is really an argument about control. The United States wants to control the destiny of the region. It's not enough to want to influence change and to work for democracy in the farms and factories of Central America. We also insist that events follow our preconceived notion of how they should proceed. That's not going to happen in Nicaragua or anywhere else in the region.

This does not mean that we should somehow surrender the fight to aid the nations of the region in their efforts to build democracy. We should continue to work for democracy throughout the region. That is the best way to isolate the Sandinistas. We should listen to those Governments comprising the Contadora and Contadora support groups, Colombia, Venezuela, Mexico, Panama, Argentina, Brazil, Uruguay, and Peru. They all oppose aid to the Contras. In addition, the nations of the European Economic Community and Japan have endorsed the Contadora group's Caraballeda statement, which is also supported by the five nations of Central America. Among other things, it calls for "termination of external support to the irregular forces operating in the region."

Finally, there is not now and there never has been enough support in Congress or across the Nation for the Contras. Chairman of the House Foreign Affairs Committee, DANTE FASCELL, and committee member, DAN MICA, correctly pointed out at the committee's recent hearing on Contra aid that in order for foreign policy to be effective, it must enjoy a broad consensus of bipartisan support. The Contras can't muster that kind of support. Instead of aiding them, let's stick to what we do best—helping to build democracies and market economies.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. RODINO].

Mr. RODINO. Mr. Chariman, I rise in strong opposition to House Joint Resolution 540, to approve the President's request for $100 million for the Contras fighting to overthrow the Government in Nicaragua. This is a huge, nearly fourfold increase in funding for the Contras since the first request 5 years ago for $19 million. If this request is granted, it will surely not be the last.

We are all well aware that the Sandinista government is repressive and has a continuing record of human rights violations, and no one wants a continuation and strengthening of a Marxist-Leninist regime in Central America. But the Contras have also committed brutal atrocities and, led by military strongmen from the Somoza national guard, they do not represent a viable or acceptable alternative to the Sandinistas. They do not inspire a popular, democratic movement inside Nicaragua, but instead spread terror and hatred among the innocent campesinos.

Equally important is the message from the leaders of the eight leading countries in the region who urged a halt to aid to the Contras. These neighbors of Nicaragua believe the only effective solution is through negotiation. It is time we give peace a chance and vigorously support the Contadora process.

This continued funding of the Contras, I am convinced, would be counterproductive and should be disapproved. Apart from the fact that we should not be aiding an ineffective group of men who spread violence and brutality throughout the countryside, I am appalled that this should be asked at a time when the President is proposing deep cuts in vital programs providing nutrition, health, education, job training and other services to our disadvantaged and vulnerable citizens. Under the President's proposed budget for fiscal year 1987, 27,000 low-income women, infants, and children would be removed from the WIC nutrition program. Under his budget, student financial aid programs would be reduced by $1.9 billion, eliminating 2 million students from assistance. Under his proposed budget, funding for the National Institutes of Health would be cut by $417 million from the fiscal year 1986 appropriation and frozen at this lower level through fiscal year 1991.

It is inconceivable to me that we can consider sending funds to support a suspect, no-win, terrorist group while contemplating budget reductions that would endanger the health and welfare of so many of our citizens.

Mr. Chairman, I urge the defeat of this unwise and unrealistic request.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. KOLTER].

Mr. KOLTER. Mr. Chairman, I rise in opposition to this resolution.

I believe that we should continue the traditional role of the United States "as peacemaker wherever the parties in a local conflict seek our help in promoting negotiated solutions. In Central America, * * * and other regions, we will continue an active diplomacy for peace."

I believe that we should "* * * (m)ake no attempts to impose our will on any other country."

We should not seek "to destabilize or overthrow the Government of Nicaragua."

We should support "the comprehensive, verifiable implementation of the Contadora Document of Objectives."

These are not my words, Mr. Chairman. These words belong to none other than President Reagan.

Today however, we are hearing a different story. The President has requested $100 million to destabilize the Government of Nicaragua thereby dismantling any hope for peace. An action that can only serve to escalate present hostilities.

The requested funding of the Contra forces in Nicaragua has only one goal. The objective of U.S. military assistance and funding is to remove the Sandinistas from power. To suggest anything else is rediculous.

Will the requested $100 million accomplish the desired goal of the administration? Or will it take $200 million next year and $400 million after that?

Mr. Chairman, I would like to state that it will not stop at $100 million. This beast will grow. It will grow by being fed American tax dollars and in the process irrevocably entrench United States aid and involvement in Nicaragua for years to come.

Make no mistake about it. A vote for House Joint Resolution 540 is a vote for eventual American involvement in Nicaragua. Funding the Contras is the first step toward putting American troops on Nicaraguan soil.

In January of 1983 the Contradora group met for the first time to pursue the path of peace, just 3 short years ago. The neighbors of Nicaragua are content to pursue peaceful negotiation through the Contadora process. Who are we to deny a chance for peace?

Placing time constraints on peace whether they are 90 days or 90 months—is in itself—self-defeating.

In closing I would like to commend to my colleagues the words of wisdom offered by Joachim Prinz, "A neighborhood is not a geographic term. It is a moral concept. It means our collective responsibility for the preservation of man's dignity and integrity."

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY of Illinois. Mr. Chairman, I rise in opposition to the resolution.

Mr. Chairman, today, Congress was once more called upon to deal with the issue surrounding a financial commitment to military aid for the Contras in Nicaragua. No Member of this Congress supports or embraces the goals of communism. However, all are genuinely concerned with the welfare of Americans and the commitment each and everyone of us has to promote the welfare of our fellow beings particularily in this hemisphere.

It is the concept of how to support the human condition of those living in Central America and Nicaragua, in particular, which has separated many serving in Government. I, like others, feel as a democracy we must be committed to pursuing all viable avenues for resolving the differences among governments, societies, and philosophies without first empoying military activities. For on too many occasions, long after many valiant servicemen and women have been lost to the harvest of war, the same beligerents set down together and engage in a cooperative relationship. Therefore, the only justification we may attach for the sacrifices of former wars is to dedicate ourselves to obtaining the goals of a cooperative relationship without the middle stage: war.

Owing to the present circumstances in Nicaragua and being responsive to the commitment made by those who served our Nation's and mankinds' interest, I am compelled to vote against aid to the Contra's. Also, I will be joining the chairman of the Veterans' Affairs Committee, G.V. "SONNY" MONTGOMERY, and others in meeting with the American Ambassador and the leaders of Nicaragua to effect direct negotiations between our two governments, soon. I urge my colleagues to vote "no."

Mr. FOLEY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Illinois [Mrs. COLLINS].

Mrs. COLLINS. Mr. Chairman, I rise in opposition to the resolution.

Mr. Chairman, I rise to voice my strong opposition to military aid to the Contra rebels in Nicaragua and to urge my colleagues to vote "no" on this measure. The proposal submitted by the President and his supporters is both excessive and insufficient all at the same time.

It is excessive because any additional military aid to the Contras will only add fuel to the violent tension in Central America at the expense of all efforts to reach a peaceful resolution.

It is insufficient because the best available evidence shows us that the proposal we are considering will not be enough—standing alone—to provide a long-term solution.

Furthermore, the President has offered us no real compromise on this issue. After all, in any compromise, you have to give up something in order to get something. It is a process of give and take. In this case, the President is doing all the taking while we are being asked to do all the giving.

I am terribly concerned that we are being asked to support this measure on the basis of misleading information put out by Contra supporters.

For example, the President, in his attempt to sell the Contras to the American people as freedom fighters, has failed to point out that these forces actually were organized and continue to be led by remnants of the notorious Somoza national guard. These so-called freedom fighters are, in fact, terrorists. They have shown utter contempt for human rights and have subjected the people of Nicaragua to a nightmare of violence and oppression.

If these people can be characterized as freedom fighters, it is only because they built their careers fighting against freedom whenever it has tried to blossom.

The President has announced to the world that now, he, too, is a Contra.

Well, by describing himself in this manner, the President is telling us something very significant about the way he is viewing a matter of grave importance regarding our foreign policy.

By his own admission, our President, the Contra, has shown us just how narrowly he has come to view this serious issue. By his own admission, our President, the Contra, is not shaping policy in the well-considered, deliberative fashion that rests as the cornerstone of our democratic system. By his own admission, our President, the Contra, is not attempting to formulate his opinion, to make his decision, to exercise his awesome power as the result of balancing the many critical factors at play here.

Well, I an not a Contra. I have just come from my district where the calls are coming in 3 to 1 against Contra aid. The people in my district have sent me here to represent their interests—American interests. I urge my colleagues to vote in the best interests of the American people—not in the interests of a ragtag band of terrorists who have no widespread support among their own people.

The views of the American people are clear. They do not want United States military involvement in Central America; they do not want any situation to develop which would require our boys to have to go over there. That would be absolutely unacceptable. And war by proxy, which is probably if we continue to prop up a force with questionable goals and the inability to stand on its own, is equally unacceptable.

Let us not fool ourselves about what is at stake here. What is at stake here is not limited to the $100 million in aid to the Contras. After all, we are being asked to grant this money request with no assurances it will be effective, with no provisions for congressional oversight, with no guarantee that we will not have to grant another money request later. What we are being asked to consider is, in effect, a blank check for what may wind up being endless support for a questionable cause.

In its simplest Spanish form, "Contra" means "against." In that sense, the Contras live up to their name. Clearly, the Contra rebels stand against everything we hold true—long-held principles of freedom, justice, and fair play. The very principles that made this country great. The Contra supporters are running against the grain of American public opinion and ideals. I refuse to cast my lot with a band of terrorists and murderers disguised as freedom fighters. I urge my colleagues to do the same and vote "no" on Contra aid.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, I rise in opposition to the resolution.

We are engaged in an extensive, detailed, and informative debate on the policy implications of providing the President with the funds to finance an armed insurrection against a government with which we maintain diplomatic relations. The issues are serious and in the past 2 days we have examined and considered the issue from every possible angle and point of view.

History has a way of repeating itself. President Reagan's policy in Nicaragua is a policy which looks to war—to a military settlement. It seems increasingly clear to me that the Reagan administration is ignoring facts and history and is proceeding on a course of action that is blind to the past that will be unsuccessful in both the near and long term. The $100 million the President requests is a pittance to the flow of funds the President will request later if this request is approved by the Congress.

Let's look to past history, Mr. Chairman. In less than a month, Castro will celebrate the 25th anniversary of the Bay of Pigs invasion. In what President Kennedy himself called a monumental disaster for the United States, the CIA recruited, trained and equipped a force of anti-Castro Cubans. Although they were not called Contras, or freedom fighters, these anti-Castro Cubans were in many ways quite similar to the Contras in Nicaragua. Many of their leaders had been officers of the despised former Batista dictatorship. The CIA premise for the invasion was based on the idea that the invasion would result in the overthrow of the Castro government by triggering a popular, public uprising in Cuba. But the CIA failed to understand how much the Cuban people hated Fulgencio Batista. There was no popular support for the invasion at the Bay of Pigs and it ended in tragedy and defeat for

the United States. Castro remained firmly in control. Cuba still has Castro firmly entrenched.

The policy of the Reagan administration is very much like the policy that failed in Cuba. There is no evidence or reason to believe that the Sandinistas do not command popular support in Nicaragua, particularly when the Contras are led by people affiliated with the hated Somoza. Nobody believes—not even our military experts—nobody believes that Somoza-laced Contras can topple the Sandinistas. It may even strengthen their power throughout the country as the government resists with the cry of "Yankee imperialism." The United States will again be branded as the aggressor throughout Latin America.

Mr. Chairman, a bona fide diplomatic effort should be our alternative. President Reagan has not given the Contadora group its support or cooperation. We should make that bona fide effort instead of intensifying the war effort which is what the President wants to do.

I urge defeat of the resolution.

□ 1355

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

Mr. TORRES. Mr. Chairman, I rise in opposition to the resolution.

Mr. FOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. SAVAGE].

Mr. SAVAGE. Mr. Chairman, I rise in strong opposition to this resolution.

Mr. Chairman, to be honest, it is difficult for me to understand why the President is pushing with such ferocity for $100 million to help the Contras overthrow the legitimate Government of Nicaragua and for the murder of innocent Nicaraguan citizens when so many desparately needed programs are being neglected in this country.

While our most challenging domestic problems are being ignored, President Reagan continues his all-out effort to drive the Sandinistas from Nicaragua arguing, among other nonsensical and unfactual allegations, that if you supported the decision to permit the ouster of Baby Doc in Haiti and Marcos in the Philippines, then you must support the military ouster of the Sandinistas in Nicaragua.

Under no circumstances, however, can the Government of Nicaragua be compared to the Duvalier government in Haiti or the Marcos government in the Philippines—neither morally nor in terms of the popular support of the people. Rigidity in the attempt to establish a more equitable distribution of wealth, universal literacy, and health care, while defending your country against a well-financed invasion, cannot be viewed in the same light as rigidity designed to increase personal wealth and privilege in the face of increasing poverty and violence orchestrated by the fascists of Haiti and the Philippines.

The Sandinistas insist that there should be room in this hemisphere for the existence of different ideologies and that they can work out their problems with their Central American neighbors if the Reagan administration would stop interfering.

I have traveled to Nicaragua, spoken with the leaders and citizens, and have studied the arguments. The hypocrisy and outright falsities emanating from the White House are insulting, at best.

The argument that the government does not represent the people has no logical basis. Eighty percent of the citizens voted in the election for seven very distinct parties to both the political right and left of the Sandinistas. International human rights and legal groups monitoring the elections found them to be free and fair.

Unlike many Central American countries supported by the United States, such as El Salvador and Guatemala where rightwing military forces murder civilians with impunity, Nicaragua has allowed opposition newspapers to write and parties to preach. The brutality of the Contras, on the other hand, the vicious murder of women and children before their very families, has been well-documented.

Contra aid can do nothing but continue killing the Nicaraguan people. The overthrow of the Sandinistas, a move I am wholly opposed to, can only occur through direct American military action. I hope and pray that Vietnam is too fresh in the minds of us all to permit such unjustifiable, immoral maneuvers. It is time we respect the wishes of the people of Central America and allow them to resolve their differences and build their communities in peace.

Mr. FOLEY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the resolution.

Mr. Chairman, today, I will vote against the administration's proposal to send an additional $100 million in military aid to the Contra guerrillas seeking to overthrow the Government of Nicaragua. This is the wrong way to control the Communist threat in Central America. One-hundred million dollars channeled to a ragtag army lacking the popular support of the people is insufficient to result in a clear military victory. Because the Contras will not be able to gain the military highground, military aid will ultimately result in drawing the United States into a protracted war in Central America. You can't gain true loyalty of peasant people through rifle butts. That is the Communist way. Rather, loyalty starts by respecting the worth of people and getting food to empty stomachs.

The United States has already spent $100 million in Nicaragua. The impact has been minimal. No amount of money given to the Contras would be enough. Nearly $30 million of this amount cannot be accounted for by the General Accounting Office. In essence, this proposal puts good money after bad.

Diplomatic efforts to resolve the conflict in that region should be redoubled. Any aid should be made contingent on serious diplomatic initiatives being undertaken. In fact, aid should be used as an incentive for negotiation. Leaders of neighboring democratic nations in the region have urged us, as recently as last month, to exhaust dimplomatic efforts before applying a military solution. No serious negotiations have been underway in over a year.

At a time of record U.S. budget deficits and when Americans are being asked to sacrifice for the national good, I find it difficult to justify another $100 million in foreign aid to a ragtag group that has yet to prove it can win on the battlefield. And so do the vast majority of constituents from whom I have heard. They believe, as do I, that the money could be better spent here at home—in our manufacturing and farming communities, in our downtowns and in our neighborhoods. One hundred million dollars could create a lot of job opportunities in our district.

Controlling the spread of communism in Central America is an important national foreign policy goal. If the threat to the United States is that severe, then let the President come to Congress and explain the clear and present danger to our national security. Short of that, we should seek other solutions which are in the long-term interests of the United States and the democratic nations of Central America.

Thank you.

Mr. FOLEY. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Chairman, I rise in opposition to House Joint Resolution 540.

Let me make several points:

First, the choice before us is not between aid to the Contras and the triumph of communism. If it were, the choice would be easy, since we cannot allow the triumph of communism in Central America.

The choices before us include better alternatives to protect U.S. interests.

Our approach must be multilateral;

Our approach must favor negotiations over an expanded war;

Our approach must contain and isolate Nicaragua;

And our approach must strengthen our democratic friends throughout Central and Latin America, as well as have their support.

Second, the principal defect in the President's proposal is that the Nicaragua problem simply cannot be solved unilaterally.

The Contra war has isolated the United States, not Nicaragua;

U.S. support for the Contras is a policy that today stands in splendid isolation from all the world, and such a policy, no matter what its temporary gains may be, cannot be sustained over time and cannot in the end succeed;

Thirteen governments representing over 85 percent of the population of Latin America support Contadora and a negotiated settlement of conflict in Central America;

The European Community and Japan, Nicaragua's two largest trading partners, are on record firmly in support of Contadora. Neither the European Community nor Japan support United States funding of the Contras;

Our friends in Central America regard United States military intervention as a more destabilizing threat

than the existence of the Sandinista government in Nicaragua;

The Contra war frustrates efforts for a regional settlement which is essential to preserving and promoting democracies in the area;

European as well as Latin American allies see the necessity of a negotiated settlement as the only possible practical alternative to a lengthy and unwinnable war. We owe it to them and to ourselves to explore that alternative thoroughly.

Third, the President's request before us fails to take into account the reaction of our adversaries to it.

When the United States steps up its aid to the Contras, the Soviet Union and Cuba will step up their aid to the Sandinistas. What will the United States do then? The administration does not address that question. It assumes that our move will be the last move. But it will not be the last move. This proposal would lead us to further escalation, more bloodshed, and stalemate.

A vote for the President's request today will lift restrictions on CIA and DOD participation in the Contra war. It will bring American military advisers into Central America to train the Contras. It will put American soldiers shoulder to shoulder with the Contras.

The President has said that he does not plan to send United States troops to Nicaragua, and I have no doubt that he does not intend to do so. But, I submit, the announced goals of the President, his commitment to those goals, the predictable response of our adversaries, the chances of accident and miscalculation all raise the risks of deeper American military involvement.

Fourth, there is a better alternative than expanded war. That better policy consists of three parts in equal measure: Containment, carrots and sticks, and Contadora.

We need to contain and isolate the Sandinistas

We need a long-term strategy of carrots and sticks to change Sandinista behavior; and

We need active U.S. support for Contadora and negotiations.

First, we should contain and isolate the Sandinistas.

We should prevent the Soviet Union or its allies from developing an offensive capability in Central America that threatens United States security. We should support economic and military assistance to help strengthen the democracies of Central America against threats from Nicaragua or anywhere else. We should use skillful diplomacy, encouraging the support of our friends and allies, to isolate and contain Nicaragua—diplomatically, politically, economically, and militarily.

Second, we should use carrots and sticks to influence Sandinista behavior in years to come because, short of United States intervention, we cannot change their behavior in the near term.

If Nicaragua were to agree to a cease-fire, remove Soviet and Cuban advisers, reduce the size of its armed forces, or make progress toward national reconciliation and a pluralistic democracy, we could respond positively. We could suspend United States military exercises in the region, resume normal trade, and support bilateral and multilateral assistance for Nicaragua.

On the other hand, if Nicaragua's behavior worsened we could press Europe and Japan—now Nicaragua's largest trading partners—to cut trade and cooperate in blocking assistance. We could impose tougher economic sanctions, including an assets freeze and a prohibition on bank lending or travel to Nicaragua. Such steps, however, would only be effective if taken together with our friends and allies.

Third, we should vigorously support the Contadora negotiations.

The administration has only paid lip service to the idea of a multilateral, negotiated settlement:

The President's speech of March 16, 1986, does not once mention Contadora. There is no more revealing statement of this President's views on the Contadora process than this speech. It simply draws a blank on Contadora;

The President's diplomatic approach requires the Sandinistas to relinquish power. It cannot and will not succeed.

The United States has yet to make public comment on the third Contadora treaty draft issued 6 months ago.

If we don't like the draft, we should work to improve it. The current draft has many positive elements which serve U.S. interests.

If agreed and implemented by Nicaragua, it would:

Stop new military deliveries to the Sandinistas;

Establish a ceiling on the size of their military forces and a schedule for their reduction;

Prevent the establishment of Soviet or Cuban military bases;

Force Nicaragua to send home all foreign military advisers;

And end Nicaragua's support for the export of revolution.

A Contadora agreement would also substantially increase Latin American and Western European political pressure on Nicaragua to live up to treaty commitments for national reconciliation, A pluralistic democracy and free elections.

Why would Nicaragua ever live up to any deal it might cut with the United States through the Contadora process? Because its survival would depend on it.

The Sandinistas know that the heart of the bargain is that we would let them survive in exchange for stopping foreign policies we don't like and beginning to improve their domestic record;

If they reneged, all bets would be off, including any United States pledges at Contadora. With strong support from Western Europe and Latin America, the United States could make life for Nicaragua very difficult.

Nicaragua needs peace and economic development. The Soviets and Cuban's can't provide either one. Nicaragua knows that Latin America, Western Europe, and the United States hold those keys—and that only a Contadora agreement can lead them to open the door.

CONCLUSIONS

Mr. Chairman, the proponents of this legislation say that if you do not support an expanded war, the United States policy will fail. In my view, the proponents of funding the Contras overestimate what war can do and underestimate what diplomacy can achieve.

A vote for House Joint Resolution 540 today will not resolve the issue. The Congress, and the country, are simply too divided on this aspect of Central America policy to sustain the proposed military policy. A policy which is not sustainable cannot succeed.

A vote against House Joint Resolution 540 is a vote to concentrate United States energies and policy on those aspects of Central America policy on which there is a consensus, to build on that consensus in order to isolate and contain Nicaragua, and to work together with the democracies of Central and Latin America who oppose Nicaragua's policies but also oppose the Contra war.

Mr. Chairman, we need a better policy because a unilateral policy will not work:

A policy that favors Contadora negotiations over an expanded war will have the support of our friends and allies, and can work.

A policy that offers carrots and sticks to Nicaragua can work.

A policy that contains and isolates Nicaragua can work.

I urge a vote against House Joint Resolution 540 and for a better alternative.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Chairman, I rise in strong support of the resolution.

Anyone who cares to look can see the historic parallels between the Nicaraguan revolution of 1979 and the Russian revolution of 1917. The overthrow of a hated despot by all elements of society working together, followed by the gradual squeezing out of the moderates by the Communists. Their cry of imminent foreign intervention to justify an immense military buildup then used to divert domestic at-

tention and, together with martial law, to quell domestic dissent. Repression of the church and the press, formation of the neighborhood committees to identify those not committed to the government's ideals, and gradual elimination by assassination, execution, or imprisonment of "enemies of the people." Russia since 1917 and Nicaragua since 1979—it's all there to see and it's all the same.

Now, four new fragile democracies in Central America are facing the threat of subversion from the only totalitarian government left there, Nicaragua.

Our President's policy is to prevent that threat from succeeding, and there are over 15,000 brave men willing to fight to contain it.

There are some here who would turn their backs on these freedom fighters and give Communist subversion on our doorstep a free hand. Mr. Chairman, I'm not one of them.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. BOULTER].

Mr. BOULTER. Mr. Chairman, I rise in support of the resolution.

Mr. Chairman, today Members of the House will cast a momentous vote that will determine, in part, whether the people of Central America will have the opportunity to enjoy democratic freedoms we have in the United States, or fall victim to Marxist tyranny where no individual freedoms exist.

It's this simple: Will the United States continue to be the defender of freedom and democracy, or will we turn our backs on our friends to the south, leaving them to the designs of the Soviet-backed Sandinistas who have said their revolution is without frontiers? It is clear that Nicaragua is not the only country whose future is at stake. The Sandinistas have stated publicly that they have their eyes on all of Central America, with Mexico being their ultimate and most sought after prize. Should we not approve the President's request for aid it will signal to the Sandinistas and terrorists worldwide that we lack the resolve to defend the development of democratic institutions that are evolving throughout Latin America and elsewhere.

The Marxist strategy continues to rely on a war of patience and attrition. They test the resolve of the United States by seeing just how far they can go. Slowly but surely they grow stronger. Each delay in United States assistance to the freedom fighters contributes to the Sandinistas' growing strength. Meanwhile, the freedom fighters grow weaker. Though fairly large in number and steadily growing in support, the freedom fighters are ill-equipped to fight a protracted war with the Sandinistas. The Sandinistas know this, as do the Soviets. Without our assistance, the freedom fighters will most certainly lose this war of attrition.

The revolutionary promises of a democratic Nicaragua have gone unfulfilled. The true believers in democratic ideals were hoodwinked by a shrewd bunch of Marxist practitioners. What we are trying to do today is breathe new life into the democratic vision many Nicaraguans had in mind when the revolution took place in 1979. I urge my colleagues to provide the needed lifeblood which is necessary to make this vision a reality.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from New Hampshire [Mr. SMITH].

Mr. SMITH of New Hampshire. Mr. Chairman, I rise in strong support of this measure.

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

Mr. LOWERY of California. Mr. Chairman, I rise in strong support of this measure.

Mr. Chairman, today the House of Representatives will vote on one of the most difficult and important foreign policy issues of our time. The magnitude of this decision is reflected in the unprecedented amount of mail and calls all of us have received from our constituents. I have heard from many constituents who stress the ill-effects of Contra aid and ask that we end any assistance to these rebels. Conversely, many other citizens in my district insist that we continue supporting the freedom fighters and help them with their struggle for freedom and democracy. If we examine all the competing factors in this debate, I firmly believe that the soundest policy is to support the Contras in Nicaragua as the best means of promoting democracy, stability, and peace throughout Central America. I would like to take this opportunity to explain the reasons which led me to this conclusion.

Perhaps it is best to examine the present regime in Nicaragua, ascertain its system and intents, and compare it with United States policy for the entire region. It will then be possible to weigh the various policy options available to the United States and select the one that best promotes a free, democratic, and peaceful Central America.

The most alarming aspect of the Nicaraguan system is its astounding military buildup. Today, the Sandinistas have the largest armed forces in Central America. There are active duty forces of 60,000, with a reserved militia adding another 50,000 people in arms. That is roughly 110,000 troops ready for speedy mobilization. Aside from raw numbers, the firepower of the Sandinistas is unmatched in the region. Their arsenal includes 150 tanks, 300 armored personnel carriers, over 40 helicopters (including 6 of the Soviets' advanced MI-24 Hind helicopters), over 200 artillery pieces, and 300 missile launchers. Compare this with neighboring Honduras (21,000 troops) and Costa Rica (which has no army) or even to the 15,000-strong Contra rebels, and it is evident that the Sandinista arms buildup is offensive in nature. Any objective observer of these facts must reach the same conclusion—that the Soviet/Cuban-supplied Sandinista army far exceeds any defensive needs and is offensive in nature.

Many opponents of Contra aid contend that United States hostility toward the Sandinistas has forced them to seek help from the Soviets and Cubans. The facts do not support this. The United States, albeit belatedly, cosponsored and voted for the Organization of American States [OAS] resolution calling for the replacement of the Somoza regime with the coalition opposition (which included the Sandinistas). During the first 18 months of the new government, the United States provided Nicaragua with 100,000 tons of food, some $118 million in bilateral economic assistance, and supported the flow of $1 billion from international lending institutions. It was only after this period (during the Carter presidency), when the Sandinistas imposed press censorship, began their military buildup, and revealed ties to the Soviets, that the United States cutoff aid to the Sandinistas. It must be acknowledged, therefore, that the Sandinistas preference for Soviet and Cuban friendship was voluntary in nature.

Let's take a look at the Sandinistas themselves. Few now doubt the Marxist-Leninist leanings of the Sandinistas. Humberto Ortega, Defense Minister, put it this way: "Marxism-Leninism is the scientific doctrine that guides our revolution * * *." Commandants Bayardo Arce, in his speech to the political committee of the Nicaraguan Socialist Party in 1984 commented on the upcoming elections in this fashion: "For us then, the elections, viewed from that perspective, are a nuisance, just as a number of things that make up the reality of our revolution are a nuisance—In the future of our country, all changes through development is in the hands of the revolutionary authority * * *."

Unfortunately, the Sandinistas have backed up these words with actions. Radio and television news are under government control, and they broadcast only what the Sandinistas permit. There is only one opposition newspaper, La Prensa, and it is government-censored to the point that publication must sometimes be suspended for lack of news. On October 15, 1985, the Sandinistas suspended civil liberties. The church, political parties, labor unions, and the press were faced with increased censorship. The attack has been waged against all religious beliefs—Jewish, Protestant, and Catholic. In addition, the Sandinistas ended the long-standing policy of exempting seminarians from the draft and closed Radio Catolica on January 1, 1986. Compare this grim reality to the promises the Sandinistas made to the OAS for human rights, political pluralism, free elections, and a mixed economy. The Sandinistas record is clear and poor.

In essence, we have a militaristic government ruled by self-proclaimed Marxist-Leninists which exhibits all the traits of oppressive Communist regimes. Is there any other conclusion to draw except that the Sandinistas are committed to the doctrines of Lenin? Again, an objective observer must concede that the regime in Nicaragua is antidemocratic, pro-Soviet, and poses a potential threat to the entire region.

Still, some opponents of Contra aid say that these facts are insufficient justification for seeking what they see as the ultimate goal—the military overthrow of the Sandinistas. They suggest that if we leave the Sandinistas alone, they will behave in a peace-loving way, concerned only with the welfare of Nicaraguans. Aside from the historical inconsistencies of applying this rationale to Communist countries, it is necessary to examine specific Nicaraguan behavior.

The Nicaraguan Government has embraced the likes of Muammar Qadhafi, Yasser Arafat,

and members of terrorist organizations throughout the world, referring to their shared struggle. In addition to this symbolic display, the Sandinistas are aiding the guerrillas in El Salvador. Since 1979, the Salvadoran insurgents have relied on Nicaragua for weapons, training, intelligence, and sanctuary—the guerrilla high command is based in Nicaragua. There is also evidence which suggests the Sandinistas are subverting the governments of Honduras and Colombia.

Clearly, then, the threat to Central America is real. The citizens in Nicaragua face oppression at home and the neighboring fragile democracies are feeling the intrusive arm of the Sandinista military machine. The question now becomes: how can the United States best attain the twofold goal of internal reconciliation for all Nicaraguans and external stability (ending Sandinista-backed subversion in the democracies of Central America)?

All of us would like to see this achieved through peaceful negotiation. The Contadora process and Church-mediated talks offer the best hope for a lasting settlement and the United States has fully supported both these approaches. Since 1981, the United States has sent over 40 diplomatic missions to Latin America and has held nine rounds of direct talks with the Sandinistas. The United States maintains a standing offer to talk any time the Sandinistas wish to discuss changes in four principal areas of concern: Soviet/Cuban presence; military buildup; support for subversion; and internal reconciliation. It is the Sandinistas who have categorically refused to open dialog with the rebels—something President Duarte agreed to in El Salvador.

Moreover, the record is replete with examples of Sandinista intransigence on Contadora. For example, last December, Daniel Ortega proposed in writing to the OAS a postponement until May 1986 of further Contadora negotiations. The OAS General Assembly, meeting in Cartagena, voted 24 to 1 (Nicaragua) to recommend continuation of the negotiations. The one draft treaty the Sandinistas did endorse contained no verification or enforcement provisions for reducing military stockpiles and holding free elections. In short, it is the Sandinistas who refuse to seriously negotiate.

Nevertheless, the President has agreed to postpone deliverance of offensive military materials to the Contras for a period of 90 days. This grace period will afford the Sandinistas yet another chance to seriously engage in meaningful dialog. In addition, a special envoy will be sent to the capitals of the Contadora and support group nations urging a unified effort for a regional peace accord. In light of past Sandinista behavior, I believe this is an eminently fair proposal.

A viable resistance force, ever-ready for negotiation but also willing to fight, is the best hope for convincing the Sandinistas that a negotiated settlement is in their interest. It is naive to believe the Sandinistas will come to the peace table without the impetus of a viable Contra force. Strength of United States resolve in this matter is critical.

For the reasons outlined above, I believe continued assistance—both humanitarian and military—is in order. Before ending this discussion, however, I would like to address some of the concerns often expressed by my constituents.

The most frequently aired complaint is that the Contras are unpopular Somocistas who can't win. It is important to recognize that the rebel force has grown from 3,000 in 1981 to 15,000 to 20,000 today. The opposition includes people from all walks of life including a large number of campesinos. While some of the Contras are undoubtedly ex-Guardia, the vast majority are ordinary citizens disillusioned with the Sandinistas. Moreover, the three leaders of the United Nicaraguan Opposition—Adolfo Calero, Arturo Cruz, and Alfonso Robelo—all fought to overthrow Somoza. In essence, the Contras are a growing force of peasants, shopkeepers, with Somocistas comprising a smaller and smaller percentage of this group.

To those who say the Contras can't win, I agree that yes, unarmed they can't win. They certainly can't be expected to win by lying down in front of Sandinista tanks, Philippines-style. Under Leninist regimes, Philippine and Solidarity approaches do not fare well. Nor do vastly out-gunned, out-trained guerrilla armies do well against Cuban-Soviet-style military machines. The Contras cannot win the way North Vietnam won in South Vietnam. However, they can win in the way the Sandinistas won in Managua—not by rolling over the Sandinista army, but by controlling the countryside, gaining popular support, and forcing the Sandinistas to recognize that their oppressive and subversive policies are untenable.

Another frequent statement is that the Nicaraguans held elections and that the people of Nicaragua worked their will. The facts say otherwise.

Opposition candidates were harrassed and censored from La Prensa and, not surprisingly, the government controlled media did not carry opposition statements. As the New York Times put it:

> Only the naive believe that Sunday's election in Nicaragua was democratic or legitimizing proof of the Sandinistas' popularity. The result was ordained when opposition parties tamely accepted terms that barred them from power. . . .

A further concern often aired is that we can't afford this $100 million. It must be noted that this is a transfer of existing funds and requires no new appropriations. In addition, if this is a legitimate security concern, which I believe it is, then this amount is trivial.

The last argument that opponents of contra aid cite is that Central America does not support United States assistance to the freedom fighters. A recent Costa Rican gallup poll indicates widespread local support for United States efforts in the region. As for public statements by Latin leaders in opposition to the United States, I offer this explanation—what do you expect? Costa Rica, a country with no army, faces a 100,000 plus force across its border. Does one expect Costa Rica publicly to come out in support of overthrowing its neighbor, given an isolationist U.S. Congress and a rising military power in Nicaragua? But many leaders of these fledgling democracies told the Kissinger Commission that they want the United States to help the Contras and control the growing threat of Managua.

It is absolutely vital for all Americans to pinpoint the issue at hand. The history of Nicaragua, and indeed all of Central America, has been one of military dictatorship, widespread depravation and poverty. In fairness to the Sandinistas, it must be acknowledged that they have implemented modest improvements in health care and education. However, these gains do not, in themselves, justify their massive military buildup, their oppression at home, and their subversion abroad. Moreover, more substantial social gains have been made in the neighboring democracies of Honduras and El Salvador.

The issue at hand is whether the United States will ignore a substantial segment of Nicaraguans—arguably a majority—who seek to restore their revolution. Those brave men and women fighting the Sandinistas are risking their lives for privileges which many Americans take for granted. The issue is whether the United States will cutoff the freedom fighters and watch them whither away as the Sandinistas consolidate their control and continue to work on their neighbors. This issue is too important and the need for action too great for the Congress not to act.

If we do not strengthen the resistance now, our worry in the future will be a very different one—a far more serious one. Our worry will be a Soviet and Cuban base on the mainland of Latin America, a regime whose consolidated power will allow it to spread and directly threaten Mexican oil fields, the Panama Canal and Caribbean shipping lanes. And nothing is more likely to force American military intervention than the consolidation of an aggressive, highly militarized, pro-Soviet regime in the area. The contras want to do their own fighting. Cut them off, and the only body in the hemisphere able to restrain the Sandinistas will be the U.S. Army.

Mr. Chairman, I urge my colleagues to support this request for assistance to the freedom fighters in Nicaragua.

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

Mr. PACKARD. Mr. Chairman, I rise in strong support.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as she may consume to the gentlewomen from Rhode Island [Mrs. SCHNEIDER].

Mrs. SCHNEIDER. Mr. Chairman, I rise in opposition.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. LENT].

Mr. LENT. Mr. Chairman, I rise in strong support of the resolution.

Mr. Chairman, what we decide in the House today—whether to approve aid to the Contras or deny it—will affect the political future of that nation and of the entire Central American region.

Moreover, it will seriously affect the security of the United States in this hemisphere for many years to come.

Certainly, from an ideological standpoint, the hope of democracy as opposed to Daniel

Ortega's Marxist-Lenist military regime, is critical.

But even more fundamental, and what I personally perceive to be the deciding factor in this debate, is the fact that the Sandinista government threatens to destabilize Central America and ultimately the entire hemisphere.

The massive flow of Soviet-Cuban arms and materiel into Nicaragua—now estimated at approximately $500 million—is no secret. A government supported by Soviets and Cubans is bound to be a source of constant instability in a region of fledgling democracies, many of which are weak militarily. It took Daniel Ortega's flight to Moscow a few days after the Contra aid vote last year to dramatize the Soviet connection, and since that time, the situation has not changed. Neighboring countries in the region—Honduras, El Salvador, Costa Rica—regard the Sandinista government as a serious military threat to their sovereignty.

I don't think anyone—Republican or Democrat—could argue the fact that the United States has a vital interest in preventing the establishment of a Soviet base in Nicaragua. Yet my colleagues who oppose this aid package offer no alternative solution.

They place their faith in a diplomatic process that, in my view, is doomed to failure because of the nature of a key participant, the Ortega government.

Mr. Ortega and his associates gained power through force of arms and they are not going to relinquish that power, either in whole or in part, because of the Contadora process. The Sandinistas understand one thing and one thing only—force. And they will not seriously negotiate until they are forced to do so.

A democratic Nicaragua is the only hope that this threat will not materialize. This is a goal worthy of support and those willing to fight for the cause are deserving of American support. Thank you.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. FIELDS].

Mr. FIELDS. Mr. Chairman, I rise in strong support of the resolution.

Mr. Chairman, it seems clear to me that if client rulers of the Soviet Union obtain external assistance to maintain their rule, certainly those citizens who are deprived of liberty have the right to ask for external assistance to reclaim it.

The Sandinistas' military buildup in Nicaragua and their dependence upon Soviet bloc and Cuban security advisers began shortly after Anastasio Somoza was ousted and before the advent of anti-Sandinista military operations. Since 1979, the Sandinistas have received at least $500 million in military assistance from Cuba and the Soviet bloc. There are 6,000 to 7,500 Cuban military and civilian advisers in Nicaragua. In addition, there are about 300 other advisers from the Soviet bloc, Libya, and the PLO. The Sandinistas have received sophisticated Soviet military hardware, including the formidable Hind helicopter gunships. Cuban military advisers are found down to the company level and are playing an increasing operational role, including the piloting of the Hind helicopters supplied by the Soviet Union.

Those who contend that the Sandinista government in Nicaragua is a legitimate government, sustained by the people, need only look at the facts to see that it is not. Its power is sustained through repression, foreign assistance and those who are bent on securing Nicaragua as a Communist stronghold on the American Continent.

Let there be no misunderstanding as to what the goals and objectives of the Sandinistas are. Statements by the Sandinistas and their allies plainly spell it out:

On July 19, 1981, Tomas Borge, the Sandinista Minister of Interior, said, "This revolution goes beyond our borders. Our revolution was always internationalist. * * *"

On September 1, 1984, Colonel Muammar Qadhafi was quoted as saying, "Libyan fighters, arms, and backing to the Nicaraguan people have reached them because they fight with us. They fight America on its own ground."

Sandinista leaders and PLO leader Yasir Arafat have voiced their sympathy for each other and their common cause, as Tomas Borge did in 1980, saying, "We say to our brother Arafat that Nicaragua is his land and the PLO cause is the cause of the Sandinistas."

Before coming to power, the Sandinista revolutionaries promised that they would hold free elections, guarantee human rights and remain nonaligned in foreign policy. They have betrayed their many promises. In early 1980, the Sandinistas signed an accord with Moscow and ratified the Soviet invasion of Afghanistan. In 1980, the Sandinistas reneged on its promise to hold elections, announcing instead that elections would not take place and banned electoral activities until 1984. On October 15, 1985, the Sandinistas extended restrictions on fundamental civil rights guaranteed in the Statute of Rights and Guarantees of Nicaraguans. The October crackdown formalizes de facto Sandinista restrictions on civil liberties that have been imposed in varying degrees of severity since the Sandinistas came to power in 1979. Some of the same people who fought tyranny under Somoza are now fighting repression at the hands of the Sandinistas.

Let there be no misunderstanding as to the extent to which the Sandinistas have gone to deny their people basic civil rights. Some of the rights and freedoms which have been suspended include: Freedom of information, freedom of expression, right of peaceful assembly, right to a trial and freedom from arbitrary interference in personal life, family, home, and correspondence, Catholics, protestants, and Jews have been the target of severe religious harassment and persecution as part of the Sandinista policy to supplant the teachings of these religions with the Marxist-Leninist doctrine of the Sandinistas.

According to accounts from ex-prisoners, ex-Sandinistas, Nicaraguan defense lawyers, and relief agencies, there are approximately 11,000 to 13,000 political prisoners being held within the prison network operated by the Sandinista regime. The Sandinista military along with State Security Forces have indiscriminately imprisoned political opponents of the Sandinista government since the beginning of 1980. Accounts gathered from former political prisoners describe a policy by the Sandinista police and security forces of using systematic means of torture to extract information from civilian prisoners, intimidate those who oppose the government, and weaken the resistance of the opposition.

Under such circumstances, it is not surprising that more than 400,000 Nicaraguans have fled their country between 1979 and 1985. These people have fled Nicaragua to escape this terror and thousands more stand ready to flee, both in Nicaragua and throughout the region, if this terror imposed by the Sandinista regime is allowed to continue.

Mr. Chairman, the President and I have a commitment to democracy in Nicaragua. The people in Central America are waiting for Congress to make up its mind as to whether it is also committed to democracy in Nicaragua. Negotiations have failed and only provide the Sandinistas the necessary time to complete their consolidation of power in the region. We cannot abandon the brave men and women—the trade unionists, church people, businessmen and women, the farmers and ordinary citizens who are struggling, both from within and from exile for the freedoms for which they waged a valiant revolution in 1979. They do not ask us to fight the fight for them, they only ask that we help even out the odds against them.

One hundred and fifty years ago, Col. William Barrett Travis and 187 brave men stood outnumbered and outgunned at the Alamo. There, Colonel Travis drew a line in the sand to see who would stay and fight with him. Mr. Chairman, now is the time for us to draw the line in the sand. The question remains, are we for democracy, or are we not?

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota [Mr. WEBER].

Mr. WEBER. Mr. Chairman, I rise in support to the resolution.

Mr. KASTENMEIER, Mr. Chairman, I would like to make a personal observation on aid to the Nicaraguan Contras. I am one of the few Members of the House presently serving who served during the period of our slow but steady descent into the quagmire of the Vietnamese civil war.

There may be those who dismiss any comparison between Vietnam and Nicaragua as ancient history or as being irrelevant to present day circumstances. But, the similarities between Vietnam and Nicaragua are striking and we are still living with the tragic results of our experience in Vietnam.

In South Vietnam, a nation about which we knew little, we propped up government after government, each lacking in any political legitimacy and each failing to win the supoport of the people of South Vietnam. We understand the power of nationalism in Vietnam and the desire of the Vietnamese people to rid their nation of forces from foreign powers. Our military advisers in South Vietnam grew into military battalions, and when we found that the South Vietnamese military couldn't carry the fight, these battalions became military divisions. We had a President who became obsessed with a domino theory which held that is South Vietnam toppled, all of the Southeast

Asia would fall to a Communist force directed from China and Moscow. In the end, we sided with a decaying political, social, and economic class against a popular mass movement and we lost.

With Nicaragua, again a nation about which the American people really know very little, we are propping up a counterrevolutionary force which has no political legitimacy and very little if any, popular support among the people of Nicaragua. We are again underestimating the spirit of nationalism among the Nicaraguan people and their deep-rooted suspicion of the powerful Yanqui from the north. We, again, are supporting the forces of reaction against a popular mass movement. We, again, have a President who is obsessed with a red menace which, he believes, is directed from Moscow and which, he maintains, will sweep up to the southern borders of the United States if the Sandinista regime is not eliminated. We, again, are finding that the forces which we are supporting are unable, on their own, to win a military victory. U.S. military advisers which will be attached to the Contra forces will, I fear, be augmented by U.S. military forces once the administration comes to accept the fact that the Contras, by themselves, will be unable to overthrow the Sandinistas.

Unlike Vietnam, however, I believe that United States military forces, after paying a price, will be able to conquer the Nicaraguan Armed Forces. But, we will learn that we will never be able to conquer the spirit of the Nicaraguan people and they will hate us for occupying, again, their nation.

History is a teacher, and if we fail to learn the lessons of history, then we are destined to repeat the mistakes of the past. Let us not relive our sad experience of Vietnam through a dirty war in Nicaragua.

Mr. STRATTON. Mr. Chairman, one of the most obvious aspects in this debate is that to a very large degree it is frankly partisan. The Democrats, with some few exceptions, are strongly opposed to providing aid to the anti-Communist groups in Nicaragua; while the Republicans, also with few exceptions, support the President's initiatives.

But it has not always been thus in the long history of our Nation. On the Democratic side of the aisle I daresay an overwhelming majority of Democrats—if you ask them who is their most revered President—will say Harry Truman.

But I wonder how many of these members—who are determinedly resisting the pleas of the White House in this debate—remember that one of President Truman's most courageous and most effective achievements was virtually a mirror image of what President Reagan is asking this 99th Congress to approve?

When President Truman took over the Nation's leadership following the death of Franklin D. Roosevelt, his first official contact with the Soviets was at the Potsdam Conference outside East Berlin. Mr. Truman came back home deeply pleased that he had achieved a warm, personal relationship with Marshall Stalin and regularly referred to him as "good, old Uncle Joe."

But it didn't take very long before that form of address for the Soviet dictator was replaced by some of the more colorful language Mr. Truman used when he really got his dander up.

At Potsdam Stalin had agreed to get his Red army forces out of the Azerbaijan district of Iran, which—during the war—had been the narrow, southern corridor through which United States lend-lease materials had reached the Soviet Union. But Harry Truman suddenly discovered that "good, old Joe" had been dragging his heels in Iran. Truman believed that promises should be lived up to. He gave Joseph Stalin a piece of his mind; and in short order, the Soviet troops were out of Azerbaijan, though subsequently they went back in.

But that was only the beginning. Before long Mr. Truman was advised that Communist agents—and armed guerrillas—were moving in in force to take over two other countries adjacent to the Soviet Union—Greece, the ancient birthplace of democracy, and Turkey. This is very much the same way the Soviets are taking over Nicaragua behind the cover of the Communist Sandinistas and what they had tried to do in Grenada but fortunately failed.

Once again Mr. Truman got his dander up. The President went before a joint session of Congress on March 12, 1947—nearly 39 years to the day—and called on Congress to appropriate funds to both Greece and Turkey—not just humanitarian aid, but also military aid to enable both countries to preserve their integrity and wipe out effectively the insidious Communist infiltration coming from Yugoslavia and Albania. And the peril to us after 39 years has moved within just 2 driving hours on the North American Continent from the borders of the United States.

If you have visited Greece you have seen the statue of President Turman which the people of Greece erected to express their deep gratitude to that courageous and outspoken President for his decisive action in enabling Greece to preserve her historical democracy and drive out the Communist subverters.

I have never heard a single Democrat who ever faulted Harry Truman for saving Greece and Turkey.

So why is it, I wonder, that what Harry Truman was courageous enough to do in 1947—and was made possible, by the way, with the broad support that he got from that terrible Republican 80th Congress—a Democratic 99th Congress now appears to be turning down a very similar initiative to ensure freedom and self-government in place of Communist oppression on the North American Continent.

Incidentally, both leaders learned the true meaning of communism through sad experience and both fought it bravely and effectively—President Truman in those early days in the White House, and President Reagan as a result of his experiences with Communist penetration of the Screen Actors' Guild.

As the philosopher George Santayana put it: Those who are unwilling to learn from the mistakes of histroy are condemned to repeat them.

Mr. Chairman, we are told this will be a very close vote on the matter of Contra aid. Let me just say that, if all those Democrats who claim Harry Truman as their political hero will emulate what Harry Truman urged Congress in 1947 to do in stopping communism in the Mediterranean and will support President Reagan's very similar plea to stop communism on our own North American Continent, the bill we argue here today is bound to pass by a wide margin.

Mr. FRENZEL. Mr. Chairman, aid to the Contras has become a big issue; $100 million of reprogrammed funding would seem at first glance to be a modest sum, but the President has given this proposal prime importance and urgency. Naturally, opponents have given it equal importance.

The President has spelled out the threat in stark terms on television. Nicaragua is a small country with minimal resources, but he sees it as a mainland foothold for communism and a source for the spread of revolution and terror in Central America.

Nobody has a good word for the Sandinista government. It is Communist and highly repressive. Its advisors from other Communist countries, its substantial military presence, and its aggressive attitude have made neighboring countries understandably nervous.

Opponents of the proposal have been apparently willing to stipulate that the Sandinistas are nasty and dangerous, but have no practical solutions to contain them, to change their behavior, or to root them out. I am troubled by the fact that extreme-left dictatorships never exit gracefully. Unlike rightwing dictatorships, which, in Latin America, often fade away, Communist dictators have to go out feet first.

What bothers me about the President's proposal is that I don't think that the Contras are a force sufficent to remove a threat as massive as the President describes. The Contras have been in place for years without attracting many recruits, or even much attention for that matter. An extra $100 million would seem unlikely to make them much stronger, or to bring the Sandinistas to their knees.

To his credit, the President has been cooperative and accommodation about being willing to hold up most of the funds pending 90 days more of negotiations with specifically stated objections. The funds won't be available until those negotiations have not been successful. His proposed Executive order, worked out after discussions with a group of Congresmen, makes his overall proposal more extractive.

This additional proposal of the President, seems to be close to a proposal the House Democrat leadership is now said to be willing to schedule in mid-April. This narrowing of differences is not uncommon in issues of this kind in which the President has taken such a strong position. The Nicaragua problem is one on which there should be a national consensus rather than a narrow partisan majority.

Unfortunately, the House majority has refused to allow amendments so that this body might reach such a consensus.

While I do believe that the proposal will be ineffective it will at least be a holding action. The alternative of a negative vote exposes the Contras and leaves us without any policy. I think it is unfortunate that both sides are dug in so deeply.

When all is said today, I come to several conclusions. I don't like the proposal of the President, and I don't like the idea of voting

down the only proposal before this House, and one on which the President has staked his leadership.

Mr. FORD of Michigan. Mr. Chairman, I rise in strong opposition to House Joint Resolution 540, the President's request for $100 million for aid to the Contras in Nicaragua.

I recognize that the Sandinista regime has grown increasingly repressive and has sought to consolidate its power further. Regardless, the issue remains how we should deal with this regime. The President seeks to use military assistance to solve the problems in Central America through violence and bloodshed. I prefer that the United States pursue negotiations and diplomacy to deal with the problems of Central America, as urged by our democratic allies in the region.

First, I feel that it is necessary to put the situation in Nicaragua into the proper perspective. Nicaragua is a nation with an area slightly less than that of the State of Alabama and has a population of 3 million—just about the same number as Wayne and Macomb Counties in Michigan.

It is also important to take a close look at exactly who are the Contras and what the United States would be supporting should the Congress approve this aid. First, the Contras are equally, if not more, abusive of human rights than the Sandinistas. The administration has attempted to deemphasize the brutality of the Contras. However, the reports of human rights abuses by the Contras are too frequent, too widespread and too well documented by unbiased observers to be ignored.

One of the primary tactics of the main Contra group [FDN] is to attack any organs that it views as part of the Sandinista government. These targets include agricultural collectives, health clinics, and schools. The unfortunate result has been the deaths of innocent civilians.

In addition, the military leadership of the FDN is dominated by former members of Somoza's brutal and hated National Guard. Last year 46 of the top 48 military leaders of the FDN were former National Guardsmen. Although the administration has noted that the overall percentage of FDN members who are former National Guard members is relatively small, the President has refused to recognize that these members of Somoza's security force continue to dominate the miltiary hierachy of the FDN. This is one of the primary reasons why the Contras lack popular support in Nicaragua.

The Contras are further plagued by serious factional divisions and an inability of the factions to work together. The FDN is but one of many guerrilla groups. A second major group under the leadership of Eden Pastora, a one-time Sandinista, has refused to work with the FDN because of the extensive presence of ex-National Guardsmen.

In addition to being factionally divided, the Contras are also militarily weak. Estimates indicate that the Contra currently number 13,000 to 14,000 soldiers. However, upward of 70 percent of the FDN Contras have not left Honduras since October. Only 6,000 Contras have recently operated in Nicaragua. Even with U.S. aid, the Contras would be in no position to challenge the Sandinistas militarily.

Instead of providing $100 million to the Contras, the United States should push ongoing diplomatic efforts of our Central and South American allies. In January the leaders of the Contadora group issued what has become known as the Caraballeda statement calling for the "termination of external support to the irregular forces operating in the region." This is just the latest in a series of ongoing efforts by the Contadora group to achieve a regional peace plan.

The nations supporting this effort include Panama, Mexico, Venezuela, Colombia, Argentina, Brazil, Peru, and Uruguay, all of which are members of the Contadora or the Contadora support groups. The latest statement has also been endorsed by other nations in Central America. This action has breathed fresh life into the Contadora process. To approve the President's request would slam shut the door on a potential peaceful solution.

Mr. Chairman, in times of tight budgetary constraints and the guillotine of Gramm-Rudman, there are much wiser uses of $100 million. The President's request is cloaked in the guise of a transfer of already appropriated funds from Pentagon ammunition accounts. The Secretary of Defense has made it clear that the administration intends to make up the money in ammunition accounts from unappropriated and unauthorized funds. There are only two possible sources for this funding. Either $100 million can be added to the deficit or $100 million more can be cut from domestic programs. If we were to approve any additional funding, I would prefer to see this money added to child nutrition, education or job-training programs—programs that have been devastated by budget cuts and that will provide concrete benefits to our Nation's citizens.

In closing, I feel compelled to comment on the tenor of debate on this issue and, in particular, some statements from the administration questioning the patriotism of opponents of Contra aid. In my 22 years on the House, I have never heard such personal, red baiting attacks as those we have heard from the White House over the past month. I served in uniform in two wars—World War II and the Korean war. I resent any implication that I or any of my colleagues who oppose military aid to Contras are less than patriotic.

Mr. WORTLEY. Mr. Chairman, for the last 4 or 5 years, this body has been debating the question of whether we should aid the resistance forces or give negotiations just one more chance. Except for last year when a strictly humanitarian aid package was approved, negotiations have won every time.

What has this restraint done for reconciliation in Nicaragua and peace in Central America? Nothing.

What restraint have the Sandinistas shown in their military buildup and internal repression? None.

So why are so many people saying "negotiate, negotiate" when the Sandinistas will agree only to peace proposals that include no verification measures? And, most importantly, refuse to talk with their opposition?

There is no question that we have to continue efforts to negotiate, but it has become abundantly clear that the Sandinistas will not agree to live up to the promises they made to the Organization of American States in 1979 without pressure being brought to bear on them. Seven years later, it's time to face up to that fact and get serious about helping the resistance forces.

Just once, I would like to hear someone opposed to military aid offer a realistic alternative.

They say don't send military aid, it will escalate the conflict. What do Soviet MI-24 Hind helicopters, the infamous flying tanks shipped to Nicaragua in November 1984, do to the conflict? What did $200 million in Soviet and Cuban military aid from May 1984 to September 1985 do to the conflict? If those opposed to military aid will recall, that is the very period of time during which the United States provided no aid—military or humanitarian—to the Nicaraguan resistance.

It seems to me that if the theories of those opposed to U.S. aid to the resistance were valid, the Sandinistas would have halted its military buildup and made some good faith efforts toward negotiations and reconciliation. Yet they continued to refuse to talk to the resistance forces, and in the Contadora negotiations, they rejected verification procedures that all of the parties to Contadora—including Nicaragua—had previously agreed to.

I am puzzled. What history of Sandinista actions supports the idea that negotiations without military pressure are going to work? Perhaps the problem is that we see different goals for negotiations. The goal I see for negotiations is a Nicaraguan Government that fulfills the promises made to the Organization of American States in 1979. A government that seeks reconciliation among the Nicaraguan people, a government that is not a threat to its neighbors, a government that does not support terrorism and drug trafficking, a government that operates in a pluralistic society in which freedoms and human rights are respected.

I get the uneasy feeling that those opposed to military aid are resigned to the Sandinistas running Nicaragua as a totalitarian police state, let them have Nicaragua. World public opinion will keep them in their own country.

My only response to that is world public opinion hasn't kept the Soviet Union out of Afghanistan or Vietnam or out of Cambodia.

I have even heard some people say that the Soviets have no interest in establishing another Cuba on the North American mainland. Why do they think the Soviet Union, Cuba, and Libya have been investing hundreds of millions of dollars in military hardware, training, and construction in Nicaragua? To build a vacation resort?

And while the United States Congress repeatedly debates the same issues and refuses to face the issue squarely, what is happening in Nicaragua?

In January of this year, Cardinal Obando y Bravo wrote to the Secretary General of the United Nations outlining the government's attacks on the Catholic Church and stating the Nicaraguan bishops' belief that the purposes of these activities is to, among other things, reduce it to a church of silence. This is the same Obando y Bravo who was an active opponent of the Somoza regime. We listened to

him then, and I believe we should listen to him now.

There are no easy answers to the situation in Nicaragua. We have to look at alternatives and judge which offers the best opportunity for protecting the security interests of the United States and of our Central American neighbors, and which offers the best hope for a free and peaceful future for the Nicaraguan people. Military aid is the only alternative offered that has any real hope of achieving these goals.

The Nicaraguan resistance seeks no territorial gain. These people are seeking an end to bloodshed in their country.

All they want is leverage to get to the bargaining table.

The least we can do is to provide them that leverage. I urge your support of this resolution.

Mr. LIPINSKI. Mr. Chairman, I would like to take this opportunity to speak in support of the proposed $100 million aid package for the Contras in Nicaragua.

The civil war in Nicaragua has presented this country with a foreign policy dilemma. This issue has invoked a wide disparity in public opinion which runs the gambit from protecting our national interests to the outcries of American interventionism. Unfortunately those who advocate a laissez-faire approach and oppose the Contra cause have closed their eyes to the overriding issues of a democratic balance in Central America and the long term security interests of the United States.

The Sandinista government led by Daniel Ortega have been masquerading as a model for democracy in Central America while in reality they have pursued a course which embraces the communist ideology permeating from the Kremlin.

Their open alliance with the Soviet Union along with a propensity to export subversion in the region demonstrates a clear and present danger to hemispheric stability.

Although the Contras possess some misgivings they do represent the only legitimate deterrent to Sandinista adventurism and Soviet expansion in Central America. To refuse to support this option will only lead to increased subversive activities in the region, and the realization that the only viable alternative left will be the presence of American soldiers. The revolution may not succeed with U.S. help, but it will certainly be destined to failure without it. Anyone who is fearful of a direct U.S. military move in Nicaragua should be eager to assist in bolstering the Contra movement.

The danger of escalated civil unrest in Central America is only heightened by the lack of commitment to the Contras who seek only to finalize the democratic revolution that the Ortega government repressed. In fact the Contras are no more guilty of human rights violations than are the Sandinistas who are violating the basic freedoms of the entire population. Moreover the reports of Contra atrocities are fradulently manufactured by the Sandinistas for the edification of the international media. Their principal goal is to disseminate false information about the nature of their own system so as to convince the world community that they are really not Communists.

Opponents of Contra aid will continue to cite the glaring errors of the Vietnam era and the potential ramifications that may occur in Nicaragua. Those errors and the loss of American lives may in fact occur if we abandon the goals of the Contras, whose purpose is to bring about a democratic sharing of government through an honestly elected government. A goal that the Sandinistas paid lip service to during the overthrow of General Somoza.

If the Contra objective is not eventually reached we will have a Soviet satellite similar to that of East Germany, Hungary, and Cuba at the doorsteps of this country.

In security terms, Central America is of considerable importance to the United States. An unstable Central America presents a grave threat to both the Panama Canal and Mexico. A militarily powerful Nicaragua committed to the interests of Moscow will eventually force the United States to divert more and more resources to protecting neighboring democracies in the region. In time of war, the Sandinistas could provide bases for Soviet planes and ships that would endanger vital American shipping interests through the Panama Canal.

If the United States abandons the Contras, it will be tantamount to an open invitation to the Soviets, who have already supplied the Ortega regime with an array of economic and military aid. Failure on our part to assist in the democrative revolution will allow the Warsaw Pact to build a second beachhead on the North American Continent.

There are some who may argue that Nicaragua is a developing democratic entity which is devoid of any outside influence. If that is the case how can these same people justify the presence of Cubans, Bulgarians, Libyans, Czechs, North Koreans, East Germans, Vietnamese, and elements of the PLO operating in various capacities within the borders of Nicaragua. The hands of international communism are clearly outstretched to Daniel Ortega.

Congress must decide now whether it will stifle international communism in Central America or let it spread like a cancer through the democracies of North America. Unfortunately in Nicaragua today there can be no self-determination as long as the Soviet Union and its clientele are allowed to nurture and grow on our back doorstep.

If we choose to deny these friends of democracy a real chance at self-determination we will be condemning the Nicaraguan people and very possibly our Latin American neighbors to a turbulent period of Communist domination that someday may reach our shores.

Mr. FAWELL. Mr. Chairman, I would like to express my thoughts in reference to this most difficult question of "aid to the Contras."

LEGITIMATE, NEW REVOLUTION IN NICARAGUA

First, I believe there is a new revolution going on in Nicaragua. There are 16,000 to 20,000 young men, ages 17 to 24, mostly compesinos, farmers, who have volunteered, without pay, to fight in this new revolution. There were only 6,000 Sandinistas who fought the revolution against Somoza. It is difficult for me to assume that these young men, many of whom are Sandinista army deserters, will volunteer for rugged battlefield duty unless, indeed, there is significant disenchantment with what the Government of Nicaragua is doing to its people. I believe that disenchantment is now widespread throughout Nicaragua. A successful Contra revolution is possible if the United States will lead the way to a unity of all anti-Sandinista forces including the FDN, the Southern Opposition Bloc [BOS] led by Eden Pastora and Alfredo Cesar and Brooklyn Rivera's Misurasata Miskito Indians.

NICARAGUA—A MILITARY POWER

Second, knowledgeable estimates are that Nicaragua today has 145,000 trained men under arms.[1] They are professionally trained under Soviet and Cuban military advisers. They are well equipped with modern weapons, including 154 Soviet tanks and, just recently, Soviet helicopter gunships. Nicaragua has reportedly received more than $500 million in military aid from the Soviets alone. There has been an escalation of the military buildup by the Sandinistas during the past 2 years. Most of the military buildup came as a result of weapons' deliveries from the Soviets, Cubans and most of the Communist world while the United States maintained a policy of no arms shipments to the Contras.

NICARAGUA—A TOTALITARIAN STATE

Third, the promises of the Sandinistas to the Organization of American States to form a democracy, a pluralistic society and one which is not aligned with the East or West has been openly broken. Nicaragua is today a totalitarian state. It exports terrorism and revolution. There is no freedom of the press in Nicaragua. There are no trade unions. The right to strike by labor is outlawed. The church is persecuted and censored. Open-air Masses are prohibited, the Catholic radio station has been shut down, its newspaper suppressed, its printing press confiscated, its social welfare office seized; seminarians have been illegally drafted into military service and imprisoned and priests deported. Civil rights have been taken from the people. The International League of Human Rights estimates that there are now between 3,500 and 7,000 political soners in Nicaragua, not including the 2,500 National Guardsmen. The deterioration of civil rights began soon after the Sandinistas took power, while the United States was given $100 million in economic aid to Nicaragua and before the Contras were ever heard of.

Robert Leiken, in a recent edition of the New Republic, sums it up as follows:

> The once enormously popular support for the Sandinistas has virtually vanished, and their power now depends on a military and security apparatus built by Moscow and Havana.

CONTRAS CAN WIN

It is said that the Contras cannot win such a revolution against the superior military strength of the Sandinistas. But then revolutions never do seem to have much of a chance in Marxist-Leninist nations. And to be sure, if we give the Sandinistas and their Soviet and Cuban allies much more time, Nicaragua may well be molded in a permanent Communist form. But I don't believe it is too late. I don't believe, at this time, the conscript army of the Sandinistas has the will to defend

[1] That total is made up of about 63,000 regular army troops, 22,000 reserves and a 60,000 man militia. (Source, *Chicago Tribune*, March 15, 1986, Vincent J. Schodolski)

a system in which they basically do not believe. Nor do I believe that the Contras' winning is the whole name of the game.

WITHOUT AID, NO SERIOUS NEGOTIATIONS

I believe it is naive to assume, given the military power now in the hands of the government of Nicaragua, that the Sandinistas would seriously negotiate for democracy and freedom in Nicaragua once the challenge of the new revolution is snuffed out. And I believe the new revolution will be snuffed out if America will not give it military and humanitarian aid.

WILL AID DRAW UNITED STATES INTO WARS

Will aid to the Contras draw the United States into war? I think the reply to that question has been eloquently answered by the editors of the New Republic:

Nothing is more likely to force American military intervention than the consolidation of an aggressive, highly militarized, pro-Soviet regime in the area. The Contras want to do their own fighting. Cut them off, and the only body in the hemisphere able to restrain the Sandinistas will be the U.S. Army. Of course, American military involvement can never be ruled out. But destroying the only indigenous armed opposition to the Nicaraguans hardly seems the way to prevent it.

SALIENT QUESTION

I believe the salient question before this Congress is not over the respective morals of today's, admittedly ill-trained Contras, and the conscripted young men who form the Sandinista army. It is a tragedy that a civil war pits these young men against each other. But the division is there. And it is real. The question before this Congress is which group, today's Contras, or the government of Nicaragua, better represents the possibilities of freedom and democracy for Nicaraguans and Central Americans and which group offers the greatest hope for stability in Central America.

I do not mean to imply by these words that I endorse all that the administration has done in Central America. I would prefer to hear the administration talk more about how it is attempting to implement the development and economic aid recommendations of the Kissinger Commission so that what has happened in Nicaragua will not happen in other Central American nations. We now know that abject poverty, injustices and closed political systems have been the genesis of the people's problems in Central America. We have much to do also in promoting a broad national movement within the resistance forces for a democratics solution to the Nicaraguan crisis.

But exchanging the totalitarian state, run by Somoza, for another one, run by the Sandinistas and ignoring the Contras' revolution, as though it has no significance, is no solution. Again, allow me to quote the editors of The New Republic:

Those who advocate dramatic American intervention in pro-American dictatorships should not be suddenly stricken with scrupulousness about the sanctity of sovereignty when intervention is proposed in states ruled by pro-Soviet Leninists.

NO EASY VOTE

It's not an easy vote to cast. There are no guarantees, no certainties. But I cannot vote down military aid and face what I feel will be the inevitable consequences—both for Nicaragua and eventually for Central America, Mexico, and the United States—of a consolidated, Soviet-backed expansionist Sandinista regime.

Mr. WAXMAN. Mr. Chairman, after all the hours spent debating aid to the Contras, one question remains: What will the gift of $100 million accomplish?

Will it accomplish a military victory for the Contras? All the evidence indicates that $100 million is far too little to materially change the military balance between the two sides. That judgment was supported recently by the Acting Director of the CIA, who said the majority of experts in our own intelligence community believe the Contras cannot win this war without massive outside help.

Will it cause the Sandinistas to bargain with us about the nature of their regime? This is as much a fiction as the notion that the Contras only need $100 million more to win. The Sandinistas have shown that under Contra pressure, they will dig in deeper and force Nicaraguans to bear greater hardships in order to maintain the fundamental character of their regime.

Do we hope to prevent the Sandinistas from intimidating or even invading their neighbors? This is a worthy objective, yet not an argument for Contra aid. The Sandinistas know nothing would be more likely to bring outside intervention, including that of the United States, than turning their army against their neighbors. We must enunciate a firm and clear position that Sandinista pressure against its neighbors is totally unacceptable to us and will be repelled.

Finally, will this prevent, as some have suggested, the establishment of Soviet bases or missile silos in our hemisphere? That is another worthy objective, but one to which Contra aid is peripheral. The United States and the Soviet Union—not Nicaragua—are the two nations that will decide whether Soviet bases are established in Nicaragua. This requires that the Soviets know what we will and will not tolerate in this area, and that we make that stick; it does not depend on an ill-fated band of insurgents.

No, Mr. Chairman, aid to the Contras will accomplish none of these things I have mentioned. But it will accomplish some others:

It will accomplish the killing and maiming of many people. Many of whom will be ordinary Nicaraguans trying to simply live their lives.

It will accomplish the destruction of much property and economic infrastructure, which in a country as desperately poor as Nicaragua amounts to terrible tragedy.

And finally, it will assuage the consciences of many people who want to be able to say: "I'm doing something about communism," even if they know in their heart it will not change a thing.

Mr. Chairman, I suggest that if we really want to "do something about communism," we not wait until communism has come to a country to take an interest in that country. If we really want to prevent communism in Nicaragua's neighbors, we should commit our prestige and energy to attacking the problems that breed it: Poverty, inequality, hopelessness. Many Members have referred to Contra aid as "an ounce of prevention"; the real prevention is policies that help Central Americans gain a stake in the present system.

Finally, let me say a word about the so-called compromise coming from the White House today. This does not change the merits of the question one bit. The administration offers to spend $25 million in nonlethal aid over the first 90 days. This of course permits air defense weapons, logistics, and communications gear. After a mild 3-month delay, the Contras would begin buying everything else. Twenty-five million dollars in the first 90 days exceeds the rate at which the overall $100 million could be spent, as it is an 18-month appropriation. So what are they giving up?

In short, Mr. Chairman, I believe that this $100 million will be simply an expensive way of expressing our dislike of the Nicaraguan regime, not a prescription for change. It will serve merely as an irritant to the Sandinistas—one that is cruel, and ultimately, ineffectual.

Mr. BROYHILL. Mr. Chairman, today we are faced with the responsibility of making an important decision. Should we support or oppose our President's request for aid to the freedom fighters in Nicaragua?

I support the President's proposal. I realize there is strong opposition to this proposal. However, there should be strong consensus on another issue, that is, the values that we as Americans cherish—opportunity, justice, and freedom. Furthermore, I believe that we cherish these values not only for ourselves, but for all people of the world.

In our own hemisphere, in Nicaragua, we see others who have lost the freedoms we have fought for: freedom of speech, freedom of the press, freedom of worship, and a constitution full of other freedoms. The freedom fighters are fighting for these principles, and I believe the United States has the responsibility to help; to help them build democratic institutions, to bring peace to their long-suffering people, and to help them transform the principle of freedom into the practice of freedom.

Of course, the Sandinistas, along with the Cubans, Soviets, and other Marxist-Leninists in Nicaragua, have their own values, chief of which is the establishment of another Soviet-allied state and the export of revolution throughout Central America, and training and weapons have been supplied by the Soviets for this task. From January 1981 until late 1985, the Sandinistas received over $500 million in military hardware from the Soviets. Some 10,000 Soviet, Cuban, East German, and Libyian "advisors" assist the Sandinistas.

By supporting an American aid package to the freedom fighters, we are supporting our unwavering commitment to peace and freedom. We are giving the Nicaraguan freedom fighters support in their struggle for a representative government.

Mr. GEJDENSON. Mr. Chairman, in 1964, President Johnson gave a memorable speech in which he appealed to the United States Congress to approve a request for more military assistance to the Government of South Vietnam so that "American boys won't be sent to fight Asian wars." Today you could substitute "Central American" for "Asian" and you would get a sense of where this policy is going. It is going to bring our country deeper

into a war in Central America, a war that we have already spent $250 million on.

Maybe some of my colleagues would like to think that the United States can blindly continue spending in hundreds of millions of dollars on military bases in Honduras, on naval maneuvers off Nicaragua's coast and ground-to-air missiles for the Contras and all the while not really getting involved in this messy guerrilla war. Maybe there are some who still believe the United States can throw its money and its national prestige into the Contra coffers and still maintain a certain detachment from the kidnaping, from the raping, and from the killing. Maybe, just maybe, there are some who can convince themselves that America can finance, direct and manage a rebel army to fight a bloody battle and keep American troops out of it. I am sure there are still some who believe that the United States can topple a government on the cheap, like we did in Guatemala in 1954. But history shows us otherwise. It shows us that a little bit of covert aid leads to a lot of covert aid and that a lot of covert aid leads to advisers and advisers lead to open aid and open aid inevitably leads, in the end, to the critical investment of our Nation's integrity. And when that point is reached, it becomes, we all know, tremendously difficult to pull back, even if the side you are on is not worth what you stand to lose in credibility, in integrity and in the end, lives.

And that is the precipice we are poised on at this moment because it is abundantly clear that the Contras are not cutting it even after 5 years and $250 million, and if that is what our policy is based on, our policy is not working. So, the question now is: Do you throw another $100 million at a failed policy or do you stop and consider what your options are before those options are lost? I would opt for the latter.

The real lesson of Vietnam is that there must be public support for a policy in order for it to be sustainable. That is not the case with this policy. The American people, in poll after poll, have clearly stated their opposition to U.S. funding for the Contras.

The real lesson of the Bay of Pigs invasion is that military actions and a policy of isolation does not further American interests nor does it induce our adversaries to become more democratic.

Mr. LELAND. Mr. Chairman, I rise in strong opposition to this resolution providing the Contras with $100 million. My opposition to this aid, however, is not a sign of patriotic weakness or support for the spread of communism. The Nicaraguan people should determine their own destiny without worrying about their small impoverished nation becoming the focal point of an East-West conflict and for this reason I oppose the Contra aid.

During the 20th century there have been numerous instances of American military intervention in Central America to halt the spread of revolution or oppose governments we dislike. In these instances the result of our intervention was to put us on the side of those who used violence and repression to maintain or gain power. Our intervention aggravated the situation giving the Soviets and others the opportunity to turn the region's revolutionary ferment toward their own purposes.

Supporters of the President's aid package have gone around shouting and intimidating the American public into thinking that if we do not help the Contras, Nicaragua and the whole of Central America and Mexico will fall prey to communism, jeopardizing the security of our great Nation. Yet, the reality of the situation is that by funding the Contras we will only exacerbate the situation.

Providing the Contras with funding will be a confrontational response to a delicate situation. We will only perpetuate the "Yankee imperialist" image and force the Nicaraguan Government to accept aid from wherever offered to counter American intervention. Instead of bringing peace the United States will prolong strife and bring our Nation that much closer to direct intervention.

American interests can best be served by channeling the revolutionary aspirations of Latin Americans toward the democratic goals we espouse instead of providing military aid which can only prolong the agony of the Nicaraguan people.

The real threat to U.S. security is the instability of Central America resulting from the decades of poverty and injustice those nations continue to experience. Unless these root causes are addressed no amount of U.S. military aid or arms will resolve the turmoil of Central America. I urge my colleagues to oppose this resolution.

Mr. IRELAND. Mr. Chairman and colleagues, the harsh reality is that there is no middle ground.

In war—and that is what Communist aggression around the world and in our hemisphere is—in war, if one does not support one side, one supports the other. There is no middle ground.

Our 10-hour debate is like the 60-second TV auto filter ad. The mechanic says, "Pay me a small amount now for the filter or a larger amount later for the engine repair." The choice is pay me now or pay me later. There is no middle ground.

We cannot escape the fact that if we do not support the Contras, we are supporting the Sandinistas. There is no middle ground.

If we vote against the side of freedom, we are voting for Communist tyranny. There is no middle ground.

I ask, whose side are you on?

Mr. GALLO. Mr. Chairman, it is pure myth to suggest that the Sandinistas are just well meaning revolutionaries who were driven to communism by American insensitivity and support for the democratic opposition in Nicaragua.

The current Government of Nicaragua came to power in 1979 when a broad based coalition pledging genuine democracy, respect for human rights, a mixed economy, and a nonaligned foreign policy overthrew the Somoza regime. After the revolution, the leaders of the Sandinistas quickly took over the coalition government, purging its more democratic members. Prior to American aid to the anti-Sandinista forces, the Sandinistas began their violations of human rights and intensified the campaign of repression against internal groups such as the Catholic Church, political parties, the private sector, and the opposition press.

When the Sandinistas took power after the fall of the Somoza dictatorship in 1979, President Carter attempted to promote good relations through a foreign aid program of over $100 million. This aid was ultimately discontinued due to Sandinista animosity and support for the Communist guerrillas in El Salvador. By the first anniversary of the Sandinista accession to power, the U.S. delegation was obliged to leave the ceremonies because the Sandinistas, in the national anthem, denounced Americans as enemies of humanity. It is therefore clear that immediately after the Sandinista Revolution, the United States made a sincere effort to aid Nicaragua and use peaceful means to encourage the development of a pluralistic, democratic society.

It was well before the United States supported the Contras that the Sandinistas [FSLN] began building the largest army in the history of Central America. The buildup, at that time, was unprovoked and far exceeded defensive needs. It threatens Nicaragua's neighbors and provides an unprecedented instrument of force for suppression of domestic opposition. The Sandinista military buildup began at a time when the United States was providing significant amounts of economic assistance to Nicaragua.

Many opponents of President Reagan's proposals also argue that the United States has refused to negotiate with the Sandinistas. This portrayal of events is grossly misleading. President Carter tried to negotiate, but was rebuffed. When President Reagan assumed office, he sent an Assistant Secretary of State to Managua in 1981. If the Sandinistas would halt their military buildup, follow through on their earlier promises of democracy, and temper ties with Cuba and the Soviet Union, they could count on American aid and Washington would not support anti-Sandinistas in exile. Repeatedly, the Sandinistas have refused to negotiate with their democratic opposition.

What the Democrats in Congress apparently do not understand is that the Sandinistas use prolonged negotiations to further consolidate their power over the economy, church, schools, press, military—and all other aspects of Nicaraguan society.

Nicaragua's exiled democratic political parties and other groups, incuding trade union councils, have recently unified behind the CON banner. CON recently addressed a letter to the foreign ministers of the Contadora countries in which they pointed out that by prolonging negotiations the Sandinistas give themselves time for definitive consolidation of power. Their letter states that "every day that they—Sandinistas—acquire at the expense of your good intentions is a day that our country loses in its struggle to achieve its independence and liberty."

SOVIET INTERVENTION AND EXPANSION

Many opponents of the anti-Sandinistas both here and in Nicaragua argue that the Soviets have no plans to put a permanent military base in Nicaragua. But then again, that is what some people said about Grenada. But when the Marxist regime and the Cubans were tossed out, the Grenadian opposition discovered a bunch of secret military treaties with the Communist bloc. The Cubans and

Soviets already have a significant presence in Nicaragua. Only a very foolish contingency planner would rule out the possibility of something more.

Today, FSLN troops number 119,000, with 65,000 men on active duty. The Sandinistas say they will expand the army even further. The government has mentioned figures as high as 250,000. Somoza's National Guard numbered 14,000 men at its height. Nicaragua also receives personnel and military equipment from the Soviet Union and Cuba. Cuba has approximately 3,000 military advisors in the country, while the U.S.S.R. has sent over $500 million in military aid since 1981. Since August 1979, the Sandinistas have shipped arms and ammunition to the Communist guerrillas in El Salvador and operated bases for training Salvadorans in terrorist tactics. (State Department Report 1986.) It is apparent that the Soviet Union has long range plans for Nicaragua and may only be waiting until it is not so risky to make a move to gain access to Nicaragua military facilities.

NICARAGUAN ATROCITIES AND THE "SANDINISTA LOBBY"

According to an article by Fred Barnes, which appeared in the New Republic on January 20, Alvaro Jose Baldizon Aviles, the chief of the special investigations commission of Nicaragua's Ministry of Interior, escaped into Honduras on July 1. Citing specific names, dates, and locations, Baldizon disclosed hundreds of murders of peasants, prisoners, Indians, businessmen, and opponents of the Sandinista regime, all of them carried out by Nicaraguan soldiers or police.

Even by Latin American standards this was quite an indictment—exactly the kind of firsthand account likely to trigger outrage by groups that monitor human rights in Central America. Barnes argues, however, that the indifference to Baldizon and his accusations by various "Human Rights" organizations such as the Washington Office on Latin America [WOLA] and America's Watch, was not merely an oversight. On the contrary, the indifference reflects the selective moral indignation of the group of organizations in Washington that regularly criticize the Reagan administration's Nicaraguan policy. Barnes effectively argues that while these groups are quick to judge the human rights abuses in all other Central American countries, the abuses in Nicaragua, with its increasingly repressive Sandinista regime, are explained away or ignored. As the Sandinistas are legitimized by the human rights community, the Contras are demonized. Dissenting opinions are not tolerated on this point. When Bruce Cameron of the American Civil Liberties Union decided that support of the Contras would promote human rights in Nicaragua, he was no longer welcome in the pro-Sandinista human rights community.

Many critics of President Reagan's policy claim that former members of Somoza's hated National Guard dominate the anti-Sandinista forces and that the Contra forces enjoy no popular support for their insurgency. Fred Barnes argues that while this may have been true 5 years ago, since then the Contras have been transformed from a small band of ex-National Guardsmen to a 15,000 man force that has won the support of such anti-Somoza leaders as Alfonso Robelo, Arturo Cruz, and Eden Pastora. Mass defections to the Contras, plus their ability to operate in large areas of Nicaragua, evidence the surge in popularity of the Contras and the growing disenchantment with the Sandinistas.

INTERNAL DISSENT

The Sandinista sympathizers continue to insist that political pluralism is the general rule in Nicaragua. America's Watch, for example, proclaimed in July 1985 that "While prior censorship has been imposed by emergency legislation, debate on major social and political questions is robust"—New Republic—in Nicaragua. In fact, just as under Somoza's regime, debate is allowed so long as it doesn't threaten the authorities. The censorship of the only opposition paper, La Prensa, and the closing of all opposition radio stations give ample evidence to this charge.

BREAKING INDEPENDENT TRADE UNIONS

In their "Nicaragua Update," the Friends of the Democratic Center in Central America report that as of February 1, 1986, 12 of Nicaragua's major trade unions have failed to meet government registration requirements, and can no longer function legally. All are affiliates of the Conferacion de Unificacion Sindical [CUS], a member of the International Confederation of Free Trade Unions and one of Nicaragua's two remaining independent union federations. Alvin Guthrie, of the CUS, explained that leaders of nongovernment unions are refusing to provide the Sandinistas with union membership lists, on the grounds that their members are being harassed. He also protested that the CUS journal, Soldaridad, has been prevented from publishing.

EXPORTING REVOLUTION

Nicaragua is using its military to intimidate neighboring countries while pursuing the much safer course of subversion and support for insurgencies in those countries. Documents captured on April 18, 1985, in El Salvador's San Vicente Province outline Sandinista plans to increase coordination with guerrilla factions throughout Central America. (CRS December 18/Washington Post, April 29, 1985). In fact, several Sandinista leaders have stated openly that their government intends to support revolutions to other countries. (Tomas Borge and Bayard Arce/April 18, 1984) We must not let these international terrorists spread their oppressive system throughout Central America and Mexico.

COMPROMISE

In February 1985, the internal unarmed opposition called for a national dialog involving all parties in the conflict—including the armed opposition—to be mediated by the Catholic Church. In March 1985, the principal groups of the armed opposition declared they would accept a cease-fire and allow the Sandinistas to stay in power until free elections could be held. The Sandinistas completely rejected this peaceful compromise proposal. In June 1985, the principal groups of the democratic resistance formed the United Nicaraguan Opposition [UNO].

The President of the United States has requested to the Congress that they approve of the transfer of already appropriated Department of Defense funds to the anti-Sandinista forces in Nicaragua. I strongly support this request. The key to the continued success of our policies in Central America is adequate assistance for those who seek a democratic rather than a dictatorial future for their country.

ANTI-SEMITISM IN NICARAGUA

For almost a century before the Sandinista Revolution in 1979, Nicaragua's Jewish community lived in peaceful coexistence in Nicaragua. Within a few months of the revolution, however, the systematic, anti-Semitic policies of the leftwing Sandinista government forced the Jewish community into exile. One Friday evening in 1978, Managua's synagogue was fire-bombed and set aflame by Sandinista gunmen. The synagogue was subsequently confiscated by the Sandinista government and adorned with pro-PLO and anti-Zionist propaganda posters.

The Sandinistas are closely aligned with PLO terrorists. A Sandinista press spokesman has been quoted as saying,

> There is a longstanding blood unity between us and the Palestinians. Many of the units belonging to the Sandinista movements were at Palestinian Revolutionary bases in Jordan.

Only Nicaragua and Cuba allow the PLO to maintain a fully accredited embassy in Managua. In July 1980 Yasser Arafat made a 4-day state visit to Nicaragua where he praised "the strategic and military ties between the Sandinista and Palestinian Revolutions." A Sandinista Junta member stated, "We say to our brother Arafat that Nicaragua is his land and the PLO cause is our cause."

A TURNING POINT

In the last few months, the Sandinista government has gradually shed its mask of revolutionary respectability to reveal its frightening inner character. Promises of political and religious freedoms are replaced with broad suspensions of civil liberties. Increased censorship seeks to silence an already crippled independent press. Propaganda campaigns are geared to manipulate information Soviet-style. Meanwhile, Cuban and Soviet advisers manage the Nicaraguan Armed Forces and train other Central American nationals in terrorist techniques. As each day passes, earlier promises of a free Nicaragua become disappointing memories. Increasingly, the Sandinistas' true agenda becomes apparent.

The failure to support the anti-Sandinista forces would be a travesty for the people of Central America and American foreign policy in the region. We must not back away from this Communist threat and hide behind a wall of isolationism. We must not listen to those who ignore Nicaraguan atrocities and wish to normalize relations with the Communist regime. Such a policy would be a travesty since it would significantly hamper American efforts to restore peace and freedom to the Nicaraguan people.

Mr. SHUMWAY. Mr. Chairman, I rise today in support of U.S. military and humanitarian aid to the democratic resistance forces in Nicaragua. We are witnessing the growth of a Communist cancer in Managua which threatens to spread throughout our hemisphere in the form of terrorism and subversion. We must not ignore this totalitarian regime which deprives its own people of the freedom they fought for, which openly seeks to undermine the development of democracy in neighboring

countries, and which is engaged in an unprecedented military buildup in Central America with the assistance of the Soviet Union and its allies. I therefore urge my colleagues to support those who fight for peace and democracy in Nicaragua.

It has been almost 2 years since the Congress in June 1984 suspended military aid to the resistance forces which continue their struggle for freedom. During this time the Communist government has continued its policies of internal repression, including censorship, arbitrary confiscation of property, and arrest and interrogation of persons opposing the government's policies. The consolidation of a totalitarian state modeled after the Soviet Union is clearly reflected in the Communist defense committees which control ration cards and provide information to state security forces.

Censorship has become a way of life in Nicaragua. In the words of Tomas Borge, the Minister of Interior who is responsible for state security, "Only constructive criticism is acceptable in a revolutionary process." The censors usually object to about 80 percent of the material contained in the one opposition newspaper, La Prensa. Similarly, the Permanent Commission on Human Rights must submit all of its letters, communiques and reports for censorship review. Nonetheless, in the past 90 days the Commission reported 13 substantiated cases of political murder committed by government forces.

Religious persecution by a Communist government is nothing new and the Nicaraguan regime is no exception. The Catholic Church has been an outspoken advocate for freedom in Nicaragua and has been rewarded with: prohibition of outdoor masses, mandatory Marxist-Leninist indoctrination of Church-run schools, forced draft of Nicaraguans studying for the priesthood, continuing threats to expell foreign priests, interrogation and detention of priests and Catholic lay workers, prohibition of certain church services, prohibition of the Catholic newspaper, and closure of Radio Catolica. The protestant evangelical community has also suffered arrest and detention of its members and the prohibition of prayer meetings under the 1985 State of Emergency Act. The one Jewish synagogue was confiscated shortly after the overthrow of the Somoza government. Most of the Jewish population has left Nicaragua.

In the past 2 years any semblance of freedom and democracy has vanished in Nicaragua. Limited access to the media, interference with campaigns and harassment led the six major opposition parties to withdraw from the 1984 elections. Last October the Communists declared a state of emergency and suspended all civil rights; 20,000 Miskito Indians and 60,000 peasants were forcibly removed from their homes in northern Nicaragua in 1985. Today over 7,000 political dissidents imprisoned under the Somoza government remain in detention. The players have changed, but the oppression continues.

The Nicaraguan Government received its first shipment of advanced attack helicopters from the Soviet Union a few months after the congressional ban on aid to the resistance. Nicaragua now has the largest army every assembled in Central America. It is in fact larger than any possible combination of its neighbors' armed forces. Literally tens of thousands of young men have been conscripted and are serving in the Communist army. They are heavily armed and well-equipped, thanks to the Soviet Union and Cuba which have provided $500 million in military supplies such as tanks, artillery pieces, and helicopter gunships. There are also thousands of Cubans fighting the resistance on Nicaraguan soil to support a Communist state the people never asked for and continue to oppose. It is the Cubans who are piloting the Soviet helicopter gunships which fly over Nicaragua. The Nicaraguan people challenged Somoza in the hope for freedom and democracy. The struggle continues. This time against a Communist totalitarian state.

The Communist leadership in Managua has declared a revolution without borders. Nicaragua fulfills this pledge by supplying arms, military training, safe haven, transit and false documentation to revolutionaries in Central and Latin America. Nicaragua supplied the guns seized from the M19 terrorists who stormed the Palace of Justice in Colombia killing several Supreme Court Justices. In Managua the Communists held a mass to honor the M19 terrorists who participated in the attack. Nicaragua has established a terrorist base which demonstrates its commitment to continue to support terrorism and revolution beyond its borders. The Communist regime, which maintains ties with European and Middle Eastern terrorists, receives advice from 50 Libyan and PLO advisers. These activities are partially financed by illegal drug proceeds. There is documented evidence, including photographs, of high government officials participating in international drug trafficking.

When we fail to provide support for the democratic resistance, the Soviet Union is quick to fill the vacuum with increased military aid to the Communists. After the last prohibition on U.S. military aid it was not long before Daniel Ortega traveled to Moscow and the advanced Soviet attack helicopters began arriving in Nicaragua. The Communist regime has succeeded in consolidating a totalitarian state, while failing to demonstrate serious interest in a comprehensive and verifiable regional settlement along the lines of the 1983 Contadora declaration. In contrast, Managua has proved its commitment to a revolution without borders through the support of terrorism and insurgency in Central and Latin America.

The resistance has remained steadfast in its quest for freedom and democracy in Nicaragua. Today the Congress must decide if it supports freedom for the people of Nicaragua. The resistance cannot be expected to face advanced Soviet weaponry with humanitarian assistance alone. The United States cannot reasonably expect the Communist government to discontinue its support for a revolution beyond its borders in the absence of effective resistance. We must not allow Nicaraguan support for terrorism and subversion to turn back the tide of democracy which has swept across Central America. The Soviet Union is on the verge of establishing a foothold on the North American continent. If we fail to act, they will win by default. Today it is a question of supporting the democratic resistance in a conflict within Nicaragua's borders. Tomorrow the stakes will be much higher.

Mr. BLILEY. Mr. Chairman, the current debate and the upcoming vote on President Reagan's request for aid to the democratic resistance forces in Nicaragua is a historic and weighty moment for the American people.

I used "American" deliberately because this decision by the U.S. Congress is vital to the future of all of the American nations and all of the American people. The people of the New World, the Western Hemisphere—of America—have been moving decisively to seize control of their own destiny and to provide for their own liberty and justice. The Jeffersonian ideals of individual freedom, justice, and opportunity for all and a pluralistic political society have been long suppressed in many parts of the American Continents.

Today, people are no longer willing to accept business as usual and submit to repression and injustice at the hands of tyranny and totalitarianism from the right or from the left. The people of Argentina and Brazil have chosen moderate political leaders and firmly rebuffed military rule. The people of El Salvador have braved Communist gunfire and threats of reprisals to elect a Social Democrat government. The people of Grenada cried out with their joy at the removal of their oppressive Communist regime and have since elected a Democratic government that is prepared to work for the interests of its own people instead of the interests of the Kremlin. In Haiti, the people rose up after many years and forced a powerful dictator to flee. Now the struggle has triumphed in Honduras and Guatemala while Costa Rica has reconfirmed its own tradition of freedom and democracy.

Mr. Chairman, we are all proud of the people and the nations of America who have worked so hard to join the United States as open and pluralistic societies. But the task is not complete. The people of Chile even today are wrestling with an attempt to keep them from returning to their democratic ideals. And the real trial is going on in Nicaragua. The people have spoken in Nicaragua. They spoke in 1979 when they joined together in a crusade to overthrow the corrupt Somoza autocracy and proclaim themselves free.

The people of Nicaragua have now recognized that their dreams and aspirations have been stolen from them. The cadre of dedicated Communists that have gained control of Nicaragua have embarked on a course of aggression, oppression, and subservience to the ideals of international revolution that is far worse than anything experienced under the former regime. The democrats who were originally included in the government of the Sandinistas have been jailed, exiled, or forced out of the government. All personal rights have been suspended, the Catholic Church and other religious faiths are increasingly suppressed, more than $500 million in guns and bombs have been received from the Soviet Union along with "advisers" from North Korea, East Germany, Bulgaria, Hungary, and most of all from Cuba. The people of Nicaragua are aware that all of these "advisers" are not in their country to promote peace, liberty, justice, and democracy.

The Nicaraguan revolution and the future of the people have been stolen and subverted as a tool of the Marxist slave masters of the Kremlin. The people of Nicaragua know this and I continue to be amazed at the number of Members of this great democratic body who refuse to open their own eyes and see the same things that the people of Nicaragua see. The people have seen all they need to see, they have made their decision and when they were not allowed a free and fair vote at the ballot box they voted with their feet. Over 400,000 people have fled the Nicaragua of the Sandinistas. That is more than 12 percent of the total population and would be comparable to 30 million people fleeing from the United States.

Ever since the end of the Second World War, we have seen exactly the same actions all over the world where communism is able to install itself in power. The exodus from eastern Europe is a sight that still chills the soul of those of us old enough to remember it. The Berlin Wall was built solely to stop the people of Soviet-occupied East Germany from fleeing for their lives and their future. Many thousands of people were able to leave Cuba before Castro closed the ports and the beaches and shut off the flight of his people by force. Who can possibly forget or fail to be moved by the sight of the "boat people" of Vietnam who risked starvation, drowning, or attack by pirates to escape from the Communists in leaky sailboats and overloaded barges by the thousands. The refugee camps of the Cambodians fleeing the Vietnamese invaders would make the strongest man in this room cry in anquish. The brave people of Afghanistan are fighting back, but even they cannot stand fast against the massive power and brutality of the Soviet Army and 3 million have had to cross the border into Pakistan while the strong and the brave remain behind to resist and to fight for their homeland.

This is exactly what is occurring in Nicaragua. Why is there even a debate about whether or not we should help the people of Nicaragua reclaim their country and their future? The truth is there for everyone to see in the refugee camps in Honduras and Costa Rica. The proof is in the military camps of the resistance forces where more than 14,000 Nicaraguans have chosen to take up arms and risk their lives to take back their nation from the Communist thieves who stole their revolution and their destiny. The resistance forces do not ask for U.S. troops. They do not ask for tanks or fighter planes. They do not even ask for trainers and advisers like the Sandinistas did in having Cuban and even Soviet military support in 1978 and 1979.

The resistance forces in Nicaragua know how to fight. They fought Somoza. And now they are fighting the Sandinistas. We cannot turn our back on these people again. We cannot refuse to assist people who cry out against injustice and oppression. We cannot hold our heads high and claim that we are proud not only to be United States' citizens but American citizens if we refuse to help our fellow Americans who want to be free and who are willing to die for that freedom.

Mr. Chairman, I support President Reagan's request for aid for the democractic resistance forces in Nicaragua. I am proud to be an American and I am proud to give my support to the people of Nicaragua who are willing to die to share in the American ideals of liberty and justice for all and a political system that allows all opinions and beliefs to be expressed and pursued.

Mr. WIRTH. Mr. Chairman, the irony could not be more apparent. On the eve of the downfall of Ferdinand Marcos, when the Philippine people displayed the robust power of democracy and diplomacy, the Reagan administration proposed to meet the social and political crisis in Nicaragua with guns and bullets.

The administration has asked Congress to appropriate $100 million—including $70 million in military aid—to the Nicaraguan Contras. That represents a dramatic increase of almost 300 percent over last year's level of aid, which did not include military assistance.

More important, the administration's request represents a sharp repudiation of regional diplomatic efforts—efforts that seek to resolve Nicaragua's crisis without massive bloodshed and without destroying whatever remains of the Nicaraguan people's hopes for an end to a deepening cycle of violence and destruction.

In late January, the foreign ministers of our key Latin American allies—Colombia, Mexico, Panama, Venezuela, Argentina, Peru, Brazil, and Uruguay—agreed to accelerate negotiations aimed at a regional diplomatic settlement. As a basis for reaching that settlement, the foreign ministers called for a "termination of external support to the irregular forces operating in the region."

Their agreement, known as the Carabelleda Statement, was also endorsed by the foreign ministers of five Central American countries, including Costa Rica and newly democratic Guatemala. The Contradora negotiating process, which was initially the work of only four Latin American countries, has grown into a hemispheric movement for diplomacy, stability, and peace.

By making its request for military aid, the administration has ignored this powerful movement for diplomacy. It continues to pass by a potentially historic opportunity to join together with our regional allies, negotiate a binding agreement and jointly enforce it.

There is no excuse for America not to seize the diplomatic initiative—it is in our self-interest and the interest of our neighbors. As a newspaper in my district recently editorialized:

> The countries in (Latin America) understand the day-to-day effects of the Communist boot upon the people of their region. The U.S. Government should listen to the recommendations, give them high credence and stop playing the role of outside agitator.

I have no use for the Sandinistas when they suspend the civil liberties of Nicaraguans and abuse their minority populations. I deplore their increasingly repressive methods of government. But what grounds do we have for assailing their behavior so long as we fuel the Contras' war?

Our undeclared war against Nicaragua has strengthened the hand of Daniel Ortega, giving him an excuse to expand the army, repress his people and fortify his dependence on the Soviet Union and Cuba. Our policy has boomeranged.

Just ask the recently elected president of Costa Rica, Oscar Arias, who said:

> The result with the aid to the Contras has been a more dictatorial, more totalitarian government in (Nicaragua). They abolished * * * individual liberties because they have an excuse: the aid of the U.S. Congress to the Contras. So you won't get a more open society in Nicaragua, you won't get a negotiation with the anti-Sandinistas giving more money to the Contras."

This from this leader of a country which shares a long border with Nicaragua. His crystal clear warning to the administration is that its foreign policy is achieving the opposite of its intention. It is entrenching the Sandinista regime without creating a democratic opposition. The administration itself has acknowledged that the Contras would collapse without the crutch of American aid. The Contras' military campaign has alienated, rather than attracted, indigenous support.

Despite the failure of its policy, the administration apparently feels that we have no alternative to the military overthrow of the Sandinista. It has not cooperated with the Contadora countries and has not spent any of the funds appropriated by Congress last year to advance the negotiating process. It has shut down bilateral talks with Nicaragua. Last fall, the administration announced that we cannot negotiate with the Sandinistas because they cannot be trusted.

This is truly a new idea in foreign affairs. We negotiate every day with the Soviets. We negotiated with Hanoi and Beijing in the 1970's. And we did so not because we trusted those adversaries, but because negotiation was the best way to end conflicts or other rifts in our international relations.

The intelligent alternative to the administration's policy—and its refusal to negotiate—is to pursue a diplomatic settlement with the help of our friends in the hemisphere. I am a firm believer, and so are the American people, that negotiations should be tried before confirmation. To further this policy, I have consistently voted against aid to the Contras and for financial and diplomatic support of the Contadora process.

My policy steers a middle course between those who favor counterproductive military aid and those who advocate total disengagement from the region. To return to the Philippines example, my policy mirrors our approach to the recent turmoil in that troubled country. It recognizes that the United States has legitimate strategic and political interests in the region. It also recognizes that there is a window of diplomatic opportunity, this time in the form of the Contadora talks. The Contadora process, with the backing of our allies in the region, can isolate Nicaragua and guarantee the security interests of our country and the countries in closest proximity to that tragic country.

In the Philippines, the Reagan administration eventually grasped the potential for peace and diplomacy in the popular candidacy of Corazon Aquino. The administration had the wisdom to listen to the Filipino people's call for a peaceful transition to new government. The result: A ringing blow for democracy, a reaffirmation of United States strategic and political ties with the Philippines, and a devastat-

ing setback for the nation's Communist insurgents. All of this was achieved because our policymakers took heed of the people most affected by our decisions.

Now, ironically, the White House turns a deaf ear to the chorus of Latin-American governments—those with a direct stake in Nicaragua's future—who endorse diplomacy and the Contadora process.

It is time for America to pay attention to our democratic allies' concerns—which are nearly identical to ours. It is time for us to adopt a policy that advances democracy and continues our well-proven emphasis on human rights in Latin America. We can do that by joining our allies in suspending aid to the Contras, isolating the Sandinistas, and pressuring them into beginning a process of reform to meet the original goals of the broad-based Nicaraguan revolution.

As our handling of the Philippines crisis amply demonstrated, given the opportunity, we have the skill to diplomatically achieve peace and reform in regions of strategic importance to our country. We cannot let this lesson elude us in Central America.

Mr. VENTO. Mr. Chairman, I rise in opposition to House Joint Resolution 540, to provide further United States aid to the Contras in Nicaragua. This resolution would authorize the transfer of $100 million in fiscal year 1986 from Defense Department funds to the President to assist the Contras. The President would reportedly commit $30 million of these funds to continue the existing so-called humanitarian, or nonlethal aid and the remaining $70 million would be used to provide direct military aid to the Contras. This military aid would include supplying the primary Contra force with antiaircraft and antitank weapons, small arms and ammunition, and providing more United States Army advisers to train Contra soldiers in Honduras.

The President also asks that Congress repeal all existing restrictions on U.S. intelligence agencies and the Defense Department in aiding the Contras. Under current law, the Central Intelligence Agency [CIA], other intelligence agencies, and the Department of Defense have restrictions on their relations with the Contras. Although they may share intelligence with the Contras, they may not train the Contras, participate directly in combat, or give them aid that has not been explicitly approved by Congress. The President now proposes that all of these restrictions be repealed.

Mr. Chairman, let us be absolutely clear what it is that the President is asking us to do today. The Contras are commited to the violent overthrow of the Sandinista government of Nicaragua. The President is, in effect, asking that the United States become a party to this war.

The President tells us that we have exhausted the possibilities of reaching a political solution to the problems in Nicaragua and the problems between Nicaragua and its neighbors in Central America and that the only alternative available is to support the Contras. The fact is, however, that this administration has dropped the ball in pursuing a political settlement to these problems. In January 1985 the Reagan administration broke off the only direct talks that it has ever conducted with the Sandinistas. The President insists that the United States has worked constructively with the Contadora countries in the search for a political settlement. Unfortunately, however, the administration's actions are at odds with its record. The administration has supported and helped to direct the Contra war effort by directing military intervention from Honduras while simultaneously seeking to strengthen the rationale for direct United States military action against Nicaragua. These actions are contradictory—not compatible—with the goals of the Contadora countries of Latin America: Mexico, Venezuela, Colombia, and Panama.

The basic terms of the Contadora proposal for peace in Central America are multilateral: Control and reduction in armaments and personnel; a halt to all external support for insurgent movements; the elimination of foreign military bases and advisors—including Cuban advisors in Nicaragua—as well as international military maneuvers; and national reconciliation which would insure equal access for all political parties to the political process. These are laudable goals which deserve our vigorous support. But the Reagan administration's actions speak louder than its words. Just 2 months ago, in February, the foreign ministers of Brazil, Peru, Argentina, and Uruguay came to Washington to urge President Reagan not to resume aid to the Contras but instead to become an active supporter of the efforts of the Contadora countries. The President rebuffed these Latin American foreign ministers. Lately, the President has even suggested that the political leaders of Latin America really don't mean what they say when they call on the United States to stop supporting the Contras. Despite the fact that there is overwhelming evidence to the contrary, the administration insists that these leaders are saying one thing in public and something else in private. This is an insult to the Contadora leaders and will ultimately do serious damage to our credibility with the people of Latin America.

Similarly, the President belatedly recognizes that the Contras are responsible for human rights violations. But instead of facing facts, he alleges that these are really Sandinistas disguised as Contras. Without offering any evidence or documentation to support his claim, the charge rings hollow.

The President tells us that if we do not approve this $100 million aid package for the Contras that they will be defeated and that communism will triumph not only in Nicaragua but throughout all of Latin America. Lately President Reagan has said that he will hold up the military aid in this package for 90 days while further negotiations are pursued. This is a gimmick to gather political support rather than a good faith effort at negotiations. Under this formula, all of the existing safeguards, limited as they are, would be abandoned and President Reagan would have an absolutely free hand to exercise his policy without adequate congressional input or oversight.

In 1979, the Sandinistas, with only 5,000 lightly armed, poorly trained fighters and with no outside aid of any kind, were able to overthrow the Somoza regime and its heavily armed National Guard which had been built up over years with U.S. aid. Today, Nicaragua's Contras control less territory than ever. The Contras do not control a single town or village in Nicaragua and operate primarily from bases outside of Nicaragua, in Honduras and Costa Rica. The Contras have not brought their war directly to the Sandinistas who they seek to overthrow, but have instead inflicted pain and suffering upon the civilian population of Nicaragua. They have been implicated in gross violations of human rights by Amnesty International and Americas Watch and other groups. They have been involved in attacks on buses, villages, agricultural cooperative workers, and various other civilian targets. In some other country, the President might describe such activities as acts of terrorism. But in Nicaragua, President Reagan embraces the Contras as freedom fighters and the moral equivalent of our Founding Fathers.

Over the past 5 years, the United States has spent over $250 million for the Contras' cause. Five years and $250 million later, the Contras control less territory today than ever before. The Contras have not failed for lack of U.S. support. They have failed because they have not won the popular support of the people within Nicaragua.

I am deeply disturbed about the implications of continued United States support for a covert war which is waged from Honduras and Costa Rica. The administration has established a massive, permanent military presence in Honduras, with upgraded military air bases that provide support for the Contras. Our confused policy risks exposing Honduras and Costa Rica to Nicaraguan retaliation if this conflict expands further.

Mr. Chairman, this House and the American people are frustrated by this issue. We beg for a rational, understandable Central American policy; not the polarized vision offered by the President, but a policy that reflects fairness, common sense, and the values of our Nation.

I deplore the restrictions on basic civil liberties which have been imposed by the Sandinista government of Nicaragua. Certainly Nicaragua should not be used as a base to project Soviet military power into this hemisphere. Clearly, the Sandinistas see their country as being under siege from the United States. While it cannot be condoned, it should not come as a surprise that the Sandinistas have become more repressive and less tolerant of their political opposition because of the continuing counterrevolutionary forces of the Contras, supported in large measure by the United States. We must do all that we can to encourage a peaceful political settlement of the problems in Nicaragua. I hope that my colleagues will join me in voting "no" on further aid to the Contras and will instead support a creative, intelligent policy which values diplomacy over military confrontation. The escalation of conflict hasn't worked in the past 5 years and will not succeed in the future.

Mr. GOODLING. Mr. Chairman, in 12 years I've never had a vote as difficult to cast as the vote on the President's $100 million request for humanitarian and military aid to the Contra force fighting in Nicaragua.

When Somoza fled Nicaragua and the Sandinistas came to power, President Carter asked Congress for $75 million to reconstruct that country. I supported the request, hoping this was the way to encourage the Sandinistas

to align themselves with the Western democracies.

President Carter subsequently cut off these funds—which reached $100 million—when he found that the Sandinistas were accepting arms and aid from the Soviet Union. Additionally, they were not honoring their promises of free elections, civil liberties, and human rights for their people.

I never previously supported any military aid to the Contras, because I did not think we should be involved in covert activity in Nicaragua. I was set against the $70 million in military aid which was part of this package until I heard Congressman FOLEY and Senator SASSER respond to the President over the weekend. Both gentlemen said that if negotiations do not progress, American boys could be fighting there. The President said he needed the aid to force negotiations to take place.

I certainly don't want American boys in Nicaragua and therefore a group of us decided to try to forge a compromise which would foster negotiations.

We had a good bipartisan effort. Unfortunately, Speaker O'NEILL's only interest was to make sure he defeated the President. He pressured many Democrats to vote against the plan, and promised them an opportunity to present alternatives on April 18. I suppose these alternatives will be similar to those we negotiated with the White House.

Our compromise would allow $25 million in humanitarian aid and some defensive aid to be sent. The remaining $75 million could not be used for 90 days while we try negotiations once again. The leaders of both parties in Congress are to nominate a five member commission which will be appointed by the President and which will determine with him the state of the negotiations. At the end of 90 days, Congress will have an additional opportunity to stop the flow of military aid to the Contras.

I've served on the Foreign Affairs Committee, the Intelligence Committee, and the Mexican-American Interparliamentary Congress, and I'm very well aware that we've done everything we've been asked to further the goals of the Contadora process.

Unfortunately, with the Contadora group, we're asking nations with overwhelming internal problems to solve those of other peoples. There is no way these countries can force the Sandinistas to abide by their verbal agreements, and no way they can force them to sign any either.

My decision making process was clouded further by the large volume of phone calls from the 19th District. In fact, we had 1,238 calls in favor of aid and 653 calls opposed.

Overall, the problems we fact in Nicaragua will not disappear. Unless we aid Central and South America in promoting the economic and social welfare of all their inhabitants, their problems will increasingly become ours.

Mr. HUGHES. Mr. Chairman, I rise in opposition to the President's request to furnish Nicaraguan rebels, known as Contras, with some $100 million in aid, 70 percent of which would be for military supplies and equipment.

Like many of my colleagues, I have tried to listen to our President with an open mind. Under the Constitution, he is our Commander in Chief and responsible for the conduct of U.S. foreign affiars. He has placed the full weight of his office behind this request, and his views demand the fullest consideration.

By the same token, the Congress also has constitutional responsibilites, particularly where it involves the expenditure of public funds in ways that have tremendous long-term consequences.

It is unfortunate that the debate on aid to the Contras has been misconstrued by some as a partisan debate. To the contrary, in my judgment, it respresents a classic demonstration of the system of checks and balances evisioned by the framers of our Constitution. The President may want to furnish military equipment and supplies to rebels in Nicaragua, but it is Congress that must provide the funds. There are Republicans who feel that the President is wrong on Nicaragua, and Democrats who feel that he is right. It is not a partisan issue, and it should not be a test of party loyalty for any Member. I regret that some have made it such.

I'm a Democrat, but I supported the President's decision to use military force in Granada. I believe his action saved American lives from a clear and present danger while toppling a bloodthirsty regime. I applaud the skilled diplomacy demonstrated by the Reagan administration which has brought new democratic leadership to Haiti and the Philippines. The President deserves much credit for those successes.

When the President has a success in foreign affairs, it is a success for all Americans—not just those of his party. But when he fails, as occurred in Lebanon, it is a failure for all of us and we all suffer the consequences. I felt it was a mistake to base our marines at the airport in Beirut and I said so at the time. They were sitting ducks at the low-lying airport. Our role in the Congress is to support the President when he is right, and try to develop constructive alternatives and guidance when he is wrong.

I agree with the President that it is important for the United States to support democacy in our hemisphere, and oppose those regimes which attempt to export Marxism and revolution to the rest of Latin America. I have little regard for Sandinista leader Daniel Ortega, and deplore the abuses which have occurred within Nicaragua at the hands of the Sandinistas.

However, to temper the excesses of the Sandinista regime, the President proposes to furnish military aid to the Contras, a varied group of Nicaraguan revolutionaries numbering not more than 20,000, and probably less. It seems to me that, as prerequisites to approval of that policy, it should first be shown to have a reasonable chance of success, and second, be able to attract the support of at least a few of our allies. The Contra aid package fails on both counts.

The United States is alone among all our allies in favoring military action. While we are concerned that Communist Nicaragua might try to subvert its democratic neighbors, those same neighbors oppose our program and instead favor a different solution—the Contadora process—a regional diplomatic, political and economic approach towards getting greater cooperation in Central America. They know that continued arming of the Contras will probably result in a wider war, particularly since many of the Contras are based just over the border in Honduras.

We have been told that these nations privately support aiding the Contras but cannot say so publicly. Support that can't be voiced publicly is not support worth having. What good is it? If our policy fails, these nations will just walk away from us and claim that they never in fact supported our actions. I certainly am not going to vote to commit the United States to a policy of armed insurgency on the basis of purported whispers of support from other nations in the Americas.

It is of equal importance to note that the relatively small Contras force is not regarded by most experts as capable of overthrowing the Nicaraguan Governmant. Notwithstanding many of the claims that have been made, the Sandinistas came to power through a broad-based revolution that cut across all classes in Nicaragua. In fact, it appears that the current Government of Nicaragua, which replaced the corrupt and hated Samoza regime, enjoys far more popular support than do the Contras, many of whom are Somoza loyalists.

It is true that the Contras can serve as a thorn in the side of the ruling Sandinistas, but with over 100,000 men under arms and Soviet and Cuban military support, the current government is not going to be ousted by the insurgents, unless—and this is a very important "unless"—there is a direct military intervention by the United States.

Are we prepared to make a military commitment when it becomes clear that the Contras are unable to dislodge the Government or modify its policies? Are we ready to take that first step down the slippery slope of growing involvement in a no-win war?

Throughout this debate, there has been a great deal of effort to distinguish the situation in Nicaragua from the situation that existed in Vietnam in the 1960's. Certainly there are important differences, but there are also important parallels that should not be overlooked.

Our goal was to contain communism, so we furnished aid and supplies to pro-Western forces, but that was not enough. U.S. advisers were needed. Then Green Berets were needed. Then the North Vietnam purportedly fired on several U.S. ships—an alleged provocation that justified the adoption of the Gulf of Tonkin resolution. And so on and so on until over half a million American soldiers were committed to battle in an undeclared war. Over 50,000 died and hundreds of thousands were wounded. And who can ever forget the light at the end of the tunnel?

There are most certainly parallels that we should not overlook.

We are told that, if we do not stand firm in Nicaragua, all of the nations of Central America will fall like dominoes to the Communists. We were told tne same about Southeast Asia.

We are told that all we need do is furnish military supplies and equipment to pro-Western forces in Nicaragua, and that direct United States involvement will not be necessary. We were told the same about Vietnam.

Our involvement in Vietnam did not have the strong support of the American people. Neither does our involvement in Nicaragua.

And finally, those who are questioning the wisdom of growing United States involvement in Nicaragua are having their patriotism questioned. The same was true of those who questioned our growing involvement in Indochina.

If we recall nothing else from our Vietnam experience, let us remember this: America should not get involved in an undeclared, no-win war that does not have the overwhelming support of the American people.

Mr. Chairman, the last time Contra aid came before the Congress, I stated that the issue is not whether we have serious differences with the Sandinista government. We most certainly do.

The issue then, and the issue now, is whether those differences should be settled through military action. I believe that military action is futile, dangerous and unnecessary.

Instead of embarking upon a costly proxy war that has little chance of success, I believe our differences should be resolved through diplomatic, economic and other means. If the Sandinistas take any actions that directly threaten our national security, we are more than capable of making a direct response.

I believe that Nicaragua ought to be given an opportunity to show that it is willing to act peacefully toward its neighbors, lower the number of troops and outside advisers, allow greater freedom of the press, and broaden democratic participation. It is not reasonable to expect the Sandinistas to lower their guard when the President of the United States is publicly committed to the overthrow of their Government.

To the contrary, the threat of U.S. intervention has helped the Sandinistas to solidify their popular support despite some very serious economic and political difficulties. They have exploited this threat to justify a large military buildup, suppressing human rights and freedom of the press, and maintaining a large Cuban-Soviet presence. In other words, our policy may just strengthen, not weaken, the Sandinista grip on Nicaragua. It is counterproductive.

Let us join with the other nations of our hemisphere including Canada, who have made it clear they do not support aid to the Contras, and instead favor the Contadora process as the best way of avoiding a wider war in Central America and pressuring the Sandinistas to cease its abuses.

We have not seriously and steadfastly pursued a negotiated settlement with our friends and neighbors in this hemisphere before turning to a military option. That is not in America's interest, and I must accordingly vote most reluctantly against this aid package for the Contras. However, I will be watching the Contadora process carefully and will continue to reexamine this option should it appear that it can avert a serious threat to the Americas.

Mr. LEHMAN of California. Mr. Chairman Speaker, today this House is being asked to support the President's request to provide aid to Contras who are in their fifth year of fighting the Sandinista government. We are once again faced with a decision to help the Contras and, in the President's own words, "deny the Soviet Union a beachhead in North America."

I agree with the President that the presence of Soviet and Cuban advisers in Nicaragua is a cause for national concern. The fact that human rights abuses are committed by both sides against innocent civilians concerns me a great deal and is something that we should seek to end. However, giving the Contras in Nicaragua $70 million in military aid contradicts the administration's stated objectives for revolving the problems in Central America.

According to the administration, the United States objectives in Central America center around "support for a political solution to the conflicts in Central America, via peaceful dialog within and among the countries of the region, and renewal of economic development and growth to address the root cause of turmoil and conflict." It seems to me that if the United States is serious about resolving the civil unrest in Central America, then the United States ought to commit its resources and energy toward the goals of "peaceful dialog" with the Contadora nations.

Then, on Sunday the President appeared on national television to sell his aid request to the American people and to Congress. He tried to convey to the American people the need to act now before the "malignancy" in Nicaragua spreads to our "southern frontier." Well Mr. President, your plea worked. As a result of over 300 phone calls and telegrams I received in response to your speech, I will vote against the request for aid to the Contras. Over 62 percent of my constituents who contacted me since Sunday have told me they are strongly against any aid to the Contas. They told me that they want to see this country push for peace negotiations. They have said they are scared that we are repeating the course of history they and their children experienced in Vietnam. Moreover, they have asked me why we are giving the Contras $100 million when this Nation faces a bloated deficit and when domestic programs they need are being eliminated. I share their concerns and I will vote accordingly.

Finally, I have read with outrage several articles dealing with this issue which label those of us who are representing their constituents and voting against the President's request as supporting the spread of Marxism. Since when does voting in accordance with the views of the majority of my district mean that my patriotism and support for the country I love should be called into question. It is regrettable that debate on this issue has been lowered to this level. These attacks have only served to confirm my long held views on this subject.

In July 1983, when this body voted to end all covert aid to the Contras, I addressed the House and said "the only way the United States can truly achieve the President's objective of fostering democracy for the people of Central America is to help them establish the basis for a positive future." I believe now, as I did then, that this can best be accomplished by helping the countries of Central America resolve their differences peacefully, and formulating a realistic long-term policy which promotes economic development and eradicates widespread poverty and illiteracy.

I urge my colleagues and this administration to put our support behind the eight Latin American countries who have strongly advised this Nation against a self-defeating policy of blindly sending money to groups we cannot identify or hold accountable.

Mr. CHAPPELL. Mr. Chairman, when the distinction between freedom and freedom's denial dims in the perspective of a free people, so dims the chances of those denied freedom to acquire it. We, as free Americans, should see clearly that distinction in Nicaragua and lend a helping hand to the Contras struggling to gain freedom—God's greatest gift to man.

I support humanitarian assistance and military aid to the Nicaraguan democratic resistance.

At one time a few years ago, the debate in Congress was centered around the question, "Who are the Sandinistas?"

Were they antitotalitarian reformers?

Were they democratic reformers who would improve the daily lives of the Nicaraguan people?

People asked, "How much aid should we give them?"

Well, now we all know who the Sandinistas are.

They betrayed the revolution that overthrew the Somoza dictatorship.

We see clearly who they are by the company they keep.

The presence in Nicaragua of Cubans, Soviets, East Germans, North Koreans, terrorists from the P.L.O. and members of the Red Brigade gives eloquent testimony to the question, "Who are the Sandinistas?"

As others have pointed out, for the first time in history a Marxist/Leninist regime is now physically on the land mass of the Western Hemisphere. In my view, the long run implications of this fact are rather ominous.

In Nicaragua we now have a government which views Cuba as the appropriate model for behavior in terms of: internal repression; freedom of speech; freedom of press and religion; and in terms of subverting its neighbors.

Somehow, many have put the debate regarding humanitarian assistance to Nicaragua in the following terms:

They say, "If you vote against the aid, you are in favor of peace and diplomatic negotiations."

To me, that simply is not the case.

If assistance to Nicaragua is defeated, violence, subversion, and terrorism will spread throughout Central America.

If such aid is denied we will be broadcasting to the people of the world that the Soviet's can provide massive amounts of armaments to a Marxist government on the land mass of the Western Hemisphere, and we won't even provide support to an active resistance movement which opposes that Marxist government.

The Sandanistas are arming themselves to the teeth with Soviet HIND helicopters, automatic weapons, and massive amounts of armaments. We are providing our allies in Nicaragua with toothbrushes, blankets, boots, and medical supplies. Now, I'm sure those medical supplies will come in handy when the Contras are wounded by fire from a Soviet helicopter or AK-47.

But it seems to me they should be given the means to shoot down that Soviet helicopter gunship or given the means to effectively fight against Sandanista troops equipped with AK-

47's furnished by Cuba and the Soviet Union. Secretary of State, George Shultz, recently put forward the U.S. objectives in Nicaragua. He stated,

Our objectives in Nicaragua, and the objectives of our friends and allies, are straightforward. We want the Nicaraguan regime to: Reverse its military buildup; send its foreign advisers home; and stop oppressing its citizens and subverting its neighbors.

He made two additional points very germane to this debate in the House. He stated,

The United States and its friends have sought these objectives through diplomacy. But all serious efforts at negotiation have been blocked by the Nicaraguan Communists.

Mr. Chairman, the real purpose of providing military aid to the Contras is to give the Sandanista government an incentive to negotiate. Also, the aid should help in bringing a peace in Central America satisfactory to the interests of the United States. The forces of freedom are on the rise in many countries of the world. Let us make sure those forces of freedom stay viable in Nicaragua.

I support humanitarian assistance and military aid for Nicaragua. Lets brighten the distinction between freedom and freedom's denial in Nicaragua and give those denied freedom a better chance to acquire it.

Mrs. SCHNEIDER. Mr. Chairman, I rise in opposition to providing funds for the Contras. I do so because I am convinced that our continued efforts to force a military solution to the complicated problems that face our neighbors in Central America are doomed to failure. Overthrowinig the Sandinistas will only result in continued resentment throughout the hemisphere against heavy handed U.S. interference.

As I have listened to my colleagues during the debate over the past 2 days, I have heard charges and countercharges regarding the Sandinistas and the Contras; I have heard every possible position attributed to the heads of Latin American governments; I have heard charges of drug dealing, terrorism, and brutal human rights violations attributed with equal vehemence to Contras and Sandinistas alike. Mr. Speaker, it may not be the case that truth is the first casualty of war, but it certainly has been battered into unrecognizability on the floor of the House.

What these many opposing truths, spoken by my honorable colleagues, convey to me is that this is not a problem that can be solved with a 100 million dollars' worth of arms. The issue cannot be boiled down into a simple matter of "us" versus "them." Nicaragua is a country that has been torn by civil war for years and, preceding that, governed by a dictator who chose to bomb urban areas in a last desperate attempt to maintain power. It is a country that was devastated by an earthquake in 1972 and never completely rebuilt. It is a country where poverty, lack of basic public health, and illiteracy have been rampant. It is a country whose Sandinista government has made undeniable advances in literacy and health care, and a country that has allied itself with governments that we vigorously oppose. I don't see how we can expect to improve this unstable situation by providing $100 million in arms to a loose confederation of rebels who seem no more dedicated to democracy than the Sandinistas.

The amount of assistance requested—$100 million—has been tossed about as though it is an insignificant sum. But $100 million is not insignificant—some estimate that it would provide $20,000 and $30,000 per Contra combatant. This, in a country where the per capita income is less than $900 per year. In our own country we have unmet social and educational needs that have forced us to contemplate significant budget cuts; $100 million is four times as much as we spent to prevent child abuse last year and twice as much as we spend on immunizations. At a time when every domestic program is threatened, $100 million for any of a number of programs would be a godsend.

More important than the money is our approach to the problem. No one accepts that there should be Soviet or Cuban military influence in Central America. The heads of state of the region have pushed for a regional solution to the security problems posed by the Sandinista government. I feel that we have not made full use of the Contadora process to negotiate with the Sandinistas—a sentiment that is shared by the authors of the Contadora agreement. I am convinced that we will not get lasting democracy in Nicaragua from the barrel of a gun. We should abandon this folly and seek a solution that is more in keeping with the ideals of our Founding Fathers.

Mr. WEBER. Mr. Chairman, I would like to share with my colleagues the following statements by two prominent Jewish leaders in the United States who wish to make us aware of the Sandinista's repressive treatment of the Jewish community in Nicaragua.

Chris Gersten, executive director of the National Jewish Coalition, and Fred Luft, secretary of the Jewish Nicaraguan Community in Exile, are aware of the evidence that has been presented to prove that the Jewish community in Nicaragua has not been singled out for abuse and mistreatment because of their religious beliefs.

These two leaders, actively involved with this region, have quite a different opinion. I urge my colleagues to give their comments serious attention.

STATEMENT ON NICARAGUAN ANTI-SEMITISM

Last night, the CBS eveining news allowed New York Rabbi, Balfour Brickner, to state without challenge, that there was no anti-semitism in Nicaragua, either official or unofficial. According to Brickner, there is no evidence to support the President's claims that Nicaragua's Jewish community was forced out of the country by a systematic government policy of anti-semitism.

I have long been aware, though, that the facts, tell a different story, a story that bears out the President's statements. The National Jewish Coalition has worked tirelessly over the past year, but especially in recent weeks, to bring to light the abuses committed by the Sandinistas against Nicaragua's Jews. The coalition has also worked to make America aware of what Sandinista anti-semitism means for others in Nicaragua and beyond. Despite what Balfour Brickner may believe, today, there are no Jews in Nicaragua. The coalition has mounted a major effort to tell America that, while it is too late to save the Nicaraguan Jewish community, it is not yet too late to save Catholics, Protestants, Miskito Indians and others from the totalitarian net that the Sandinistas are tightening around Nicaragua.

I first became aware of the systematic persecution of Jews by the Sandinista government over a year ago, when I saw documentary evidence of the events that took place.

I say to those who doubt that the Sandinistas are the anti-semites, the President said them to be that:

"It is a substantiated fact that in 1978, the synagogue which Brickner said had been abandoned by the Jewish community was firebombed by Sandinista gunmen while members of the community were inside. When those Jews attempted to flee the building, the gunmen tried to force them back into the burning building.

It is a substantiated fact that Jews received death threats warning them to "get out of the country."

It is a substantiated fact that Jews were singled out for arrest and imprisonment on false charges, that individual Jews were followed, that their homes were searched, their businesses confiscated, their cars burned.

And, lest anyone doubt that these acts of persecution were specifically aimed at Jews, let me refer you to the Sandinista-sanctioned newspaper, Nuevo Diario, which in July 1982 ran articles which referred to "Synagogues of Satan," which accused the Jews of using "the myth of God's chosen people to massacre the Palestinian people without mercy," and which resurrected the charge that "the world's money, banking and finance are in the hands of descendents of Jews," a charge which has for centuries been used by anti-semites to slander Jews.

There are no Jews today in Nicaragua. There are no Jews because the Sandinista regime drove them out with acts of violence and threats of death. Who are the Jews that Brickner claims remain in the country? They are people with Jewish names whose ancestors may, generations ago, have been Jewish. Today, though, the Jews Brickner refers to are Roman Catholics or atheists who have never had any ties to Jews, Judaism or to Nicaragua's former Jewish community.

Let there by no doubt that the Sandinistas are precisely the anti-Semites described by the President. The special zeal reserved by the Sandinistas for persecution of Nicaragua's Jews is well documented.

The Anti-Defamation League of B'Nai Brith has spent five years investigating this persecution, documenting reports by victims of these outrages and by some of the former Sandinistas who had helped carry them out. Yesterday, the ADL released a white paper reaffirming that these incidents did take place. The statements made in this paper have been corroborated by the State Department.

And, most importantly, they have been corroborated by the Nicaraguan Jews who were in the synagogue when it was firebombed, who were falsely arrested and imprisoned, whose cars were burned and property confiscated, and whose lives were threatened by agents of the Sandinista government.

And who was it that assured Rabbi Brickner that no anti-semitism had occurred? Why, it was Nicaraguan President Daniel Ortega and his representatives, people who, I suggest, have more than a passing interest in denying their own brutality.

Apart from Brickner and the few of his friends whose first loyalty is to the Ortega regime, the many American Jews whom I

have heard from recognize the hostility and violence visited upon their Nicaraguan co-religionists by the Sandinistas.

Thankfully, those Jews are wise enough to recognize Mr. Ortega's denial for the self-serving disinformation that it is. Through the efforts of the National Jewish Coalition, America and American Jews are now aware that the Sandinistas have enthusiastically imitated the anti-semitism of their Soviet mentors.

This week, I and many of my colleagues received a letter from several prominent members of the American Jewish community, including three former chairmen of the umbrella organization of the Jewish community, several rabbis, and many others. These individuals recognize what Rabbi Brickner, and many of my colleagues across the aisle do not: that the Sandinistas are a threat, not only to Jews, but to all those in Nicaragua and beyond who cherish democracy and strive for freedom.

STATEMENT OF FRED S. LUFT, SECRETARY OF THE JEWISH NICARAGUAN COMMUNITY IN EXILE

Ladies and Gentlemen: I am here today as a member of the Exiled Jewish Nicaraguan Community.

I have invited you for the purpose of setting the record straight on Sandinista Anti-Semitism and the Jews in Nicaragua.

Today, there is no Jewish Community or Jewish Congregation or Jewish Life in Nicaragua. Only two Nicaraguan Jews who were members of our Congregation still work in Managua. The rest of our small Community left the country because of fears for our personal safety. This fear was stimulated by the fire bombing of our Synagogue by the Sandinistas while we were worshipping inside, by repeated telephone threats and graffiti on the walls of our businesses, warning us that after their take over we will suffer at their hands the "Sandinista Justice." The graffiti said: "Zionism, Judaism and Somozism are all the same thing." Other graffiti said "Jewish pigs, gun sellers, we will apply the Sandinista justice to you."

This reflected the fact that the Sandinistas have long been virulently anti-Israeli, anti-Zionists and closed collaborators with the PLO and other enemies of Israel. They even planned to kill the President of the Community and other members who they believed were helping Israel in selling the weapons to Somoza, something which was totally absurd.

Although they did not kill the President of the Jewish Congregation, a 70 year old gentleman, he was jailed and forced to sweep the streets and his property was summarily confiscated.

President Reagan has in various occasion made mention of Sandinista anti-semitism. Unfortunately, many individuals who opposed the President's policy in Central America, have repeatedly attempted to distort the facts of Sandinistas state induced anti-semitism. Most recently this was done by Rabbi Balfour Brickner in a statement which appears in the New York Times today.

Because this is a direct challenge to the credibility of President Reagan, and due to the fact that when such false statements have appeared in print in the past, we have written letters to the editors of the newspapers including the New York Times, The Washington Post, and our letters to the editors have never been printed.

Therefore, we have concluded that only by means of this Press Conference to which we have invited you, hoping this will be a more effective way to set the record straight, we can obtain a fair acknowledgement of our plight. Thank you.

With me, today, is Mr. Oscar Kellerman and his wife Mrs. Sarita Beer Kellerman.

Mr. BATEMAN. Mr. Chairman, the situation in Central America is a complex and difficult one. Certainly, I am concerned about any overinvolvement of the United States in the region or any inappropriate United States intrusion into the internal policies of legitimate governments in Nicaragua or elsewhere.

This having been said, our security interests in Central America are substantial and compelling, and dictate continued pressure on Nicaragua's Communist regime to desist from its avowed policy of exporting Marxist revolution to neighboring countries. The Sandinista regime is not democratic, and its violations of human rights are gross and pervasive. The regime perpetuates itself in power by military aid from the Soviets, Cuba, North Korea, Bulgaria, Libya and others. This military aid has transformed a small Nicaraguan Army into the largest in the region. A clear threat to its neighbors whose borders it periodically violates.

Mr. Chairman, the Sandinista regime has betrayed the Nicaraguan revolution which overthrew Somoza, and has consistently refused to live up to its agreement with the Organization of American States to hold free and fair elections and respect human rights and the freedoms of speech, the press, and religion, in return for diplomatic recognition of their right to govern. Surely, it must be obvious to the opponents of this aid to the freedom fighters that the Sandinista regime lacks the legitimacy which can only be conferred on it by adherence this agreement.

With full knowledge of these developments, some of the opponents of this assistance to the freedom fighters in Nicaragua argue that this package is simply not enough to aid those freedom fighters to effectively force political concessions from the Sandinistas. This argument is an obvious smoke screen. These are largely the same members who rejected military aid in toto in 1984 and since. It is frivolous to hear them argue now that this is not enough. I would be interested to know what those who claim that this is not enough would propose. Do they urge we do more?

Some of the opponents of this aid package say that we should withhold the aid while we seek a solution through negotiations and diplomacy. However, since this House began rejecting military aid in May 1984, the Sandinistas have been more intransigent and they have consistently rejected the Contadora efforts toward reconciliation. In the meantime, with Soviet bloc arms they are increasing their effort to eradicate their opposition, and forward other Soviet arms to Communist insurgencies in other Latin American countries. An example of this was the weapons they provided to the revolutionary M-19 movement in Colombia, a leading Contadora nation, which then used these weapons to assault that country's supreme court and subsequently kill its members.

Other opponents of aid to the freedom fighters claim that if we send weapons now, we will become involved in a quagmire and end up sending U.S. troops later on. This argument is absurd. This may be our last best hope to prevent Marxist regime from consolidating its power by force of arms, which is certain to lead to continued attempts to destabilize the region by their policy of a revolution without borders. My greatest concern, Mr. Speaker, is that if today we refuse to help those who want to help themselves in Nicaragua, the likelihood of United States military force being required in a massive way is enhanced not reduced.

Mr. Chairman, for all of these reasons I believe the United States should continue to apply pressure to the communist Nicaraguan regime to promote political pluralism in Nicaragua and to desist from exporting Marxist revolution to neighboring countries. My support for the democratic opposition to the Sandinista regime will not end until that regime permits liberty to exist within its borders and ceases its efforts to undermine democratic governments in the region. So long as Nicaragua's ruling junta follows its present policies, America must oppose that regime and aid those within Nicaragua who fight for their freedom.

Mr. Chairman, we in the Congress cannot, as a 535 Member committee, articulate and direct a coherent and effective foreign policy. We can thwart the President, acting as the Commander in Chief and as the constitutional architect of our foreign policy from any meaningful policy that protects our vital national security interests in Central and South America. But we should not allow ourselves to paralyze our Nation's policy in this vital area. If those who would deny this military assistance prevail, the responsibility for a Soviet colony on the mainland of the Western Hemisphere will be theirs. Are they willing to accept that responsibility?

Mr. BROOMFIELD. Mr. Chairman, I yield 7 minutes to a great American, the chairman of the Committee on Rules, the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, members of the committee, I rise in support of this resolution because I believe it is in the best interests of our beloved America.

I believe most Americans will agree that one of the worst mistakes ever made by our Government was to allow Castro to come to power. I remember in those early days when he lied to the American press and to the American people in denying that he was a Communist.

A little while later, he ridiculed our American people and said "of course he'd been a Communist all the time." We should have known that he participated in the Communist violence in Bogota, Columbia, and what his commitment to communism was; but we did nothing.

What happened? In a little while, he had become the minion of the Soviet Union, both preserving and aggressing communism in the Western Hemisphere; and he and Khrushchev formed a cabal to make Cuba a citadel of military power, buttressed by nucle-

ar weapons, installed in Cuba, 90 miles from my beloved State of Florida.

President Kennedy had to risk nuclear war to get those nuclear weapons out of Cuba. We had to stop Russian ships on the high seas, prepare to board them, if they had not turned back.

Do we want to risk that situation again? Would Gorbachev yield as did Khrushchev? What might be the outcome of it, if we had another confrontation?

"Oh," they say, "this is not a Communist government in Nicaragua." Well, I think everybody will agree that while all of the government is not, the dominant part of the government is.

□ 1405

There must be some interesting data to be observed from three things: First, is today the Communist government of the Government of Nicaragua has formally taken the position and the place of the Communist Party of Nicaragua at all of the conferences on communism all over the world. Second thing: Every time one of the Communist leaders dies, they have a 3-day mourning proclaimed by the Government of Nicaragua, with all the effusive declarations of regret and sorrow that they experience.

Another little item that may be not so insignificant, go into the bookstalls and newsstands in Nicaragua and you will hardly see anything but Communist propaganda. Now they say, "Well, all we got to do is entreat these people to negotiate." They are in power. They control the Government. They have got the help of the Soviet Union furnishing them war materiel. In addition to that 7,500 Cubans, 3,000 of them identified with the military group, are in Nicaragua. What American, what Member of this House who loves our country, as all do, would be sure that if we allow this Government to continue in power with only moral suasion attempted against them that there may not come a time when Gorbachev and whoever is the head of that Government may plant some more nuclear weapons down there in Nicaragua? And what are we going to do this time? They say we should negotiate. The President says, and he knows better than I do, he has negotiated nine times or tried to. I think the President's proposal is fair. I have opposed the President about as much as any Member of this House but I think he is right on this issue today and I think he has been fair. In the morning paper the President is quoted as saying that he will not use the power that we may give him today, if there is an affirmative vote, as I hope there will be, for 90 days, to see if they do want to come to the negotiating table. I am sure the President will agree with us to have a condition subsequent that if this expenditure begins but then we find that the Government of Nicaragua adopts a constitution that the Contadora say is a fair constitution and if they have fair elections and they preserve human rights, we will not spend another dollar.

I am sure there is no doubt in anybody's mind that the President would agree to that. But we are entertaining a dream if we think that by doing nothing we can bring these people into negotiation with us.

My dear colleagues, too many times American Government, American opinion have been divided on crucial foreign policy issues. Today this House of the people is speaking for the people. We are talking about the character of our hemisphere. We are saying we do have an objective. We will not tolerate communism to be the dominant character of the state in any part of the Western Hemisphere, that is what we are saying. We are saying we still believe in the principles of the Monroe Doctrine which are incorporated in the Rio Treaty. Yes, there is a better way than the President has proposed. What is it? For the nations of the Western Hemisphere to join us in throwing these Communists out but until they do let us speak for ourselves.

The CHAIRMAN. The Chair will advise that the gentleman from Washington [Mr. FOLEY] has 4 minutes remaining and the gentleman from Michigan [Mr. BROOMFIELD] has 3 minutes remaining.

Mr. FOLEY. Mr. Chairman, I yield all remaining time to the Honorable Speaker of the House, the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL. Mr. Speaker, I want to speak only briefly today.

This vote that we are about to take is not a matter of partisanship. As far as I am concerned, partisanship ends at the water's edge. All of you know that I have stood with the President on some tough foreign policy questions such as Beirut. I have also opposed him, as I do on our proper role in Nicaragua.

Today's vote is a matter not of politics, but of conscience. I have told Members with whom I have spoken how I feel about the issue and I have made it clear that it is a matter for them to weigh as heavily as I have.

It is my view that a policy of providing military weapons for the war in Nicaragua takes us in the wrong direction. It takes us further down the road, further toward a situation where our country's own troops become involved. Just as covert aid has become overt, just as humanitarian aid has now become lethal, just as we have moved from a role of arms supplier to that of trainer and adviser, I see the pattern continuing. I see us becoming engaged, step by step, in a military situation that brings us directly into the fighting.

I don't believe that we can have it both ways, that we can arm and train the Contras, that we can send U.S. weapons and U.S.-trained and U.S.-directed soldiers into the field without feeling some ultimate responsibility for their safety. When it comes to the crunch, we will find ourselves with only two options: either to go in ourselves or see our trained contingents face a bloodbath.

I don't like those options. I want to avoid them and that is why I oppose the new escalation of the war that could be triggered by today's vote.

That is my position, but I recognize there are others in this Chamber who sincerely support the rebel forces in Nicaragua and are willing to accept the risks of becoming their supporters in the field. I do not approve of this view. I would not vote for it, but neither would I question the patriotism of those who take such a position.

I said that today's vote is a matter of conscience, not of politics. What disturbs me as Speaker is not the positions some Members have taken but the tactics that have been used by those outside this body.

I was elected to the Congress in 1952. As some of you will recall, that was not a good time for our country. Fingers were being pointed, reputations were being destroyed. People were frightened not by an enemy abroad but by accusations made by their own countrymen. It was a time when lists were drawn up of who was loyal and who was not.

That dark era of fear in our country did not end because one political party blew the whistle on this sort of conduct, but because both parties agreed that our democracy can and must allow for the free expression of views, that Americans had not only the right but also the duty to speak their minds on questions of national policy without fear, without the dread that their motives and purposes will be questioned.

I am proud that this House of Representatives has been able to engage in strong and hard debate over foreign policy matters in recent years. I am proud that we have been able to weigh the consequences of administration policies. That is our duty. That is what people elect us to do, to weigh the consequences of various policies.

There is a difference between debating the effects of policy and questioning the motives of those who advocate those policies. In recent days, we have seen newpaper advertisements questioning the loyalty of Members of the Congress. There has been a drumbeat of such attacks, some of them directed and voiced by administration staff people. The message has been crystal clear: Oppose the $100 million and you are somehow un-American; you are acting to help our country's enemies.

What is really un-American is the charge that we, the elected representatives of the people, do not have the right to do the job we were elected to do: To represent the good sense of our own constituents and their justified conclusion that more U.S. weapons will simply mean more bloodshed; that the $100 million will not be the end but simply the downpayment; that we should never again get into a war for which our best hope is a bloody and dangerous stalemate, when there are other alternatives.

My conscience dictates that I vote "nay," not only to the policy but to its tactics as well.

Mr Speaker, let me read just two communications that I have received:

HOUSE OF COMMONS,
London SWIA OAA, February 26, 1986.
Mr. TIP O'NEILL,
Speaker, House of Representatives, Washington, DC, USA.

MY DEAR TIP: I am writing, as Foreign Affairs Spokesman of the Labour Party, to convey my concern at the requests made by the Reagan Administration to Congress to increase humanitarian aid, and provide military assistance, to the Contra forces in Nicaragua. There is great concern in Europe at this proposal and at the announcement of help for UNITA. In the opinion of many of us these actions will seriously jeopardise the prospects for regional stability in these areas.

I have to say that the policy of the U.S. Administration toward Nicaragua continues to place a heavy strain on the Western alliance. The rejection of the Corabelleda declaration and allegations that the U.S. government has violated the Boland amendment have fueled the belief that the American government has no serious interest in a negotiated solution to the problems of Central America. Such an approach not only jeopardizses the prospect of a negotiated solution but impedes those forces within Nicaragua who most strongly support the development of a more pluralist society.

I urge you and your colleagues to reject the requests of the administration.

With best wishes.

Yours sincerely,

DENIS HEALEY.

[From the Associated Press, March 20, 1986]

While the House debated, the eight-member Contadora group of Latin American countries made a fresh appeal to avoid the use of force in Central America.

Speaking at a meeting of the Political Council of the Organization of American States in Washington, Venezuelan Ambassador Edilberto Moreno said it was necessary to reiterate the obligation of all member states of the OAS "to solve their controversies exclusively by peaceful means and to abstain from the use of force directly or indirectly."

Moreno said he was speaking for Argentina, Brazil, Colombia, Mexico, Panama, Peru, Uruguay, and Venezuela.

Chile's new ambassador to the OAS, Javier Illanes, declared his country's "decided support for the Contadora peace efforts."

□ 1420

Mr. FOLEY. Mr. Chairman, I ask unanimous consent that the gentleman in the well, the distinguished Republican leader, be granted such additional time as he may desire.

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

There was no objection.

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

Mr. BADHAM. Mr. Chairman, I rise in support of the resolution.

Mr. Chairman, yesterday, I received a copy of the Democratic Caucus' report "Peace, Democracy, and Development in Central America: A Democratic Alternative." This report attacks President Reagan's policy toward Central America and states that the administration seeks only a military solution. However, the report ignores the fact that the current United States policy toward Nicaragua's Sandinistas was charted during the last months of the Carter administration. Indeed, I am sure that you are aware that Zbigniew Brzezinski, President Carter's National Security Adviser fully supports the $100 million aid to the freedom fighters in Nicaragua.

Further, the Democratic report states that the United States should negotiate with the Sandinistas about their aggressive external policies, but forget about the Sandinista's internal policies simply because they are Communists and will not negotiate about such things. This is very strange logic. Why would the Sandinistas want to talk about anything? They have everything to lose. Absolute totalitarians cannot talk about power-sharing nor of coexistence with their democratic neighbors.

Meanwhile, while we cannot pressure the Sandinistas for internal reforms, the Democrats wish to use military pressure to force President Duarte to continue peace talks with the Communist guerrillas in El Salvador. If Duarte doesn't talk, no military aid. But, it was Duarte who has sought talks all along. I don't understand how some of my distinguished colleagues believe that they can have this both ways. Abandon the Nicaraguan freedom fighters because the Sandinista's will not negotiate, and abandon El Salvador if the legitimate Government cannot bring the Communist guerrillas back to the negotiating table.

We must stand up to totalitarian Communist aggression and we must do it now. I strongly urge my colleagues to support the $100 million in aid for the Nicaraguan freedom fighters.

Mr. BROOMFIELD. Mr. Chairman, to close debate, I yield the balance of my time to the distinguished minority leader, the gentleman from Illinois [Mr. MICHEL] and I hope he may proceed for 3 long minutes.

Mr. MICHEL. Mr. Chairman, several years ago when I was elected the Republican leader, I said in very brief remarks before presenting the Speaker that there would be occasions when there would be no center aisle and the issue itself would transcend partisanship.

This is one of those occasions.

Mr. Chairman, I would say to the Speaker he may very well take a little heart from the fact that I cannot give you a unanimous vote in support of our resolution from my side; similarly, the Speaker cannot do that on his side today.

Mr. Chairman, I am every so grateful for those of you, JACK MURTHA particularly, DANTE FASCELL, CLAUDE PEPPER, who frankly said it all a few moments ago. I probably would not have to say anything aften what they have done today to help elevate the quality of the debate.

Mr. Chairman, as we conclude these 10 hours of debate, there have been four major arguments against the bipartisan resolution.

It is said that if we aid the Contras, this is the first step toward sending American troops to Central America.

My cosponsor, JACK MURTHA, and I, both of whom have been through this thing called war at its worst level, would consider that the last thing either one of us would ever want to do. I submit that precisely the opposite is the case. This is a step away from sending American boys to do what the Nicaraguan freedom fighters want to do for themselves, if we will only give them the chance.

Those opposing this bill say we have not exhausted negotiations. If it is exhaustion you want, it is exhaustion you will get for the next 90 days. There will be a veritable deluge of diplomacy in Central America. I am not going to bet the mortgage money that the Sandinistas will change their minds and meet the Contras at the bargaining table. But no one can then say that diplomacy has not been given a chance, and that is what will take place under this compromise.

It has been said that our Latin American neighbors are against our policies. As I understand it, the Contadora nations want internal reconciliation in Nicaragua. Is that not what we want? That is what the Roman Catholic bishops want in Nicaragua.

The Latin American nations look at our on-again, off-again actions here in the House and, quite naturally, they fear we will abandon the Contras. Who would not feel like that, seeing that uncertainty that we display from time to time around here?

If we provide effective assistance today, we will then see these Latin American countries coming aboard to support our policy.

Fourth, it is said that Nicaragua poses no military threat to us, but if the Soviet military presence in Central America becomes a serious threat, those opposed to providing aid now will make the hard decision later, even if it means sending American troops. I have heard that bellicose sound coming from a few time to time.

In other words, you are not willing to put out a fire in Nicaragua now, but you will march into hell in Central America later. Oh, I wonder if that is

really true. My colleague CLAUDE PEPPER put his finger on it when he made the analogy to Cuba, and I recall those days all too well. I happened to be here at that time. Yes, depose Batista on the right, we said. Get rid of him. For what? We did not know, and we ended up with someone worse on the left.

How many times do we have to go through this thing before it finally soaks in as to what this thing is all about down there? Yes, it is a confrontation between East and West, and do not ever forget it.

As for me, I say why not get the job done while it is still manageable, and without American troops.

To those of you gazing longingly at the April 15 vote—the escape hatch offered by the Speaker—let me tell you what a national security expert told me yesterday. He said, "BOB, if you lose that vote tomorrow, Nicaragua is gone. A month from now will be too late, because the Communists are even now mobilizing for an offensive."

So forget that tantalizing image of some kind of compromise vote a month from now on a supplemental appropriation bill that, quite frankly, is not going to go anywhere.

In moments of great crisis, we do not remain in the same condition; either we rise or we fall; either we transend the crisis or it crushes us. That is as true for institutions and nations as it is for human beings.

So the question is: Do we rise or do we fall? Are we going to avoid the tough questions and some day see Nicaragua, Costa Rica, Honduras go the way of Latvia, Estonia, and Lithuania? Or do we act like a great power with great responsibilities, like we ought to?

I urge each of you to rise to the occasion, join with those of us on both sides of the aisle who support this resolution, and, in my judgment, we will write one of the proudest chapters in the history of this House.

Mr. Chairman, I want to thank the overwhelming majority of Members on my side of the aisle who support the resolution, recognizing that for some it is a very difficult decision for you. We all have to make those decisions from time to time.

Again, I am especially appreciative of the work of my cosponsor JACK MURTHA and those roughly 50 Members that I can see on that side of the aisle, good Members of the majority party, who are also supporting our bipartisan resolution.

Mr. Chairman may I finally say to the Speaker, I love him. We are great friends. I respect his sincerity. I know what an emotional issue this is with him. I think I know something special about that and will not spell it out here. But I just have to say, today, our Speaker is wrong. He is wrong, wrong, wrong. I would say that I hope a majority, of this House will feel as strongly as we do about this resolution and support this bipartisan resolution.

The CHAIRMAN. All time for general debate has expired.

The text of House Joint Resolution 540 is as follows:

H.J. RES. 540

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby approves the additional authority and assistance for the Nicaraguan democratic resistance that the President requested pursuant to the International Security and Development Cooperation Act of 1985, notwithstanding section 10 of Public Law 91-672.

The CHAIRMAN. Pursuant to section 722(n), Public Law 99-83, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WHITLEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (H.J. Res. 540) relating to Central America pursuant to the International Security and Development Cooperation Act of 1985, he reported the joint resolution back to the House.

The SPEAKER. Pursuant to section 722(n), Public Law 99-83, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution 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 joint resolution.

Mr. BROOMFIELD. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 210, nays 222, not voting 3, as follows:

[Roll No. 64]

YEAS—210

Archer
Armey
Badham
Barnard
Bartlett
Barton
Bateman
Bennett
Bentley
Bereuter
Bevill
Bilirakis
Bliley
Boulter
Breaux
Broomfield
Brown (CO)
Broyhill
Burton (IN)
Byron
Callahan
Campbell
Carney
Chandler
Chappell
Chappie
Cheney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Combest
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dowdy
Dreier
Duncan
Dyson
Eckert (NY)
Edwards (OK)
Emerson
English
Erdreich
Fascell
Fawell
Fiedler
Fields
Fish
Flippo
Franklin
Fuqua
Gallo
Gaydos
Gekas
Gibbons
Gilman
Gingrich
Goodling
Gradison
Gregg
Gunderson
Hall, Ralph
Hammerschmidt
Hansen
Hartnett
Hatcher
Hendon
Henry
Hiler
Hillis
Holt
Huckaby
Hunter
Hutto
Hyde
Ireland
Jenkins
Johnson
Jones (OK)
Kasich
Kemp
Kindness
Kolbe
Kramer
Lagomarsino
Latta
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lipinski
Livingston
Loeffler
Lott
Lowery (CA)
Lujan
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCain
McCandless
McCollum
McDade
McEwen
McGrath
McKernan
McMillan
Meyers
Mica
Michel
Miller (OH)
Miller (WA)
Molinari
Monson
Montgomery
Moore
Moorhead
Morrison (WA)
Murtha
Myers
Nelson
Nichols
Nielson
O'Brien
Ortiz
Oxley
Packard
Parris
Pashayan
Pepper
Petri
Porter
Pursell
Quillen
Regula
Rinaldo
Ritter
Roberts
Robinson
Roemer
Rogers
Roth
Roukema
Rowland (GA)
Rudd
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shelby
Shumway
Shuster
Siljander
Sisisky
Skeen
Skelton
Slaughter
Smith (FL)
Smith (NE)
Smith (NJ)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snyder
Solomon
Spence
Stangeland
Stenholm
Strang
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Vander Jagt
Vucanovich
Walker
Watkins
Weber
Whitehurst
Whittaker
Wilson
Wolf
Wortley
Young (AK)
Young (FL)
Zschau

NAYS—222

Ackerman
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnes
Bates
Bedell
Beilenson
Berman
Biaggi
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brooks
Brown (CA)
Bruce
Bryant
Burton (CA)
Bustamante
Carper
Carr
Chapman
Clay
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coyne
Crockett
Daschle
de la Garza
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart (OH)
Edgar
Edwards (CA)
Evans (IL)
Fazio
Feighan
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Frenzel
Frost
Garcia
Gejdenson
Gephardt
Glickman
Gonzalez
Gordon
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hawkins
Hayes
Hefner
Heftel
Hertel
Hopkins
Horton
Howard
Hoyer
Hubbard
Hughes
Jacobs
Jeffords
Jones (NC)
Jones (TN)
Kanjorski
Kaptur
Kastenmeier
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lightfoot
Lloyd
Long
Lowry (WA)
Luken
Lundine
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McHugh
McKinney
Mikulski
Miller (CA)
Mineta
Mitchell
Moakley
Mollohan
Moody
Morrison (CT)
Mrazek
Murphy
Natcher
Neal
Nowak
O'Neill
Oakar
Oberstar
Obey
Olin
Owens

Panetta	Schroeder	Traxler
Pease	Schumer	Udall
Penny	Seiberling	Valentine
Perkins	Sharp	Vento
Pickle	Sikorski	Visclosky
Price	Slattery	Volkmer
Rahall	Smith (IA)	Walgren
Rangel	Snowe	Waxman
Ray	Solarz	Weaver
Reid	Spratt	Weiss
Richardson	St Germain	Wheat
Ridge	Staggers	Whitley
Rodino	Stallings	Whitten
Roe	Stark	Williams
Rose	Stokes	Wirth
Rostenkowski	Studds	Wise
Rowland (CT)	Swift	Wolpe
Roybal	Synar	Wright
Russo	Tauke	Wyden
Sabo	Torres	Wylie
Savage	Torricelli	Yates
Scheuer	Towns	Yatron
Schneider	Traficant	Young (MO)

NOT VOTING—3

Addabbo	Evans (IA)	Grotberg

□ 1445

So the joint resolution was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RESIGNATION AS MEMBER AND APPOINTMENT AS MEMBER OF UNITED STATES-MEXICO INTERPARLIAMENTARY DELEGATION

The SPEAKER laid before the House the following communication from the Honorable PATRICIA SCHROEDER, Member of Congress:

MARCH 20, 1986.

DEAR MR. SPEAKER, I am willing to accede to the wishes of the chairman of the U.S.-Mexican Interparliamentary delegation that 2 serve in a capacity as ex officio hostess instead of as a member of the delegation.

PAT SCHROEDER.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

The SPEAKER. The Chair appoints the gentleman from Texas [Mr. COLEMAN] to fill the vacancy.

CONFERENCE REPORT ON HOUSE JOINT RESOLUTION 534, URGENT SUPPLEMENTAL APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE, 1986

Mr. WHITTEN. Mr. Speaker, I call up the conference report on the joint resolution (H.J. Res. 534) making an urgent supplemental appropriation for the Department of Agriculture for the fiscal year ending September 30, 1986, and for other purposes, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. WALKER. Mr. Speaker, reserving the right to object, I do so to ask the gentleman from Mississippi the question: Is my understanding that the resolution that we have before us has been stripped now of the language that was the nonconferenceable language that brought up a problem in the House previously? Is that correct?

Mr. WHITTEN. If the gentleman will yield, that has been satisfactorily settled with conferees on both sides.

Mr. WALKER. I thank the gentleman, and I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the conference report.

(For conference report and statement, see proceedings of the House of March 19, 1986.)

The SPEAKER pro tempore (Mr. MOAKLEY). The gentleman from Mississippi [Mr. WHITTEN] will be recognized for 30 minutes and the gentlewoman from Nebraska [Mrs. SMITH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Mississippi [Mr. WHITTEN].

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

Mr. Speaker, may I say the only item in disagreement between the House and Senate has been settled. That is amendment No. 1, which has been resolved. The Senate has already passed this conference report.

The following language is that agreed on by conferees on both sides, and I quote:

It is agreed that at least $1.7 billion is available for the Insured Operating Loan Program of the Farmer's Home Administration. Therefore, the Secretary shall proceed immediately to make loans to farmers and farmowners. If these funds should prove to be insufficient, other funds should be made available to meet emergency credit needs of the American farmers and ranchers.

Mr. Speaker, at this point I would like to insert the full text of the agreed upon resolution:

DEPARTMENT OF AGRICULTURE

COMMODITY CREDIT CORPORATION

For the operations of the Commodity Credit Corporation, not to exceed $5,000,000,000 for capital restoration, to enable the Corporation to use the authority authorized by the Charter of the Corporation and other laws to carry out programs handled by the Corporation: *Provided*, That Corporation programs shall retain the goal of sufficient production to meet domestic needs, maintain the supply line, and provide for our share of exports at competitive prices: *Provided further*, That after fiscal year 1987, funds available to the Corporation may be used to carry out section 1241(a)(1) of the Food Security Act of 1985, only to such extent or in such amounts as provided in advance in appropriations Acts. The sign-up agreement should not reduce total production below levels needed to meet domestic needs, maintain the supply line, and provide for an adequate supply for export by either the Commodity Credit Corporation or private corporations or individuals at competitive prices; since by law the proceeds from sales become available for use by the Commodity Credit Corporation, such sales should reduce future appropriations: *Provided further*, That the conservation reserve program shall not replace or reduce any existing conservation program.

It is agreed that at least $1,700,000,000 is available for the insured operating loan program of the Farmers Home Administration. Therefore the Secretary shall proceed immediately to make loans to farmers and farmowners. If these funds should prove to be insufficient, other funds should be made available to meet emergency credit needs of American farmers and ranchers.

Mr. WHITTEN. May I say there is no dissention among the conferees on this report. I urge the Members' support.

Mrs. SMITH of Nebraska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the chairman of the subcommittee for his diligent work on this most urgent matter and rise in support of House Joint Resolution 534, a supplemental appropriation of $5 billion for the CCC.

This urgent supplemental is crucial in the agricultural sectors of this country. Our farmers are waiting for us to pass this bill so that provisions in the 1985 farm bill can be fully funded in timely fashion. Among other things, this will enable them to receive 40 percent of advanced deficiency payments from their local ASCS offices. You know, for a lot of farmers, this will also help ease the credit crunch, for spring planting.

Although this supplemental will not be adequate to fund CCC programs through the rest of the year, it will help them function through the summer. This will allow a better assessment of CCC needs to complete the year. I also would again like to point out that it is extremely difficult to estimate future needs due to the fluctuations in participation and weather.

Also most important, this supplemental points out that at least $1.7 billion is available for insured FmHA operating loans in 1986. This will not even begin to reach the $4 billion level reached in 1985, but instruct the Secretary of Agriculture to immediately make loans to farmers and farm owners. If this amount proves to be insufficient, other funds should be made available to meet these emergency credit needs.

I urge a yes vote on House Joint Resolution 534.

Mr. CONTE. Mr. Speaker, I am pleased to report that your conferees have finally reached agreement on this further conference report for the urgent CCC supplemental. It is one which I understand is acceptable to the

administration, so I hope we can finally dispense with it.

To summarize the contents of the current agreement, let me point out that it does contain the $5 billion which each of us have sought all along for the Commodity Credit Corporation. It also contains the language in the House-passed version restating the Corporation's goals. We have included language affirming our existing commitment to the Conservation Reserve by striking House language which would have required advance appropriations, and we have retained the House provision indicating our continued support for existing conservation programs.

Finally, we have agreed to delete the language which I opposed and the other body struck on a point of order with regard to the Farmers Home Administration insured operating loan levels. The conference agreement emphasized the availability of $1.7 billion for this program, the level authorized in the 1985 Farm Bill. It directs the Secretary to proceed making loans, and contains some long-awaited compromise language which states that other funds should be made available to meet the credit needs of American farmers and ranchers if the fiscal year 1986 ceiling on loan authority is insufficient.

Mr. Speaker, I have no objection to this report. And, as I understand, the administration does not object. No new or hidden budget-busting provisions are contained in this agreement. Should there be a proven need for additional FmHA lending authority, the House will be able to address it through the normal channels on another appropriations bill or through approval of requested transfers and reprogrammings. The extra billion dollars is not in this further conference report. I repeat, it is not in this report.

In closing, I would like to take this opportunity to say to my colleagues that this year, as we've found out, it ain't gonna be easy. The history of the conference report before us proves, beyond a shadow of a doubt, that the heyday is over. Whether or not the Supreme Court strikes down the automatic sequestrations, we are still going to have to live with the facts of the Gramm-Rudman life.

In a decisive 61–33 vote taken in the other body, it was shown that there will be no new increases in outlays without offsets in other accounts. If we want more farm loans, there are going to be less units of housing for the elderly, less student aid, less security for our embassies abroad, less biomedical research, and less medical care for the veterans. These are the clearcut tradeoffs we will have to make.

The lessons that we have learned in this urgent supplemental have been costly—we have kept the CCC closed for 2 weeks and the Crop Insurance Corporation closed for 3 days. The farmers and businessmen and women who have had their payments held up should know that the money due them under the law has been held hostage to a few efforts to rewrite the farm bill and Gramm-Rudman, and to send some sort of poison pen letter to the new Secretary.

I hope that this lesson will not have to be repeated. I hope that we will stop toying around with the Federal agencies and corporations we're supposed to oversee, and the people who elected us to represent them.

Mr. Speaker, I urge adoption of our conference report.

Mrs. SMITH of Nebraska. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. COLEMAN].

Mr. COLEMAN of Missouri. I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise in support of this conference report and want to clarify a previous vote on this bill when it passed the House, I believe it was last week; rollcall No. 50.

I either inadvertently hit the wrong button or the electronic device did not capture my correct vote. In any event, I was supportive of the bill then; I am supportive of the bill now.

We in the Midwest have a great need for this direct loan moneys, and we hope that this bill will provide much assistance to farmers as they go into their spring planting.

Mrs. SMITH of Nebraska. Mr. Speaker, I yield 1 minute to the gentlemen from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. I thank the gentlewoman for yielding me this time.

Mr. Speaker, I just simply want to rise once again to call upon the Appropriations Committee and our distinguished chairman: Please do not do this to us. Year after year we are going through this process. We have now been over a month without money in the CCC because we refuse to fully fund the Commodity Credit Corporation on an annual basis.

As the distinguished lady has said, this is not going to do it. We are going to be back here again, and I know you mean well and I know you think you are helping agriculture, but let me tell you, our colleagues are getting very fed up. They think supplementals are spending additional money above and beyond the normal appropriation.

So the longer we play this game the more we are hurting agriculture rather than helping them. Let us pass the necessary funds in the Commodity Credit Corporation. We all know what that is.

Mrs. SMITH of Nebraska. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. DAUB].

Mr. DAUB. I thank the gentlewoman for yielding me this time.

Mr. Speaker, I would like to comment and follow on with what our colleagues, Mr. GUNDERSON, said to us. The problem maybe is not so much that we nickel and dime the CCC, I say to my good friend and chairman of the committee, because I know he has to manage the money of this country and we appreciate the effort he makes.

The bankers in the Midwest tell me that they cannot make their loans because they do not have an understanding of what the cash flows will be as they look at that asset called the CCC relative to the help that it does give to our growers and producers all across the country in a variety of kinds of agriculture.

May I ask this question of either Mrs. SMITH or Mr. WHITTEN: Do we know yet whether Gramm-Rudman and its 4.3 reduction as of March 1 will affect the second payment that will be made on this crop signup that will be paid in fiscal 1987?

Could someone answer that question?

□ 1455

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

In my opinion, they could have gone ahead with a whole lot of things that perhaps they have not. I think we have had kind of a breakdown at the county level for one reason or another to where they just have not filed applications or where they have filed applications, they have not operated under them.

I met with the head of the Farmers Home Administration last Friday, I believe it was, and I think they have a different attitude and they are ready to move, but I do understand that the payment will be made.

Mr. DAUB. Mr. Speaker, if the gentleman will yield further, if you sign up with funds now being made available by this particular appropriation, and that farmer says, "I'm going to sign up and I'm going to draw down my 40 percent," that the second part or the remaining 60 percent, although not in the 1986 year, but to be paid after harvest in the 1987 year, will essentially have a sanctity of contract and not be cut more than 4.3 percent?

Mr. WHITTEN. I have been assured that it will be carried out, but may I say it will depend on the terms of the contract.

Let me direct my attention to the Commodity Credit Corporation. The budget request this year was that we take all controls off for the Commodity Credit Corporation—take off all controls. We have not done that, but we do, in Government, give more and more jobs to the Commodity Credit Corporation. Of course, our committee can only do what we are asked to do and that is to keep the Corporation where it can handle its business.

Mr. DAUB. I am trying to get a yes or no from the chairman.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Speaker, I think we ought to point out that the administration delayed the signup on purpose so they would have that option available to them to make that reduction if they want to. I do not think it is legal under the language we had in the Gramm-Rudman bill. It is

not legal for them to do it, but they say that it is legal for them to do it; so the question cannot be answered here.

Mr. DAUB. Mr. Speaker, will the chairman yield for a further clarification?

Mr. WHITTEN. Certainly, I yield.

Mr. DAUB. Notwithstanding the comment that it could or could not be true that my colleague, the gentleman from Iowa, has stated, I am trying to find out, if you sign up and if Gramm-Rudman in effect did reduce that first 40 percent of CCC deficiency payments by 4.3 percent, will the remaining 60 percent also be reduced be 4.3 percent, but no more than that?

Mr. WHITTEN. May I say to my colleague that the administration of this comes under the executive branch. I have so much difficulty trying to find out from the Department and from the local offices what the facts are, that I cannot answer. They are supposed to handle this, but they have been mighty slow moving into it, so I cannot tell the gentleman what they will do. I can tell the gentleman what they should do.

Mr. DAUB. Mr. Speaker, I think the gentleman very much.

Mrs. SMITH of Nebraska. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. MYERS].

Mr. MYERS of Indiana. Mr. Speaker, I thank our friend, the gentlewoman from Nebraska, for yielding the time.

Here we go again. It seems like every time your Appropriations Committee has been on this floor, which has been too frequently in the last 90 days, we get criticized for being here.

The gentleman from Wisconsin [Mr. GUNDERSON] I guess has left the floor. I am sorry the gentleman has left; but again the gentleman beats this drum that it is the Appropriations Committee's fault that we do not ask for enough money.

Oh, there the gentleman is. Will the gentleman come on over so I can talk to him.

If the gentleman will check the RECORD back on December 19, 1985, this Congress passed the appropriation bill containing $2.7 billion for insured operating loans for the Farmers Home Administration.

The next day a different bill passed in the authorization, authorizing only $1.7 billion, which is in this particular provision here.

Through an interpretation by the Department of Agriculture, they say they have only $1.7 billion available for operating loans, those which are critical.

Now, we feel there is $2.7 billion because the appropriations passed, but because the authorizing bill passed a day later, the attorneys in the Department of Agriculture interpreted that the latest bill, the latter bill shall prevail.

Now, if the gentleman recalls, a couple weeks ago we passed an appropriation bill here containing $2.7 billion. We did not really pass another appropriations bill, because it had already been appropriated; but we identified that $2.7 billion as being available for operating loans.

We went to conference with the other body and in conference we passed the $2.7 billion and that it should remain available.

The interpretation by the other body was that that exceeded the budget limitation, so we had to drop back to the $1.7 billion; but in the language here, if the gentleman will notice, if these funds should prove to be insufficient, which many people feel they probably will and likely are to be, but no one knows at this point whether they will or will not be. This is an uncertain business we are in, as we all know; and yet the gentleman is critical of the Appropriations Committee because we cannot anticipate. The administration admits that it cannot anticipate, either. No one knows how much is going to be the demand out here.

But here is the important part: Other funds should be made available to meet emergency credit needs of American farmers and ranchers.

Now, if I were writing the report, and I did not write this language, in the last part of that sentence I would have said, "Other funds shall be made available from previously appropriated funds." Instead of other funds would be made available.

But nevertheless, the intent of this body is that $1.7 billion we know is available and should be loaned. If more is needed, it is the intent of this language on this body that available funds previously appropriated should be available to loan. I think that extra billion dollars would probably be enough.

But do not shoot the messenger. We are only dealing first with the other body, with the rules of the Budget procedure, as well as the administration.

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

Mr. MYERS of Indiana. I yield to my friend, the gentleman from Wisconsin.

Mr. GUNDERSON. Mr. Speaker, I appreciate the gentleman yielding and I appreciate his remarks.

I am sure the gentleman heard the distinguished ranking member of the subcommittee, the gentlewoman from Nebraska [Mrs. SMITH], who indicated earlier that the amount of money that is in this bill will only carry the Commodity Credit Corporation through the summer, which means that we will need more money before we complete the fiscal year on October 1st.

My concern is not with the gentleman from Indiana or the gentleman from Mississippi [Mr. WHITTEN] or the gentlewoman from Nebraska [Mrs. SMITH]. All of you I know are committed to agriculture.

The gentleman and I both now that we have colleagues on both sides of the aisle who when we come back to get more money that we are always asking for more money for agriculture.

Our problem is that our other colleagues are coming up to us and saying, "There you are asking for more money for agriculture. How many times are we going to have supplementals for agriculture?"

We do have estimates and we know right now what the estimates are, what we are going to need between now and the end of the fiscal year.

The distinguished gentlewoman has said why do we not appropriate that much now and be done with it? Then if as the gentleman indicated prices change, the crops surplus changes, and we have got to come back and get a true honest supplemental that is fine. That is beyond the gentleman's control, and I recognize and understand that.

My only concern is that we are getting a bad name for agriculture by doing this piecemeal.

Mr. MYERS of Indiana. I would not disagree with the gentleman. We do not like it either, because it is taking our time and the time of the gentleman. We have to come back and beat this again because the rules of the House prohibit it; but if the gentleman will look at the RECORD, he will find why we are here because of what happened in the other body. I cannot of course refer to a particular vote in the other body because of the rules of the House, but if the gentleman will check the RECORD, the gentleman will see that we were forced to go this way.

Mrs. SMITH of Nebraska. Mr. Speaker, I have no further requests for time, and yield back the balance of my time.

Mr. WHITTEN. Mr. Speaker, I have no further requests for time. I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 352, nays 71, not voting 11, as follows:

[Roll No. 65]

YEAS—352

Ackerman
Akaka
Alexander
Andrews
Annunzio
Anthony
Applegate
Aspin
Atkins
Badham
Barnard
Barnes
Barton
Bateman
Bates
Bedell
Bellenson
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Billey
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boulter
Boxer
Breaux
Brooks
Broomfield
Brown (CA)
Broyhill
Bruce
Bryant
Burton (CA)
Burton (IN)
Bustamante
Byron
Callahan
Campbell
Carr
Chapman
Chappell
Chappie
Clay
Clinger
Coats
Cobey
Coble
Coelho
Coleman (MO)
Coleman (TX)
Combest
Conte
Conyers
Cooper
Coyne
Craig
Crockett
Darden
Daschle
Daub
Davis
de la Garza
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Durbin
Dwyer
Dymally
Dyson
Early
Eckart (OH)
Eckert (NY)
Edgar
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans (IL)
Fascell
Fazio
Feighan
Fiedler
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Franklin
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gephardt
Gilman
Glickman
Gonzalez
Gordon
Gradison
Gray (IL)
Gray (PA)
Green
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hamilton
Hammerschmidt
Hartnett
Hatcher
Hawkins
Hayes
Hefner
Heftel
Hendon
Henry
Hiler
Hillis
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
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)
Lewis (CA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lott
Lujan
Lundine
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mazzoli
McCain
McCloskey
McCurdy
McDade
McEwen
McHugh
McKernan
McKinney
McMillan
Meyers
Mica
Michel
Mikulski
Miller (CA)
Miller (OH)
Mineta
Moakley
Mollohan
Montgomery
Moody
Moore
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nielson
Nowak
O'Brien
Oakar
Oberstar
Obey
Ortiz
Owens
Oxley
Panetta
Parris
Pashayan
Pease
Pepper
Perkins
Petri
Pickle
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
Sabo
Savage
Saxton
Scheuer
Schneider
Schuette
Schulze
Schumer
Sharp
Shaw
Shelby
Shuster
Sikorski
Siljander
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith, Robert (OR)
Snowe
Snyder
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stenholm
Stokes
Strang
Stratton
Stump
Sweeney
Swift
Swindall
Synar
Tallon
Tauke
Tauzin
Taylor
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weber
Weiss
Wheat
Whitehurst
Whitley
Whittaker
Whitten
Williams
Wilson
Wirth
Wise
Wolpe
Wortley
Wright
Wyden
Wylie
Yatron
Young (AK)
Young (FL)
Young (MO)

NAYS—71

Anderson
Archer
Armey
Bartlett
Bilirakis
Brown (CO)
Carney
Carper
Chandler
Cheney
Coughlin
Courter
Crane
Daniel
Dannemeyer
DeLay
DioGuardi
Dornan (CA)
Downey
Dreier
Fawell
Fields
Frank
Frenzel
Gallo
Gekas
Gingrich
Goodling
Gregg
Hansen
Hertel
Holt
Ireland
Levine (CA)
Lewis (FL)
Lowery (CA)
Lowry (WA)
Luken
Lungren
Mack
McCandless
McCollum
McGrath
Miller (WA)
Mitchell
Molinari
Monson
Moorhead
Morrison (CT)
Nelson
Nichols
Olin
Packard
Penny
Porter
Russo
Schaefer
Schroeder
Sensenbrenner
Shumway
Smith, Denny (OR)
Smith, Robert (NH)
Stark
Studds
Thomas (CA)
Vucanovich
Walker
Weaver
Wolf
Yates
Zschau

NOT VOTING—11

Addabbo
AuCoin
Collins
Duncan
Evans (IA)
Gibbons
Grotberg
Loeffler
Mavroules
Seiberling
Sundquist

□ 1510

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

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1520

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, TUESDAY, MARCH 25, 1986, TO FILE REPORT ON A BILL MAKING SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 1986

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, Tuesday, March 25, 1986, to file a privileged report on a bill making supplemental appropriations for the fiscal year ending September 30, 1986, and for other purposes.

Mr. CONTE reserved all points of order on the bill.

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

There was no objection.

IMMEDIATE MEETING OF COMMITTEE ON APPROPRIATIONS

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

Mr. WHITTEN. Mr. Speaker, I desire to make the announcement that the Committee on Appropriations will meet immediately on the supplemental appropriations bill in its full committee room.

LEGISLATIVE PROGRAM

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

Mr. LOTT. Mr. Speaker, I ask to address the House at this time so that Members may be advised of the schedule for the balance of the day and the week. I will be glad to yield to the distinguished majority leader for that purpose.

Mr. WRIGHT. Mr. Speaker, I thank the gentleman from Mississippi for giving us this opportunity to discuss exactly where we are at this moment.

It is our purpose at this time to proceed with special orders pending a possible resolution of the elements involved in the reconciliation bill. It is our understanding that the leadership on the Senate side has agreed to certain elements on a settlement that they want to be considered on our side. In order that our principals have the opportunity to consider those and evaluate them, we would like for Members to be advised that we will go into special orders and proceed on special orders, pending such time as it is able to be determined whether or not there is a settlement with regard to reconciliation. We would hope that might occur within a couple of hours.

This we expect would conclude the business for this week. Agreement has been reached by the principals on both sides of the issue to postpone consideration of the gun control legislation until the Wednesday after the Easter recess. That will be the 9th day of April, Wednesday, April 9.

On that day, we expect to take up the rule and begin debate on the gun control legislation. It will not be considered this week.

Mr. LOTT. If the gentleman will yield at that point, I understand the gentleman will ask unanimous consent at the appropriate time that we come in at 10 o'clock on that Wednesday, April 9, to consider the gun bill. I would like to advise the leader that we would have no objection to that.

HOUR OF MEETING ON WEDNESDAY, APRIL 9, 1986

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Tuesday, April 8, 1986, we adjourn to meet at 10 o'clock on Wednesday, April 9, 1986.

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

There was no objection.

Mr. WRIGHT. If the gentleman will yield further, the further information we need to give is that if we conclude this business this evening, we will have only a pro forma session tomorrow, and only pro forma sessions on Monday and Tuesday. But that depends upon our being able to conclude the matter of reconciliation this evening.

Mr. LOTT. I thank the gentleman for that information. If I may repeat it just so Members will understand, we will not take up the gun bill or even the rule on the gun bill today; is that correct?

Mr. WRIGHT. The gentleman is absolutely correct.

Mr. LOTT. They will be brought up instead on Wednesday, April 9, at 10 a.m.

We are still working now to try to get a resolution of the reconciliation package. There are meetings occurring at this time, and the Members should be on notice that we hope to get something this afternoon, as soon as possible. Now that may be minutes or that may be hours or more, but we will proceed in the meantime with special orders while we await action in that regard; is that corect?

Mr. WRIGHT. The gentleman is absolutely right.

Mr. LOTT. Does the gentleman expect a pro forma session on Tuesday, April 8, or do we expect to have legislative business and defer votes until Wednesday? What would be the situation?

Mr. WRIGHT. We expect to have a pro forma session on Monday, April 7, and on Tuesday, April 8, to take up suspensions, debate, and vote on them by voice vote, but to postpone any recorded votes on those suspensions until the following day, Wednesday, April 9.

Mr. LOTT. I thank the gentleman for that information. Now we can go to work on reconciliation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will accept 1-minute speeches before embarking on special orders.

WORLDWIDE EXPRESSION OF BROTHERHOOD COOPERATION AND PEACE

(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, on Friday, March 28, Rome, GA, will be the center of a worldwide expression of brotherhood, cooperation, and peace—all centered around the simultaneous broadcast by more than 8,000 radio stations in 35 nations of the song, "We Are the World."

This is the second year in which Rome Radio Station WROM-AM/WKCX-FM is organizing a simulcast of this song, calling mankind's attention to the need for cooperation in solving our common problems. Last year's simulcast—prompted by the plight of famine victims in Africa—was carried on 7,000 radio stations in 27 nations.

I call attention to the contribution of disc jockey Bob Wolfe, organizer of both simulcasts. Bob Wolfe has proven that one person can make a difference—that one man's love and concern for other human beings truly can be a light to the rest of the world.

At 10:50 a.m. eastern time on March 28, I urge my colleagues to join 7,000 schoolchildren in Rome's Barron Stadium—and millions more listening to their radios—in singing "We Are the World"—a message of peace and good will to all the people of the earth.

MYTHS AND FACTS ABOUT RED MEAT

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

Mr. ROBERTS. Mr. Speaker, today has been declared "American Meat Out Day" by several organizations who lay claim to be guardians of public health.

The theme is for consumers to eat less meat in order to become more healthy. Mr. Speaker, this is a disservice to our livestock and red meat industry. More to the point, the argument is based upon myth, not fact. I do not quarrel with individual preference of those who choose not to eat meat but in order to make that choice, the consumer's decision should be based upon fact. Let us set the record straight.

Red meat production is the largest segment of American agriculture, accounting for more than a fifth of all farm marketings. And every dollar that this $30 billion a-year industry generates is multiplied five or six times in related industries. Furthermore, for every job created on the farm or ranch, there are six jobs created in related industries. The beef industry is indeed an essential part of this country's economy, and it saddens me to hear of such activities as the "Meat-Out."

I think it is time to stand up for beef, pork, and lamb producers and their products. And it is time to dispel some of the myths and half-truths used to malign this great industry.

Myth: Red meat has no place in a healthy diet.

Fact: Balance and moderation are the keys to good diet. About 50 separate nutrients are essential to health, and no single food contains all of these. For example, beef is an excellent source of vitamin B-12, but is not a source of vitamin C. Oranges contain vitamin C, but virtually no protein. That's why it's important to eat a varied diet.

So what nutrients does beef contribute? Beef offers a substantial amount of protein—nutritionally complete protein containing all eight essential amino acids in the ideal proportions for human nutrition. A 3-ounce portion of cooked sirloin trimmed of fat contributes 40 percent of the U.S. recommended daily allowance for vitamin B-12, 37 percent of the zinc RDA, 18 percent of the niacin, 57 percent of the protein, and 16 percent of the iron. Furthermore, that is heme [heem] iron, which is three to five times more easily absorbed by the body and actually serves as a catalyst for the absorption of other types of iron. Since iron deficiency is one of the most common dietary deficiencies among women in the United States today, it makes sense to include beef in the diet.

Myth: Red meat is high in cholesterol and fat.

Fact: Three ounces of cooked lean pork contain only 79 milligrams of cholesterol. By comparison, the same amount of roast chicken contains 76 milligrams; cheddar cheese 90 milligrams; and shrimp 130 milligrams.

Cattlemen have been steadily improving their product—using new breeding and feeding technologies—so that it is 10 percent-leaner today than it was 20 years ago. Three ounces of cooked lean beef contain only nine grams of fat, and less than half of that is saturated. Of all the fat in the U.S. food supply, only 36 percent comes from meat and fish. The increase in fat consumption which we have seen in recent years is the result of an increase in the use of vegetable fats.

Myth: Americans eat too much red meat.

Fact: The American Heart Association says that a healthy person can eat up to seven ounces of lean red meat, poultry, and seafood per day. Presently, for example Americans consume an average of only 2 ounces of cooked lean beef per day—considerably less than the recommended daily intake of foods from the meat group.

Myth: Government agencies recommend that Americans not eat red meat.

Fact: Government agencies recommend moderation in the diet, and they often caution against "too much" fat, saturated fat and cholesterol. In fact, most agencies now say that lean meat can be an appropriate part of restrictive diets as well as more conventional diets. The problem is that people interpreting diet recommendations—including some people in the media—automatically assume, and state, that red meat is a fatty food and that its intake should be cut back. Unfortunately, the sources for such stories have not assumed responsibility for seeing that their advice is properly interpreted. If Government agencies and organizations are going to issue dietary guidance, they should be obligated to see that health professionals, the news media and the public get all the facts. They should be obligated to help see that their diet recommendations are correctly interpreted.

Myth: Red meat is too expensive.

Fact: While average meat prices have changed little in the past 6 years, other food prices have increased. Americans now spend an average of 1.7 percent of their disposable income for beef and, in view of its contribution to the diet, beef is a particularly good value.

Myth: Livestock graze on valuable land and consume grain that could be used to feed the world's hungry.

Fact: About 1 billion acres of the Nation's 2.2 billion acres of land are used for pasture and grazing. The vast majority of this land is too rugged, too arid, too wet or too high to cultivate crops of any kind. If it were not for grazing ruminants such as cattle and sheep, this 1 billion acres of land would have no productive use. These animals are able to convert otherwise unusable cellulose in grass and shrubs into nutritious food.

For example: Grain fed to beef cattle represents only 15 percent of the total feed for cattle. This grain is mostly feed grain, for which there is little or no demand as human food. So feeding less grain, which is already in oversupply, would do nothing to help the hungry.

Red meat is an important industry for our Nation, and an important source of nutrition for Americans. Rather than a "Meat-Out" we should have a "Meat-In" to recognize how the majority of Americans feel about the red meat industry.

NATIONAL AGRICULTURE DAY

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

Mr. DE LA GARZA. Mr. Speaker, today is National Agriculture Day, and I want to take this opportunity to spell out, for all Americans, what this observance means to all the people of our country.

Congress passed the law calling for this observance because we want to continue a tradition of honoring the men and women whose hard work and sacrifices give us, every day, our daily bread. But while we pay tribute to the farmers of America, I want to remind the House that in recognizing the contributions of American agriculture, we are also honoring the work of millions of other workers.

When we call on the country to take note of what agriculture does, we are certainly talking about farmers. But we are also talking about the men and women who manufacture farm machinery, fertilizers, farm chemicals, and agricultural supplies of all kinds. We are talking about the people who move the farmers' crops, livestock, and milk from the farm and ranch to processing plants or consumers. We are talking about the farm workers who cultivate the crops, pick the vegetables and care for the cattle, hogs, and chickens. We are talking about the people who take wheat and turn it into bread, or who convert raw foods into packaged complete dinners ready for use in today's homes.

Mr. Speaker, I could go on for a long time listing all the people who are part of modern agriculture—the groups that handle marketing in this country and overseas, the wholesalers and retailers who bring food to consumers in the greatest variety and with the highest quality available anywhere in the world—and at the lowest real cost in the world. But I think the point is clear. Agriculture is not only our most basic industry, it is our largest industry. It involves about 21 million jobs—about one out of every five private enterprise jobs in this country.

Not many of us are farmers, Mr. Speaker, but every one of us in this Nation has a stake in what happens on the farm and in the entire agricultural industry. Some Americans have that stake because they make a living in one of the segments of agriculture that operates off the farm. But whether you work in some phase of agriculture or not, you are affected by what happens to agriculture.

What it boils down to is this:

A healthy agricultural industry is good news for America because it means long-term assurance of continued adequate food and fiber supplies at reasonable and stable prices—and because it contributes to the strength of the whole national economy.

But an agricultural industry that is struggling through a depression is bad news for America. That is because a depressed agriculture will be less able to meet the needs of American consumers over the long run—and because a depressed agriculture weakens the entire national economy.

I hope this message can be brought to all parts of the country and all groups today as we celebrate the annual observance of National Agriculture Day. This observance is coordinated each year by the Agriculture Council of America, a non-partisan, non-profit organization that devotes itself to promoting progress in agriculture and a national understanding of agriculture.

I would be very happy if I could come to you today to tell you that the outlook for our farm economy this year is good. It would be nice to predict that all efficient farmers are going to earn good incomes in 1986. I would love to be able to say that our only problem will be in keeping up with the demand for farm products.

The fact is, however, that we are going through what amounts to a depression in some agricultural areas. Not all parts of the country and not all segments of agriculture have been hit to the same degree. But even in areas that have so far escaped the worst of the squeeze, we are beginning to see problems ahead.

If I look far enough into the future, I can be an optimist about agriculture. Population and food demand are going to grow in the years ahead. By sometime in the next century, we could be concerned again about whether we can produce enough to meet the world's needs. But for the present, and for the next few years, our problem is farm income.

American agriculture today can produce more of many commodities than we can sell at prices good enough to keep the farm economy healthy. There are no quick, clean and easy solutions to this problem. What we can do, and what we must do, is to find a way to help efficient farmers hold on until the economic situation improves.

This is one of the reasons Congress was willing to pass the 1985 farm bill by an overwhelming margin. Four years ago, when we adopted the 1981 farm bill, it passed in the House by a margin of just two votes. The 1985 farm bill passed in the House by a margin of 325 to 96—better than 3 to 1.

I think this shows that urban America now agrees it has a stake in trying to do something to help rural America. This is good news. It doesn't solve our problems. But it gives us a chance to find solutions—and it gives us added reasons to take some time on this agriculture day to bring the message of American agriculture to all of the people of our country.

One of the things we should be thinking about today is the issue of rebuilding our agricultural export markets.

One of the major factors behind today's trouble in the farm economy has been the decline in export sales for some of our major commodities in recent years. In passing the 1985 farm bill, Congress acted to regain those lost markets, partly by making support loan rates more competitive for major crops and partly by beefing up some of our export promotion programs. As my colleagues know, we were forced to modify some of the new export promotion features of the law recently in order to get other needed changes in the farm bill. But this has not changed the fact that export policy remains one of the key elements in any future agricultural recovery.

With this in mind, I believe we should try to call the importance of the problem to the attention of the Nation at large. And to help in this effort, I am today introducing a bill to proclaim the week of June 16th as National Agricultural Export Week. Passage of this legislation, which I introduced with Congressman EDWARD R. MADIGAN of Illinois, the ranking minority member of the Agriculture Committee, should help get national attention for the significance of export markets to the agricultural and total national economies.

I hope that all Members of the House will join us as cosponsors on the legislation to create a National Agricultural Export Week Observance.

Finally, Mr. Speaker, as we share in the bounty of this great country of ours, at least for today, let us thank God for those who till the land and say a special prayer for them—for without them, there is no life.

EAT MORE BEEF

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

Mr. ROBERT F. SMITH. Mr. Speaker, I want to join my colleague from Kansas [Mr. ROBERTS] in his remarks regarding the so-called meat-out on next Thursday. The red meat industry and beef industry are honorable industries. They take no subsidy from this Government, nor the taxpayers of this country. They do not need at this time of almost desperation and recession an additional onslaught on this product which is nutritious to people and has never been found by any medical interests to be a disaster to health or future or longevity in life.

So I am asking my colleagues and those listening to understand that meat is not injurious to your health. In fact, meat is cheap.

Eat more beef.

NONDEDUCTIBILITY OF FEDERAL EXCISE TAXES

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

Mr. CHAPMAN. Mr. Speaker, I rise today to ask my colleagues to support House Resolution 404 which I introduced last evening.

Over in the other body of this institution, there has been proposed a tax reform bill that includes a revenue proposal that would eliminate the deductibility of Federal excise taxes from the cost of doing business. I oppose this proposal for at least six reasons.

First, deductibility of excise taxes is not a loophole. Federal excise taxes are a legitimate cost of doing business.

Second, to eliminate the deductibility of the excise taxes results in a regressive tax and has the effect of raising each Federal excise tax by 54 percent, and this will fall most heavily on those of low- or moderate-income.

Third, nondeductibility results in a disruptive tax increase.

Fourth, nondeductibility is an arbitrary consumption tax.

Fifth, nondeductibility penalizes taxpayers who have acted as Government agents. It would penalize those taxpayers who traditionally have helped our Government as the collectors of this Federal excise tax.

Lastly, nondeductibility is probably unconstitutional and may violate the 16th amendment.

I urge my colleagues to join me in support of House Resolution 404 which is a sense-of-the-House resolution that we should maintain the deductibility of the Federal excise taxes.

□ 1535

GUN LEGISLATION WILL IMPROVE SECOND AMENDMENT RIGHTS

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

Mr. SHAW. Mr. Speaker, I was somewhat disappointed to see that the so-called gun bills were taken off of the calendar this afternoon, but I can understand, with the emotion and the pressing of the last issue that was before this House on the matter of Nicaragua and with the oncoming recess, that we were quite possibly going to lose some Members, and this was an issue that has generated a lot of interest, and I think one for which all the Members should be here.

There is also a lot of disinformation floating about this House with regard to both of these bills. I am referring to the one that came out of the Committee on the Judiciary and I am also talking about the one that has been refiled by the gentleman from Missouri [Mr. VOLKMER], who will probably have something to say about it this afternoon.

I believe that both of these bills for those of us who are concerned about the preservation of second amendment rights, are a substantial improvement over existing law. Both of these bills can be improved with some amendments, but I would like to urge all of my colleagues to support at least one of these bills. They are good bills, and they will do a lot to protect the rights of the American people as framed in the second amendment of the Constitution.

RED MEAT HAS RECEIVED A BUM RAP

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

Mr. STENHOLM. Mr. Speaker, I would like to echo Mr. ROBERTS' sentiments. Red meat has received a bum rap, not only regarding nutrition but regarding safety, as well. What we too often forget is that our meat supply is the most regulated, the most inspected, and the safest meat supply in the world.

Despite this, we continue to hear scare stories about drugs used in red meat production. I'd like to clear the air on some of these issues.

Before any drug can be used in food production, it must undergo extensive testing. The manufacturer must show that it is not only safe, but that a reliable test exists for detecting residues. Then, and only then, does the Food and Drug Administration approve it's use.

Once the drug is approved, its use is regulated by State and Federal officials who inspect feed mixing facilities and randomly sample animal feed to ensure that the approved levels of the drug are not exceeded.

USDA, through its Food Safety and Inspection Service, oversees the slaughter and processing of all livestock and poultry to insure that the animals are healthy and that all appropriate sanitation measures are taken. They also sample for drug residues.

Once again, meat is randomly inspected when it reaches the retail store—this time by FDA. But because of the precautions taken prior to delivery to the retail store, these residue tests have repeatedly demonstrated that beef is safe and unadulterated.

Despite this, consumers have voiced concern about antibiotic use, and the beef industry has responded. Penicillin is not used at all for beef production, and tetracyclines are not frequently used for growth promotion. Nonetheless, to reassure consumers, the Na-

tional Cattlemen's Association has recommended to their members that any subtherapeutic use of antibiotics for growth promotion be discontinued until the issue is resolved.

Criticism of the use of growth promotants has also been leveled at the beef industry. But this needs to be put into perspective. The amount of estrogen in 1 gram of meat from a hormone-implanted steer is 22 picograms. That's equivalent to one grain of wheat in a shipment of 65,000 metric tons. And compared to the estrogen in other foods, it is actually very small. For instance, wheat germ contains 4,000 picograms per gram, and soybean oil contains 2 million picograms! So, in a meal containing potatoes, whole wheat bread, green salad, green peas, and ground round steak from estrogen-treated cattle, the food containing the least estrogen is the steak.

But none of these foods present a hazard when you consider how much estrogen the human body produces. Men produce 39,700 times the amount of estrogen that is in hormone-treated beef, women produce 466,000 times that amount, and pregnant women produce 18,750,000 times that amount.

But the whole beef safety issue is best summed up in a statement made by Gilbert Leveille, then of the Department of Food Science and Human Nutrition at Michigan State University. Dr. Leveille said:

> It is ironic that such effort is directed at faulting the diet of the United States, when there is little doubt that this is the most abundant, most varied, and the safest food supply in the world.

PROGRESS OF THE FIREARMS OWNERS PROTECTION ACT

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

Mr. VOLKMER. Mr. Speaker, I just want to make it clear that the Firearms Owners Protection Act, the legislation that was scheduled to be taken up today and finished up tomorrow, was pulled not at my request. I did not request that the legislation be pulled; in fact, I requested that we continue with the legislation.

However, with matters as they were presented, I finally determined that we were not going to finish it any way we looked at it, and we would have to come back after Easter, and knowing that, I then insisted that we not take up the rule. The Speaker and the chairman of the Committee on the Judiciary and everyone agreed to do that, and then we agreed to take it up on Wednesday, the 9th.

I want Members to know that I did not instigate the putting off of the consideration of the legislation. I, for one, was prepared, and wanted to proceed with finishing up today and tomorrow.

In a few minutes, I will be taking a 5-minute special order to discuss some of the past abuses of BATF that brought about the reason for the legislation.

REVISED RESCISSION PROPOSALS AND NEW DEFERRALS OF BUDGET AUTHORITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 99-186)

The SPEAKER pro tempore (Mr. CHAPMAN) 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, Thursday, March 20, 1986.)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will call for special orders at this time, but will return to legislative business later in the day.

GREEK INDEPENDENCE DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. GEKAS] is recognized for 5 minutes.

Mr. GEKAS. Mr. Speaker, next Tuesday marks another anniversary of Greek Independence Day. That is not a well-known item, perhaps, in American history books, but for those who are members of the Greek Orthodox Church and those people who have a Greek heritage of which they can speak proudly, as I do, it is a very momentous occasion.

When I was a youngster, and attending church, and learned about the significance of March 25, I learned for the first time that it was a combination of an ethnic celebration and a religious celebration. The religious celebration being the Day of Evangelismou, or the day on which the message of Christiandom was spread throughout the world.

I also learned that, on that day it was in 1821 when a cleric, a priest in a small village in Greece raised the flag of independence. Up to that time, for almost 500 years, that little country of Greece was under the heel of the Ottoman Empire—almost 500 years of total suppression, total dominance by that fearsome regime known as the Ottoman Empire.

Yet on that day, March 25, 1821, this Pater Germanos raised the flag of independence and ignited a flame that lasted throughout the revolution that began on that day and lasted until 1830, finally ending in the independence of Greece from the Ottoman Empire.

During that time, the whole world learned of the beautiful poetry of Lord Byron of England who, when he observed what was happening in Greece, himself went to Greece, and on the battlefield of Missolonghi, on that battlefield on the side of Greek revolutionaries, Lord Byron—the great poet, great general, great leader—died on land of a country for which he had great admiration and about which he wrote some of his richest poetry.

So we who learned and were born into the history and tradition of the Greek religion and history, began to learn even more as the years progressed.

□ 1545

What we learned was that that did not go unnoticed in the United States of America. In those years when President Monroe was advocating and pronouncing the Monroe Doctrine, which ironically came into the very debate which we have concluded here today on Nicaragua, that Monroe Doctrine was one which will live forever, of course, in American history. But at the same time he took pains to proclaim the right of the Greek nation to be independent from the Ottoman Empire and Member after Member stood up on the floor of the House, where I am privileged today to occupy a small part, and gave support to that Greek revolution, citing that 500 years of repression and slavery, outright slavery, I might say, which characterized the heel of the Ottoman Empire.

So it was that the American Government and the American people in various ways, by collecting moneys, by collecting support of materiel and having their elected representatives on the floor of the House of Representatives evince that support for the Greek nation, in total were able to create such a momentum that in that blessed day in 1830 the last vestige of the Ottoman Empire was removed from the nation we now know as Greece.

So it is fitting that the cradle of democracy, where democracy was born, where the principles were first announced which Thomas Jefferson adopted for utilization in this country, the benefit of which we now exercise here on the floor of the House, was again reemphasized in the 1820's when this Nation stood side by side with that small country to rekindle the spirit of liberty and democracy which Greece first presented to the American Nation through its classical history and, then in the mid-19th century, to reconfirm with the rhetoric and the purpose and the esteem of the President of the United States and the Members of Congress of that era.

So it is a part of American history. It is more than just with ethnic pride that I stand here and repeat some of the themes of this occasion. It is now, or should be, regarded as part of American history.

I thank the Speaker.

THE NEED FOR THE FIREARMS OWNERS PROTECTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. VOLKMER] is recognized for 5 minutes.

Mr. VOLKMER. As announced, Mr. Speaker, I would like to review some of the matters that have given rise to the need for the legislation which I have entitled the Firearms Owners Protection Act which I have worked on for 6½ years.

Mr. Speaker, for reasons known to some of us, there have been no real hearings in this House on the civil liberties abuses which inspired the substitute and its Senate counterpart. I therefore want to stress that need for the substitute is not based upon hypotheticals, but upon abuses—some might call them atrocities—perpetrated against real people. These abuses were documented in 6 years of hearings before two different committees, and deserve mention here.

The first sets of hearings were held in Senate Appropriations and were chaired by DENNIS DECONCINI. The first witness was David Moorhead, a decorated and disabled Vietnam veteran from New Hampshire. The Tet offensive had left Moorhead with eight major wounds. Told he would never walk again, he persevered and left the wheelchair behind. Moorhead's gunshop, located in a small New Hampshire town, was one day visited by an undercover agent who casually asked if Moorhead would make an illegal sale. Moorhead instead noted his auto license plate and called BATF to turn the man in and urge his arrest. He was that type of person. The informant had, however, seen in Moorhead's shop an M-14, which Moorhead had bought from a Boy Scout leader and kept as a memento of his service. Although the gun was semiautomatic, BATF's experts felt it was originally designed to work, if fitted with extra parts, as a machinegun. BATF sent a team of agents to raid his shop and take him into custody on felony charges. When his wife, a nurse, sought to accompany him, she was told to stay with the search party or be arrested. Following their policy of involving local officials in a search party, the agents had taken the county sheriff with them. To their chagrin the sheriff immediately agreed to become a character witness for Moorhead.

At trial, the prosecution argued that good faith was no defense: Moorhead should be subject to 10 years' imprisonment for an honest act. Judge Bownes—since elevated to the circuit—had the courage to dismiss the case. From the bench he asked Moorhead to stand and the judge apologized to him on behalf of the United States, calling the case a travesty. Moorhead, who at this point was indigent, was still being sued by BATF for license revocation and forfeiture of the rifle. Under these pressures, he finally gave up the shop.

Another dealer, H.W. Phillips of Virginia, had a related experience. He was approached by an undercover agent who had proper identification and was legally entitled to purchase a firearm. However, since the agent claimed he had muttered a statement about desiring to transfer the firearm to his girlfriend who resided in another State, the prosecution sought to convict Phillips of aiding an interstate sale. The case fell apart so completely that the judge directed a verdict of acquittal. The agency had seized some 44 firearms from Phillips' shop—and it took two court orders to get them returned. The Bureau also withheld Phillips' license for over a year after his acquittal. Although ultimately vindicated, the experience left Phillips out of pocket some $7,000 in legal fees. Senator MCCLURE, sitting on the committee, read into a record a Justice Department memorandum complaining that BATF's mass seizures of all of a dealer's guns were sometimes so blatantly illegal as to enrage judges hearing of it and jeopardize the prosecution.

A third witness documented a different abuse. R. C. Lindsey of Florida, like many collectors, held a dealer's license in order to purchase for himself and close friends. BATF sought to revoke it, not upon the grounds that he had ever done wrong, but upon the ground that he was not selling enough guns to merit it. He had sold three—at a time when the Bureau was prosecuting unlicensed persons selling three or four guns for dealing without a license. The agent inspecting his rather limited books told him to resign the license; upon his refusing, the agent said he would see to it that Lindsey had to hire a lawyer to keep it. He kept that promise; it cost Lindsey some $4,000 in legal fees. The Bureau granted Lindsey the revocation hearing required by law, and appointed one J.E. McDevitt hearing officer. Not surprisingly, McDevitt ruled against Lindsey. Lindsey's breakthrough came after he made a Freedom of Information request. Although the Administrative Procedure Act requires hearing officers to be unbiased and prohibits appointing one who has had anything to do with the case, Lindsey discovered a memorandum from McDevitt, dated only a few months before the hearing, in which McDevitt, took a part in pressing the case against him and indicated how his superiors in the Bureau should handle it, together with his suggestion as to why the license should be revoked. Upon being confronted with the document, the Bureau promptly reversed its position and issued the license.

GREEK INDEPENDENCE DAY (MARCH 25)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. BILIRAKIS] is recognized for 5 minutes.

Mr. BILIRAKIS. Mr. Speaker, in just a few days, on March 25, the people of Greece will celebrate an anniversary, and I would like to take a moment to extend my heartfelt congratulations and admiration to them.

Mr. Speaker on March 25, 1821, the Greeks embarked on their long and just struggle to escape the grasp of their Turkish oppressors, I think it important that we take a moment to reflect upon this momentous historic event, for it holds many parallels to current political situations throughout the world. March 25 commemorates the 165th anniversary of the beginning of Greece's struggle for independence from over 400 years of foreign domination. On that historic day, the Greek people began a series of uprisings against their Turkish oppressors which soon turned into a revolution taking successes from the empire almost from the beginning.

The Greek resistance, small battleweary groups of guerillas known as "klephtes," was ill-clad, ill-fed, and ill-equipped, but they valiantly fought for their right to a national identity. The justice of their cause soon spread and encouraged a movement throughout Europe, as well as the United States, to assist the Greeks in their heroic struggle. The valiant fight lasted through many long, difficult years, until the blood and labor of the Greeks was finally rewarded when the sultan was forced to concede national political independence to the Greek revolutionaries after the Battle of Navarino on October 20, 1827.

Such, Mr. Speaker, is the legacy of the Greek people to the free world. By the example of the sacrifices of these patriots, they have, hopefully, given others the strength to defend the principles founded by our ancestors. It was precisely this Greek legacy and spirit that prompted President Harry S. Truman, among others, to note in the post World War II era that: "The valor of Greece . . . convinces me that the Greek people are equal to the task."

This weekend, the events of March 25 will be marked in countless schools and Greek Orthodox parishes throughout the United States and Greece. The kindred will and spirit

that would not tolerate domination should, and must, be celebrated, for it has battled countless other just causes throughout the centuries that appeared unreachable and lost, and has not only emerged victorious, but rekindled and revived in its righteousness.

The Hellenic spirit and ideal must not be forgotten, Mr. Speaker, nor should it be remembered only on momentous occasions like March 25 and October 28—Greek "OHI" Day. It must continuously be kept alive for future generations to learn from, just as it has taught those of the past.

The lessons of history are, indeed, invaluable ones, and no history can parallel the richness of the Greek. It is a full and exemplary history that must not only be preserved, but shared. It is one colored with strife and victory, pride and honor, love, and passion for all things Greek, and, above all, an abiding sense of patriotism that has carried the Greek people through centuries of strong, sometimes violent, social and political winds to make a mark upon civilization that is not, and cannot be, paralleled.

There is no doubt but that the Hellenic tradition has shaped and molded every one of us, whether we are Greek American or not. It has influenced almost every facet of the composition of the great Nation we live in and has thereby touched every one of us as its citizens. Hellenism is ever present, and our lives are the richer for it! Whether it be in the political values we are so proud of, the language we speak, the buildings we work in, or the literature, art, and music which soothes us, the Greek influence is real and present and it must be acknowledged and celebrated.

As Greek Americans, we are obligated to hold out our lamp of experience for our neighbors and countrymen who may be searching for the road to those values we cherish so much. There are, today, people thoughout the world who are struggling for their independence and right to a national identity. Let all of us, Mr. Speaker, lend the influence of this great body to their causes wherever they are appropriate and just!

Mr. Speaker, I yield to the gentleman from Texas.

Mr. GONZALEZ. I thank the gentleman for yielding.

Mr. Speaker, I simply want to add my voice to that of the gentleman from Florida [Mr. BILIRAKIS] and to say that in my district in San Antonio we have a very deep and historical association with our fellow Americans of Greek descent. And I also want to say that it has been a tremendously rich contribution to the community and it has made us, those of us not of Greek heritage, very much aware and appreciative of the richness of the Greek heritage.

Again I thank the gentleman for yielding, my colleague from Florida, and also the previous speaker, the gentleman from Pennsylvania [Mr. GEKAS].

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, on Tuesday evening, March 18, 1986, I was regrettably absent for the vote on rollcall 60 that agreed to the conference report on H.R. 2453, amending the Older Americans Act of 1965 by increasing authorized appropriations for fiscal years 1985, 1986, and 1987. Had I been present, of couse I would have voted "aye."

On Wednesday, morning, March 19, 1986, I was conducting a hearing on "Catastrophic Health Insurance: The Home Care Benefit" at the time of rollcall 61, when a vote was taken approving the Journal of March 18, 1986. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky [Mr. MAZZOLI] is recognized for 5 minutes.

Mr. MAZZOLI. Mr. Speaker, I was unavoidably absent for votes on Tuesday, March 18. Had I been present, I would have voted:

"No" on roll No. 58, the Walker amendment to H.R. 4151, the Omnibus Diplomatic Security and Antiterrorism Act of 1986, which sought to change the proposed compensation program from an entitlement program to one subject to the appropriations process;

"Yea" on roll No. 59, final passage of H.R. 4151, the Omnibus Diplomatic Security and Antiterrorism Act of 1986; and

"Yea" on roll No. 60, the conference report to accompany H.R. 2453, to amend the Older Americans Act of 1965, to increase the amounts authorized to be appropriated for fiscal years 1985, 1986, and 1987 for commodity distribution.

□ 1600

INTEGRITY OF LAW ENFORCEMENT OFFICERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. HUGHES] is recognized for 5 minutes.

Mr. HUGHES. Mr. Speaker, my colleague from Missouri just addressed the House and went through a litany of abuses by the Bureau of Alcohol, Tobacco and Firearms. I am not going to stand up here and defend the abuses by any law enforcement agency. I think if my colleague had indicated the dates of those abuses, they go back many, many years and, in many instances, back to the Reagan administration, to the Nixon administration and the Carter administration, in many, many instances.

The views that were alluded to have not occurred in a number of years.

I want to say that I spent some 25 years in one way or another in law enforcement, and I can honestly say that I have received more complaints directed at other law enforcement agencies than I have at the Bureau of Alcohol, Tobacco and Firearms.

As chairman of the Subcommittee on Crime, it is our responsibility to oversee the operations of the Drug Enforcement Administration. It is also our responsibility to oversee the operations of the Bureau of Alcohol, Tobacco and Firearms, which has major responsibility for arson, firearms, and explosives in particular.

In the full committee we oversee the operations of the FBI, and so it is with a whole host of other law enforcement agencies that we come in contact with every day.

For years, I worked with the New Jersey State Police and the various municipal police departments. I was never proud to see any abuses which occurred when police officers exceeded their authority or overzealous in the discharge of their duties. But I can honestly say that, over the years, I did not see a disproportionate number of those abuses on the part of the Bureau of Alcohol, Tobacco and Firearms.

The vast majority of police officers in this country are decent, honest, committed people. The people who committed abuses—unfortunately they do—are in the minority. It is just like the youngsters that in fact do not make us proud. They are in the minority. We hear about the youngsters that are into narcotic substances of all kinds, and they give young people a bad name. But they are in the minority. They do not represent the vast majority of youngsters. So it is with police departments.

Mr. Speaker, I wanted to take just this minute to say that I am very proud myself, and I am sure my colleagues are, of the work performed by the police throughtout this country. They are our first line of defense. They are underpaid. Unfortunately, they have to work on their days off. They are called back from vacations. They are not always appreciated. They have to become philosophers. They have to be ministers. They have to be able to listen to the stories. They have to be able to solve problems on the spot.

So I think we are fortunate to have the caliber of police officers we do. I am just sorry that I have to take this time to defend an agency that has had a surpurb record in law enforcement.

Look at the record of convictions of the Bureau of Alcohol, Tobacco and Firearms; one of the finest of any law enforcement agency. Look at the number of reversals on appeal and you

will find that it is very little in reversals. That tells the story about the Bureau of Alcohol, Tobacco and Firearms. It is a professional organization, and I am proud of the work they do.

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

Mr. HUGHES. I would be happy to yield to my colleague from Texas.

Mr. GONZALEZ. Mr. Speaker, I thank the gentleman for yielding, and also for taking this time for the purposes the gentleman has so eloquently explained. I want to join you.

I had a stint of working earlier in my life in which I ended up being named chief juvenile probation officer for my county, right after the war, where we had registered a 400-percent increase in juvenile deliquency in that county. San Antonio was a war impact area.

But I came to know law enforcement from another perspective. I was not a police officer, but I worked in close joinder with the police and I became very appreciative of the tasks that we in our social development have given the law enforcement official.

We thrust on our law enforcement officials all of the problems of social disruptive situations. We expect them to be psychoanalysts. We expect them to be doctors in an emergency. And then we do not pay them anywhere near what they should receive.

Mr. HUGHES. The gentleman is right.

The reason I take the time is because when we come back from recess, we are going to have a major bill before this Congress that puts our police officers at risk. I just hope my colleagues take the time to read the legislation, both the committee legislation, the firearms legislation, that came out of the Judiciary Committee 35 to 0, out of my Subcommittee on Crime 10 to 0; and take a look also at the so-called Volkmer substitute. I think you will find that the committee has endeavored to balance the interests of society and the interests of hunters and sportsmen and is worthy of the Members' support.

ORDER OF BUSINESS

Mrs. BENTLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ARMEY] be allowed to take his special order at this point.

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

There was no objection.

MINIMUM WAGE REQUIREMENTS OF THE FAIR LABOR STANDARDS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. ARMEY], is recognized for 30 minutes.

Mr. ARMEY. Mr. Speaker, I would like to thank the gentlewoman from Maryland [Mrs. BENTLEY] for yielding her time and helping Mr. RUDD and myself proceed in a manner that will facilitiate his getting back to his committee work.

Mr. Speaker, I take this special order to discuss the issue of the minimum wage. Mr. RUDD and myself have spent a good deal of time studying this issue, and we are submitting legislation concerning the issue.

Mr. RUDD, my distinguished colleague from Arizona, who has been very helpful to advise a relative newcomer to the House in the ways of drafting and supporting legislation, has agreed to give time from his busy committee work schedule to come down and open this discussion.

Mr. Speaker, at this time I will yield to the gentleman from Arizona [Mr. RUDD].

Mr. RUDD. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would like to say that rarely has anyone made such an impact on this Congress as a first-term Member as my distinguished colleague from Texas [Mr. ARMEY]. The gentleman is a great credit to that almost sovereign State and to his district and to the people of this country.

Today my colleague, the gentleman from Texas [Mr. ARMEY] is introducing legislation to repeal both the minimum wage and overtime requirements of the Fair Labor Standards Act. I say that I am pleased to sign as an original cosponsor of this measure.

This year marks the 48th anniversary of the Fair Labor Standards Act of 1938, which established a nationwide restriction on the amount of wages an American worker is allowed to accept for his work, and a similar restriction on the number of hours he is allowed to work.

The good intentions of the Fair Labor Standards Act has been with us for nearly half a century, and that is ample time for the present Congress to consider its results.

Very regretfully, the well-being of the American poor, for whom the act was enacted, has not improved as a result of this legislation. Instead of providing employment opportunities, the minimum wage has discouraged employers from hiring additional help where help could have been hired. Our Nation's entitlement rolls continue to grow while we prevent employers from hiring those who receive those funds.

For this reason, I encourage my colleagues to reconsider the impact of the mimimum wage and overtime requirements of the act on those it is supposed to help.

Mr. Speaker, this year is the 48th anniversary of the Fair Labor Standards Act of 1938 which established a nationwide restriction on the amount of wages an American worker is allowed to accept for his work, and a similar restriction on the hours he is allowed to work.

For nearly two generations the good intentions of the 75th Congress have been with us in the form of these restrictions, ample time for the present Congress, the 99th, to consider the results and take the necessary action to reform this law.

The need for reform is evident, judging by the most basic indicator of American life: the well-being of the American family. As the decades have passed, the United States has entered and concluded wars, and traveled to the Moon on behalf of all mankind. We have built the most prosperous and free society in history. But these achievements are plainly more and more at risk from misguided attempts to help our poor along, attempts many of which seem to have begun in the same spirit that originated the minimum wage laws. We have watched the results of these efforts gather destructive force over the years, becoming a social whirlwind crashing into the very foundation of our well-being: the American family.

Today our poorest families suffer the most, and a large part of that suffering has been caused by the minimum wage. It erodes their economic life, a subversion which has grown worse, and become endemic to our national life in many other forms.

I invite the Congress today to reconsider these laws on the basis of our long experience, and take this opportunity to resolve to pass a bill we here propose to repeal the minimum wage and overtime requirements of the Fair Labor Standards Act of 1938. The evidence is in, and must be heeded. It is to be found in the scholarship of such nationally recognized economists and social analysts as Walter Williams and Milton Friedman, where I urge all of you to go and look at the record. Dr. Williams is especially eloquent in his denunciation of the effects of minimum wage laws on our urban minority communities. He calls them a result of, "maximum demagoguery and folly."

Minimum wage laws, Dr. Williams has shown, actually encourage racism in employment practices. They do not, on balance, put more money in the pockets of poor workers.

In spite of the evidence, I recognize that this bill is not likely to pass the Congress, this session, because the facts of this case have not been publicly understood. They do not accord with our hopes or our common assumptions. I bring this to the attention of you, my colleagues, for the less well-off who have suffered under this law for so long. I at least hope to speak for them in the gathering public policy debate which is now reconsidering so many of the fixed public policy landmarks of recent American life. We have many new lessons to recognize and act on. But our action should begin and be carried out in the name of the many millions whose lives and families have been unintentionally stunted, even destroyed by the instruments of our unfulfilled hopes for them.

In 1938, the minimum wage was a daring breakthrough in social policy. As the proud new labor bureaucracy was being installed, one of its first acts was to forbid American workers to accept any job for less than 25 cents an hour. Today, their successor bureau-

crats, still firmly gripping our poorer workers by the collar, allow Americans to work only if they can get at least $3.35 an hour. This amounts to a significant temporary increase above the buying power of 1938's minimum wage. Of course, this is only a temporary increase. Time and inflation will erode this so-called minimum too, until political pressure causes it to be raised again. However, the political pressure which raises the minimum wage next time will not come from the poor. It will come from elsewhere, it will come from the nonpoor who, as Walter Williams points out, receive the only practical benefit of any minimum wage. Since the minimum wage limits competition and keeps up middle-class wages and salaries.

A full-time employee working for minimum wage earns nearly $8,000, before Federal, State and local taxes are deducted from the paycheck. It is an amount well below the poverty line, which we currently draw at around $11,000 a year. It is not much money, yet we tax people far below the minimum wage of course.

They must pay taxes below the minimum wage, but we will not let them deliberately earn that much. It seems like they catch our ruthlessness both going and coming.

This, of course, is barely a subsistent living, less than we would like anyone to have to live on. But the small amount of money is what people usually focus their attention on. I suggest we look elsewhere, however, for the real meaning of the minimum wage.

Leon Dash is a reporter from the Washington Post who spent the last year or so investigating the difficult lives of some of the least fortunate citizens of Washington, D.C. He says it took him 6 months to gain the trust of people in the neighborhoods he visited. And as he did so he came to notice the less obvious but important things about them.

Entering homes he had not visited before, Dash learned that he could tell who was employed and who was not, just from the faces and expressions. And he came to notice the consequences for their home life, the way it affected their personal lives to be unemployed, or to be employed even at a low salary.

People with jobs, Dash found, had some purpose in life and could be happy, and people without were not. It was not first of all a question of who had a good job. Even a poor job made the difference.

A home with people employed was a happy one, a home with unemployed probably was not. It was a simple observation, but a striking one, I think. Leon Dash learned to respect and love the people of those difficult neighborhoods. And he came to testify that having a job was to them the difference between having self-respect and having none. He went so far as to say, that having a job was enough for basic peace and happiness in a family. Having a job kept away the worst of the bitterness and defeat to which all our lives are subject. It made him come to value more than ever his own professional position as a respected reporter on one of the Nations most important newspapers.

But we should notice that it was the difference between having a job and having none that was important. Even a very poor job might keep an adult or grown child going for the time being, and allow the family to function, to carry out the role we know it is made for. The family is the cradle of our hopes as well as our ability for self-sacrifice and self-discipline. The family doesn't need much to give human shape to our lives, to open our hearts to love one another, to care for each other. But even the family cannot easily help adults who are in despair. Desperate and unhappy adults find everything difficult.

In such circumstances, even a poor job can make the difference between a successful functioning family and one that collapses under the load.

The chief effect of the minimum wage is to destroy the poor jobs of precisely the people who find themselves in such desperate circumstances. We may not like to admit that such poorly paying jobs can be a necessity to anyone. But they can be. They are. In the faces of those he visited, Leon Dash began to be able to see instantly the bitterness and despair of people with no job, and the relative hope and peace of those with even a poor job.

We must face the fact that the poor people on the difficult periphery of our society are in need of exactly the low-paying jobs that are diminished by the minimum wage. Research indicates that for every 10 percent rise in the minimum wage, there is about 3 percent less employment among workers covered by the Fair Labor and Standards Act. That means, if seven workers get their wages raised by, say, 34 cents an hour three workers either get fired or can't find any work.

Which three? It may well be three workers who contribute to the support of a family. It may be young people on their first job. It may be new immigrants just learning English. It may be an urban minority adult who has just decided to get started and make something of himself, to help support children or put someone through school. Whoever it may be, 3 in 10 will have the pay-window slammed in their faces because of the minimum wage.

There are about 6 million such workers today, 6 million out of about 100 million working Americans. Three percent of them is 180,000 American workers, 180,000 of the poorest among us. When the minimum rises every few years, almost 200,000 workers are denied work, many of them in needy areas of our big cities.

What has been the cumulative total over the decades of marginal workers who have been discouraged into nonworking status by these laws: it must be huge, it is certainly monstrous. Imagine how it contributes to our national problems.

To some, who look only at the income, it might seem a small loss to any one individual. It seems to be a loss welfare will make up. Isn't that what welfare is for? But welfare cannot provide dignity and self-respect. It cannot sustain an intact family. The family, it turns out, is the chief victim of both welfare, and the minimum wage laws. It is also the chief road out of poverty for ordinary Americans.

A family with three adults working at the minimum wage can earn over $20,000 a year. When one family member begins to make more, the lesser jobs are still a major stabilizing asset. With a strong family to make efficient use of even very poor wages, money can be saved, small businesses started, school completed. After a time, homes can be bought, professional jobs trained for.

This cycle of opportunity used to be a hard but sure road to success in America. It still works fairly well for many, especially new immigrants who stay away from the welfare system and depend upon the self-reliant support of family and friends. Their story used to be more common in this country, when there were places to work hard at very low wages and in conditions far from ideal.

Factories used to be places where even the most needy family could get a toehold in our society. Like mountain climbers scaling a vertical face in a high cold wind, such jobs provided a hard testing ground. Families emerging from that test have gone on to give American society some of her most accomplished leaders, and multitudes of our most solid and worthwhile ordinary citizens.

I am very sure many now sitting in this 99th Congress were raised by parents and among relatives and friends who suffered and surmounted that same challenge. You, and those of us who know of the difficulties faced in that life, would like to insist that there is an alternative, some other way for families at the bottom to make their way up.

But the minimum wage is not the way, however much we might wish it were.

It only eliminates the refuge of the poorest. The minimum wage closes off their opportunity by making it too expensive.

The truth is, we have no better way to offer, and it is empty boasting to claim that all our welfare and job-fare and psychological innovations are a humane substitute for the sweatshop. We who are well off can live by such illusions. But it is unconscionable any longer to force poor people to try to do so. Let us allow them to find sustenance in the patterns of strong family attachments, attachments which are made stronger by adversity.

But in our cities today we have something worse than poverty. We have a growing underclass: people who are not only poor, but who have no hope. Whose families have been broken, or lost, or prevented.

There are large numbers of Americans now so trapped by circumstances that they have practically no opportunity at all, and we do not know what to do for them.

We do know where these suffering multitudes came from, however. This new class of permanent poor has been created by ill-conceived efforts to help the needy. We seem inadvertently to have caused something much worse than what we intended to cure. And we don't know what to do. Shouldn't we at least set them free to do the best for themselves that they can, by allowing them to work for the best wages they can get, instead of no wages at all?

Considering all the other things we allow consenting adults to do nowadays, it doesn't seem too much to ask.

But won't the jobs created be very low-paying ones? Yes they will. They will be low-paying jobs that support the integrity and self-respect of our neediest families, something

which the minimum wage and welfare have simply failed to do.

Everything we have come to know about the problems of poverty tells us that families do not stay poor permanently. Families mobilize their members and work their way out of poverty, often in a few years of great effort.

That is why other solutions do not help very much. Most of our other efforts have the effect of splitting families or preventing their formation, freezing people in poverty. And of course we now know too that the face of this new poverty is increasingly the face of single or abandoned women with children. And it isn't only poor families who suffer. Small business suffers, entrepreneurship suffers, the middle class suffers because the wealth created by new businesses is less likely to be a support to their families.

I call today for an act of realistic compassion: repeal the minimum wage.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for his comments. I appreciate the gentleman taking time out of his busy schedule to come down and help me kick off this discussion.

□ 1610

Mr. Speaker, I think it is very important that we reflect back on the title given the legislation that established the minimum wage in America. If you go back and look at that, you see the title is "The Fair Labor Standards Act." And I have no doubt in my mind that those people who were in this body at that time and in the other body and perhaps, certainly, in the White House, those people who worked so hard to develop and pass that legislation and make it become the law of the land did indeed have fairness in their minds and in their hearts at that time.

I really believe that we need to understand that. This is not really an ill-intention or ill-feeling body. I think we saw that earlier today. Certainly we saw Members of the body on different sides of a very important issue argue their arguments with an enormous amount of passion at times, but always with an understanding and a respect of the fact that all persons who bring legislation to the floor of this House or speak on behalf or perhaps even in opposition to legislation do so with a sincere regard for concepts such as fairness and human rights. Certainly no one could dispute the fact that the minimum wage was born out of an effort to establish fair labor standards and to bring fairness to the world of work.

On the other hand, Mr. Speaker, I, as a professional economist, am accustomed to understanding that past actions must be evaluated in terms of their result and their impact and that actions taken in the present for purposes of the future must always be evaluated with your best understanding of potential impact.

In that regard, I would like to spend a moment examining the impact of the legislation that was passed. Did it fulfill the objections of fairness that those folks most certainly hoped to achieve?

And then, if indeed we see reason to believe that perhaps that fairness has not been the case and the result, is it possible for us to take an alternative course of action that may help us to restore fairness?

One always has to be very careful to appreciate that the best of intentions can result in behavior that can lead to the worst of results.

I have had an opportunity over the years to watch the impact of the minimum wage on individuals with whom I have worked and I want to relate one story, in particular, perhaps a little lengthy story, but it is a real story born out of my experience.

Before coming to this body I was a professor in a major university in Texas and, in a manner consistent with my duties as department chairman, I found myself, for a 5-year period of time, teaching a night class, and in that night class experienced being on campus outside of normal university hours for from 3 to 4 hours every evening.

During that time I developed a friendship as I came and went from my evening duties and during that break that my students always insisted on having in the middle of a 3- or 4-hour lecture, I became friends with the fellow who was the night janitor. Let me call him Charlie.

Charlie and I became fast friends. Charlie was a rather interesting fellow in the sense that he was extremely friendly. I suppose a psychologist or someone trained in these things might have some kind of a label, but suffice it to say that Charlie did have an intellectual handicap, and I suppose he was not a particularly intelligent person in a conventional sense of the word, but at the same time he was a person of tremendous pride, dignity, and sensitivity, and he saw the building during the hours that he had it as his building and he cared for that building with an enormous amount of concern and care and took a great deal of pride in his work. He kept the building meticulous.

He was also a person who was friendly to those of us who were coming in, friendly to us when we were there, and very much concerned about the safety and security of people who came and went from his building. It was not uncommon for Charles at the time the classes let out or at other times, particularly when the young women were coming and going, to be there by the door, just standing a sort of silent vigil as they walked across that lonely, always too dark, parking lot, just to see that they got to their cars and on their way safely. It was not something that was in his job description but something that he felt very sincerely concerned that people going from his building should be safe.

I became fast friends with Charlie. He had many of the same problems that I did. We were both trying to support our families. We were both very proud of our children. Charlie and his wife had a new baby one winter, and he was extremely proud of his youngster, just like I guess all of us fathers and mothers are. I remember seeing him and his wife at the grocery store, very proudly showing me his youngster, and I became quite accustomed to visiting with him.

One evening I came to work, and I had two observations that upset me. One, the building was a mess. This was very unusual. And, two, Charlie was not there. This condition persisted. I could understand, perhaps, that he might have been ill and had a night off, but it persisted. And as it persisted, I talked to a friend of mine in administration who was responsible for hiring the maintenance personnel. I asked him what happened to Charlie, and he explained to me that the university had to let Charlie go, the reason being that there had been an increase in the minimum wage and, given the budget of the university, they could not afford to continue Charlie on the payroll.

Now, here was a law and an effort made, I am sure, in this body that was certainly designed to help people like my friend Charlie, but it resulted in effectively legislating away his right to work. Charlie went on unemployment and subsequently on welfare.

Now, as if to add insult to injury, because I was injured in having lost my good friend and seeing him suffer a deprivation of employment and the pride that he took with it, a few weeks later I found a young man sitting on the third floor hallway, listening to a loud radio, in a janitor's uniform and doing nothing in the middle of a filthy hallway, showing no concern for his work. This condition persisted.

Now, after a while I called my friend in the administration, and I said, "Who is this young man, and what does he do up there?" He explained to me that the young man was a CETA trainee. Now, a CETA trainee is provided to the university by another Government program designed to help somebody. And the university actually had the young man's salary and everything paid for as they took him on as a trainee. I said, "Well, if he is a CETA trainee, why do we not train him?"

And he said, "We are so understaffed that we cannot find someone to send over to train the fellow."

Reflecting on that, I saw two pieces of legislation, both of which were designed to help somebody and to do good, one legislated away Charlie's right to earn his income and the other

provided income to somebody who did not earn it.

In neither case did I see any contribution to fairness or human dignity.

Another case in point: One of the things you have to understand is something we call the law of downward sloping demand. If the price of some commodity goes up, the quantity consumed goes down. Indeed, if the price of labor goes up, the quantity of labor consumed will go down and machines will be substituted in its place.

Now, a few years ago we had a song that my teenagers enjoyed. It was called, "Working at the Car Wash Blues." There can be no doubt that the car wash must be a blue place to make a living. I myself started on my trek up the occupational ladder shoveling coal in North Dakota at temperatures as low as 30 degrees below zero for 50 cents an hour. I learned two things doing that at the age of 14, one, that if I went to work, took a job, I had to be there, I had to do the job and, two, and probably most importantly, I did not want to spend the rest of my life doing that. So I immediately then, having placed my foot on the first rung of the ladder, did everything I could to scramble up that ladder so that I could find a job with better working conditions and better salary.

That is pretty much the kind of job that I suppose working in a car wash is. But working in a car wash as a young person is a place to begin to learn these two fundamental lessons. I saw that same time period when they raised the minimum wage and Charlie lost his job. I saw my favorite car wash where the youngsters worked change. The youngsters were not working there any more. I could still get my car washed there, but that 40 or so young people who were working there and on that first rung of the occupational ladder were not there any more. Where they were I do not know. Perhaps in a CETA training program. But what was there was an automated car wash, exactly what anybody would predict: As we raised the wage arbitrarily, the quantity demanded of the labor went away, went down. And there was substituted machines for men. And that will always be the case.

Now, what does all that mean as we translate the impact of this into our dilemmas, our social problems?

The first thing you have to understand is that as you look at the statistics—and let us understand, through no fault of their own, the young are inexperienced, and sometimes in a very wonderful way irresponsible, certainly irrepressible. They are easily distracted. Quite frankly, they are learning what Thorstein Bunde Veblen called the spirit of workmanship. In order to do that, you must recognize that, more often than not, the employer is taking a risk that they will be somewhat frivolous, certainly inexperienced, less productive on the job, and that of course if that experience is productive for them at all, they will most likely move along.

So he is not willing to pay them as much to do a job, not because they are not good people—certainly they are. But they are in that place in their life. I certainly have my own youngsters in that place. And getting them to clean the room, as most parents will testify, is not the easiest job in the world.

So what do we find happening? As the minimum wage goes up, according to Walter Williams, an economist of considerable stature who has researched this and put it within the most refined analysis with the best statistical analysis, as the minimum wage increases, it becomes documented the single most important cause for the most grievous intractable unemployment problem in America today, that is, black youth unemployment. There is no getting around it. That is the reason.

Now, obviously, we are all concerned about this. We are concerned about employment, and as you are concerned about employment and you break unemployment statistics down and you find them a definable category, the youth of America, and then within that, the black youth of America.

For example, in 1948, black youth unemployment was 9.5 percent. White youth unemployment in 1948 was 10.2 percent. In 1980, black youth unemployment was 37.7 percent, and over 50 percent in many innercities.

□ 1625

White youth unemployment in 1980 was 18 percent, and is now closer to 12 percent. The single greatest cause for this dramatic increase of this unemployment that seems to stay with us year after year after year, that unemployment that so often becomes a basing point for people diverting their time and their energy into other pursuits, is the minimum wage.

One thing about young people is that they will not sit idle. Indeed, if they cannot find a job to occupy themselves they will find a way to occupy themselves and we need to understand that is the most natural thing in the world. Consequently, high unemployment results in high crime.

It is the minimum wage and increases in that minimum wage causing the decrease in labor consumed and the substitution of capital that has given us this chronic unemployment problem. There can be no disputing it. Walter Williams' work has not been disputed.

What we are suggesting is that we have seen a failure of that policy that was passed so many years ago with such great good intentions. We have seen it hurt my friend Charlie and his family and his children. We have seen it hurt our own youngsters. I am saying the time has come for us to look at the results and recognize that we have not gotten what we intended. Can we, with any degree of understanding of the lessons from that unfortunate experience, turn in another direction?

Some of you will argue, and I suppose it can be argued, that perhaps the total abolition of the minimum wage may be a drastic and severe move. I can only say that I offer such legislation only out of a conviction that the very existence of that wage is in itself discriminatory and is the blatant act of the Government legislating away a person's right to work. In so doing, denying the low-income, low-experience, youthful worker that opportunity to make the most crucial step on the occupational ladder which is that first step which we all took. We all start at the bottom and we learn as we grow, and we should not deny that opportunity to our own young people.

Perhaps that may be too drastic a step; it may be too great an experiment to try. If so, then why not try another experiment, something in the middle; something that more or less compromises these two approaches. That would be the Youth Unemployment Wage.

It is not popular with the young people. A few years ago, before I joined this body, when it was first proposed, I was asked by my local newspaper to assess the Youth Opportunity Wage, and I predicted that it would give more work opportunities to more youth in the summer, and I found an interesting response by one of the youngsters.

One of the youngsters said, "I will not work at that wage." I think it was $2.50 or $2.25 an hour. "I will not work at that wage."

Now, what that says to me is there is a youngster out there whose personal circumstances, perhaps of family income, perhaps of privilege, is such that this youngster, who happened to be a young girl, can afford to say, I do not want to work at that wage. I'd rather go swimming, I'd rather party, I'd rather do all the things we all like to do in the summer.

That does not mean that the job that would be available at that wage would go unfilled. It would be filled by somebody who says,

> I will work at that wage; I need to make the money. I want to get started making my own way. I will take this opportunity, and perhaps even, because it is made available to me, having been unaccepted by that other person who might have been in line ahead of me.

Somebody will fill that job. One of the wonderful things about the market we must always understand: The market does not throw people away. The market provides an opportunity for you to work at some wage.

I might say, by the way, when we held some hearings on this earlier this year, I was very much dismayed by an advocate of the minimum wage. A person who opposed the Youth Opportunity Wage who sat in our committee hearing, looked at me and said, "You have to understand, some people just aren't worth anything."

Now that really upset me, and frankly, I was so stunned, I did not even pick up on it. But certainly they are worth something. Maybe their skills are so nominal, their experience so limited, perhaps their attention span so short and their penchant for what we adults might call frivolous behavior so great that they are only worth a dollar an hour. Maybe $1.10 an hour. I was only worth 40 cents an hour.

But whatever it is, whatever my worth is, the market will find a place for me. Maybe it will be doing work that some of us think is not dignified. Shoveling coal in the snow or perhaps cleaning homes. I think it was Margaret Thatcher who said that one of the ways she remembers who she is and where she came from is by the requirement that she clean her own bathroom facilities.

There is not such a thing, in my estimation, Mr. Speaker, as work that is beneath our dignity. Work must be done. People should have the opportunity to do it and receive a wage commensurate with their productivity.

These are the things we are advocating and what we would like to see us try again. Let us turn our attention to opening opportunities, giving beginnings rather than denying even the opportunity to begin.

I yield to my colleague from Illinois [Mr. CRANE].

Mr. CRANE. I have profound respect for my distinguished colleague with his professional expertise and training in economics, and I have seen some figures in the past and I questioned them because I was not sure of the reliability of the sources, but knowing the amount of time that you have devoted to this study, is there a perceptible correlation between rises in the minimum wage law and escalating unemployment for blacks and other minorities?

Going back before the minimum wage law, the unemployment figures for black teenagers and white teenagers was roughly the same. Since that time, we now have horrendous unemployment figures—almost 50 percent for black teenagers—notwithstanding unprecedented numbers of Americans who do have jobs.

Is there a correlation that can be drawn there?

Mr. ARMEY. Yes, there is. In fact, Walter Williams draws it with the finest of methodologies.

It is also recognized by racists in the world. I want to take a moment for this because we are talking about what is fair. Certainly, racism is not fair.

If we look at Kurt Begee, who is the secretary of an avowedly racist building workers' union in South Africa, this is why he embraces the concept of the minimum wage. He has recognized what you are talking about. He said:

> There is no job reservation left in the building industry and in the circumstances I support the rate for the job as the second-best way of protecting our artisans.

A year later, he stated that he would be prepared to allow black artisans into the industry provided that the minimum wages were raised from Rand 1.40 to at least Rand 2.00 per hour, and if the rate for the job was strictly enforced.

Indeed, not only has the famous Walter Williams, our own American, black economist who studied this—and again, I was, myself, so overwhelmed by Walter's work and the fine work he did with Step-wise regression and many of the most sophisticated methodologies, that he demonstrated this.

A quick look.

In 1948, it was 9.4 for black youth; 10.2 for white youth. But that has stretched in 1980 to a gap of 37.7 for black youth, over 50 in some communities, to 18 percent. Statistics show the gap has widened over that period of time.

□ 1635

Walter Williams has seen the correlations that explain why it is widening. Perhaps only by intuition, the secretary of an avowedly racist union in South Africa says that if it has worked there, whether intended or not, we can make it work here with that intention.

That, of course, is certainly an insignificant observation if we go back to the beginnings of the legislation, which was to incorporate within a fair labor standard. There is nothing fair about it.

Mr. CRANE. Mr. Speaker, if the gentleman will yield further, does the minimum wage, inasmuch as it is an arbitrary figure picked for the least skilled people in society, have any ratcheting effect on wages up the line?

Mr. ARMEY. Well, yes, and of course, one of the things I have always wondered about is, why does the contemporary American union movement embrace the concept of a minimum wage, when indeed almost without exception, a person with a union card and a job will be far above that; but as you elevate that, you go back perhaps to the notion of a rising tide raises all boats. As the prime goes up, all rates go up, and as any component in the wage structure increases, it will have a tendency to affect increases throughout all.

The only problem is that as we have seen in effect that the upper end of the wage spectrum, we have seen even our unions who have pushed for and been successful in achieving higher wages at the upper rates, really triggered this response of reducing the consumption of labor and substituting instead the use of capital and the upshot of that is higher wages for fewer workers.

THE TORT LIABILITY REFORM ACT OF 1986

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

Mr. DAUB. Mr. Speaker, I am today introducing the Tort Liability Reform Act of 1986, H.R. 4460, a bill designed to tackle the insurance crisis problem for the wide variety of individuals, businesses, and other institutions who are unable to obtain affordable liability insurance coverage. While there are many reasons for the current insurance problem, the rapid expansion of the concept of tort liability in our American civil justice system is clearly the central issue.

Day care centers, transportation companies, manufacturers, municipal governments, public and private schools, professionals, farmers, environmental cleanup technicians, boards of directors, and a wide variety of business interests are unable to obtain liability coverage. No one bill designed to assist one particular interest, however, can meet the immediate needs of the wide variety of constituents involved.

My bill would attempt to bring about minimum procedural and substantive reforms in the tort litigation area which are designed to expedite tort cases and to provide more consistent awards and recoveries. Specifically, the bill would provide for the following:

First, a preliminary evaluation session would be required within 30 to 60 days of the filing of the action. The session would be administered by a judiciary authority and would be for the purpose of sorting out frivolous suits and defendants who do not belong in the suit. At the same time, recommendations will be made to expedite the discovery process.

Second, where parties have not completed the discovery process within 1 year, the court would be required to take certain actions to expedite the process. In jurisdictions with court-supervised arbitration systems, such systems would be used. In jurisdictions without court-supervised arbitration systems, a judicial authority would be appointed to develop and administer a plan to bring the parties to trial on a timely basis.

Third, courts would be given discretionary authority to provide that awards for future damages may be satisfied by periodic payment through a trust fund or annuity to benefit the injured party.

Fourth, awards would not be permitted to include any interest amount which relates to time periods prior to the filing of the action.

Fifth, any award to compensate for injuries would take into account other sources of compensation to the injured party.

Sixth, pain and suffering damages will be limited to the greater of $100,000 or the amount of economic damages.

Seventh, punitive damages would not be awarded unless the plaintiff establishes by a preponderance of the evidence that the defendant manifested a conscious disregard for the consequences of the defendant's acts. Any award of punitive damages will be transmitted to the federal or state treasury rather than to the plaintiff.

Eighth, monetary sanctions will be provided against attorneys who do not act in good faith when filing cases, motions, responses, and so forth. These sanctions will also apply to attorneys initiating suits merely for the purposes of obtaining a settlement when there was not a reasonable prospect of a court award.

These eight provisions would be a significant step in the right direction to curb the insurance crisis. The bill reflects much of the mainstream of tort reform in the 50 States and in many respects is consistent with the recommendations of the tort policy working group established last year by the Attorney General.

None of us need to look too far in our own district to find individuals and organizations which are caught up in the insurance crisis. Let me offer the following examples of the scope of the problem:

Day care centers are closing because their insurance premiums were increased by up to 500 percent or because they simply can no longer obtain liability insurance.

Trucking companies are experiencing increased premiums of 200 to 500 percent. The National Journal reported that a Pennsylvania trucking company was recently driven to bankruptcy by liability premiums that increased from $165,000 to $1.6 million.

An equipment manufacturer in my home State has seen its product liability expense increase by approximately 650 percent over the past 5 years. Product liability costs now represent an amount equal to 59 percent of the total direct labor costs to produce the product.

A municipal government in my State is unable to obtain affordable errors and omissions coverage. Even though nobody can ever remember a claim against the city, premiums in 1986 for $500,000 of coverage would be approximately 7½ times as much, $1 million of coverge the year before.

Schools and local governments are having to discontinue recreational programs because liability insurance is not available.

Attorneys, accountants, engineers, physicians, and other professionals are finding dramatic increases in malpractice insurance. Engineers experienced in handling Superfund cleanup projects can no longer accept contracts or contribute to the effort as there is no available liability insurance in this area.

This bill may not be the perfect bill and may not be all things to all people. It is, however, a beginning in taking a look at a comprehensive tort reform effort. It also recognizes that we need more uniform State standards without federalizing all tort laws. The States must be involved partners in this process and legitimate rights of the States must be recognized in this process. Thus, this legislation attempts to reach some minimal uniform provisions while leaving the States the ability to enact their own tort reform statutes.

I hope that each of my colleagues will take a serious look at this new approach to solving a pressing problem, and I invite cosponsorship of this legislation, H.R. 4460.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that the House will consider two unanimous consent requests for commemorative resolutions, after which we will return to special orders.

AFGHANISTAN DAY

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate joint resolution (S.J. Res. 272) to authorize and request the President to issue a proclamation designating March 21, 1986, as "Afghanistan Day," a day to commemorate the struggle of the people of Afghanistan against the occupation of their country by Soviet forces, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate joint resolution.

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

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but simply would like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation, I yield to the gentleman from California [Mr. LAGOMARSINO], the chief sponsor of Senate Joint Resolution 272.

Mr. LAGOMARSINO. Mr. Speaker, I rise in support of Senate Joint Resolution 272 designating tomorrow March 21, 1986, as "Afghanistan Day." The people of Afghanistan observe March 21 as the start of their new year and it serves as a symbol of the nation's rebirth. It is, therefore, appropriate that we designate tomorrow to commemorate the struggle of the Afghan people against the brutal occupation of their country by Soviet forces.

In January, while on a fact-finding mission to Pakistan, I again met with Afghan refugees and freedom fighters, the Mujahideen. Their courage and determination to remove illegal Soviet occupation forces continues to impress and amaze me. For more than 6 years the Mujahideen have struggled against great odds to liberate their homeland from the puppet regime installed and maintained by the Soviet Red army.

It is imperative that we do not forget these brave people inside and outside of Afghanistan who continue to endure great hardships in their struggle. We rarely hear news about the Afghan crisis anymore except, perhaps, on the anniversary marking the day the Soviets rolled their tanks in. When considering arms control and the so-called peaceful intentions of the Soviets, we should not forget Soviet actions in Afghanistan or the pain and suffering they have inflicted on the Afghan people.

I urge my colleagues to join me in calling attention to the Afghan peoples' national struggle and designate March 21 as "Afghanistan Day."

Mr. HANSEN. Mr. Speaker, further reserving the right to object, I yield to the gentleman from California [Mr. LEVINE].

Mr. LEVINE of California. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to join my colleagues in commemorating Afghanistan Day.

It is 6 years since the Soviet Union invaded Afghanistan and cast an enduring chill over East-West relations. There are now more than 115,000 Soviet troops engaged in the systematic destruction of Afghanistan. The Soviets dominate Afghanistan's security forces and the bureaucracy. They have constructed extensive military and logistical facilities to support their forces and have tied Afghanistan closer than ever to the Soviet economic system. They are engaged in a scorched Earth policy which includes destruction of crops, water and food supplies. They have destroyed villages and have brutally killed and maimed Afghan civilians. Massive human rights abuses by Soviet troops against the Afghan population have been documented by Helsinki Watch.

The Soviet occupation and the internal turmoil in Afghanistan have caused the flight of one-fourth or more of its pre-1979 population, creating the largest refugee population in the world. Close to 3 million Afghan refugees are reported to be in Pakistan, and some 1½ million in Iran.

Soviet troops and their Afghan proxies have used chemical weapons against innocent Afghans. Soviet strategy seems to be to maintain control of Afghanistan with a minimum commitment while, ominously, seeking a new generation of Afghan Communist leaders loyal to Moscow.

Both the United States and the United Nations have repeatedly called for a peaceful, negotiated settlement of the conflict in Afghanistan, including the immediate withdrawal of all foreign troops from that country.

Mr. Speaker, those of us fortunate enough to live in a land of freedom have a special responsibility to do all we can to end the massive human rights abuses, the suffering and the destruction caused by the Soviet occupation of Afghanistan. I am glad to join with my colleagues in speaking out on behalf of the Afghan rebels, who are true "freedom fighters"—and

of all those who strive to liberate Afghanistan from its oppressors.

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

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 272

Whereas Afghanistan, more than six years after the Soviet invasion, remains a nation occupied and terrorized by over one hundred eighteen thousand Soviet troops;

Whereas the continued Soviet occupation of Afghanistan is causing enormous suffering among the people of Afghanistan, as well as the deprivation of their basic right of national sovereignty;

Whereas between one-quarter and one-third of Afghanistan's prewar population has been driven into exile, killed, wounded, or internally displaced;

Whereas the Soviet invasion of Afghanistan undermines the spirit and intention of the Declaration of Principles of the Final Act of the Conference on Security and Cooperation in Europe, which the Union of Soviet Socialist Republics signed at Helsinki in 1975;

Whereas the puppet regime of Babrak Karmal, installed and maintained by the Union of Soviet Socialist Republics, has denied the people of Afghanistan their rights to self-determination, in violation of the United Nations Charter;

Whereas the United Nations General Assembly has passed seven resolutions calling for "the immediate withdrawal of the foreign troops from Afghanistan";

Whereas on December 13, 1985, the United Nations General Assembly passed an unprecedented resolution on human rights in Afghanistan endorsing the United Nations Special Rapporteur's report demonstrating "gross, massive, and increasing human rights violations in Afghanistan";

Whereas the undaunted resistance of the Afghan freedom fighters against the Soviet occupational forces is an inspiration to the free world; and

Whereas the people of Afghanistan observe March 21 as the start of each new year and as a symbol of the nation's rebirth; therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating March 21, 1986, as "Afghanistan Day", and calling upon the United States to observe such day with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL FISHING WEEK

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 262) to authorize and request the President to issue a proclamation designating June 2 through June 8, 1986, as "National Fishing Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. HANSEN. Reserving the right to object, Mr. Speaker, I do not object, but simply would like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 262

Whereas the United States Bureau of the Census reported that fifty-four million residents of our country participated in sport fishing in 1980;

Whereas sport fishing is a family oriented, outdoor recreational activity that provides therapeutic rewards and enjoyment;

Whereas sport and commercial fishing provide an excellent source of healthful protein-rich food;

Whereas the demands for goods and services by sport fishing participants is estimated to generate $25,000,000,000 in economic activity and employment for an estimated six hundred thousand individuals in 1985;

Whereas the commercial fishing industry annually employs an estimated three hundred thousand individuals and lands over six billion pounds of seafood worth over $2,400,000,000 in direct sales;

Whereas fishing promotes respect for our Nation's marine, estuarine, and fresh waters, and their associated plant and animal communities; and

Whereas our country's league of fishing enthusiasts represent a constituency that seeks to prevent the degradation of our Nation's diverse aquatic habitats: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is requested and authorized to issue a proclamation designating June 2 through June 8, 1986, as "National Fishing Week" and calling upon Federal, State, and local government agencies, and the people of the United States to observe the week with appropriate programs and activities.

Mr. DYMALLY. Mr. Speaker, I just want to make one comment in conclusion.

I was very pleased that my friend, the gentleman from California [Mr. LAGOMARSINO] and myself ended up on the same side today, as we must take the same plane to California and I may very well be sitting with him. Now we will have something very pleasant to talk about.

I appreciate the gentleman's support and the support of my friend, the gentleman from Utah [Mr. HANSEN].

The Senate joint resolution was ordered to be read as third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FREEDOM IS NOT JUST AN IDEA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, a nation is made out of a number of forces, which joined together, create, strengthen and protect the people within its borders. A great nation is part good fortune; part geographic advantages; part the character of its people and part the great ideas which animate that society.

It is also humble things. It is the right of people to work and make their own way in the world. It is the right to have a government which represents the people and keeps their interests as a trust. It is the right to be told the truth and to be dealt with fairly by that government. Thanks to the blessings of God and the grit and character of our people, we have become such a great Nation.

But having reached that status, we must work hard to maintain it. This form of government is now the inheritance of those who are fortunate enough to live under it. Even more, it is the shining example and the goal of other peoples, elsewhere in the world, who see in us what can be for them and for their children.

There are disturbing signs now appearing that there are those in government who have begun to doubt the great destiny of our Nation. Some have felt that the great experiment in representative government was fine for 1776 but is out of date in 1986. These cracks in our national foundation do not show themselves first in great things.

Freedom of speech and freedom of religion—the bulwark of our Bill of Rights do not disappear. Great visible changes do not occur overnight. The slide into the dustbin of failed governments begins first with self-doubt, first among our leaders; then communicated to the people. Trusted ideas are questioned, then attacked, and finally abandoned.

Such, it appears, is the fate of one of the great columns of strength upon which our national power has rested for so long. Our ability as a great nation, producing goods and products desired throughout the world, is now under attack.

That attack, I am sorry to say, is not only from outside. It comes also from within the ranks of those who guide our national policies.

Many of you are old enough to remember the history of World War II. Slogans from that great war still ring in our ears. "American is the arsenal of Democracy." Our strength was in

Detroit and Pittsburgh as much as in our Armed Forces.

Even earlier, the same fear which plagued the Axis Powers had frightened the Central Alliance. Our industrial strength won us both of the Catastrophic wars in this century.

But they will not win the next one, if, God forbid, we are forced to fight it. We are losing our great production strength. It is seeping away—not because our people are unwilling to work; not because our entrepreneurs are less ingenious—but because our leaders have embarked on a new vision of our place in the world. We are no longer to produce but to consume. We are to leave to others the task of providing the means of defending ourselves.

One of the keys to this new approach is a little known and less understood industry—the machine tool industry. Its low public perception is not surprising. You can't buy its product in a supermarket or a shopping mall. But it is so critical that you can't buy almost anything for sale in those shopping centers which hasn't been produced or packaged or shipped because of the production of machine tools.

Machine tools make the equipment used by heavy and light industry to make railroads and rails; cannon and aluminum siding; airplanes and aerosol cans. It is literally the central jewel of our productive capacity. And it is disappearing from our shores.

We pay tribute to this industry in our everyday speech without realizing what we are saying. We refer to a new enterprise as "tooling up." The phrase honors the machine tool industry.

You might believe that so critical an industry would not merely be allowed to flourish in the great tradition of its contribution to the national well being, but would be protected and hedged around with safeguards to its health. But you would be wrong.

Those who administer our trade policies, such as they are, pursue a policy, not of protection, not of equity, not even of benign neglect, but of almost ferocious hostility to this critical industry. And it has had its effect.

Let me give just the most obvious effects of our new policy of government aggressively seeking to send our industrial might offshore.

In 1980, total U.S. shipments of machine tools stood at $5.8564 billion. By 1984, in just 4 short years, those shipments had fallen to only $2.2288 billion less than half. The fall from the beginning of this decade was more than 60 percent. And last year's figures, though not yet complete, do not give any cause for confidence that the trend has been stopped.

Look at the situation from another perspective. In 1980, this industry employed 110,000 mostly high-skill craftsmen. Last year, there were only 75,000 jobs in that industry; 45,000 people, mostly in what the military would call critical specialities, are now out hustling hamburgers or washing your car. But they are not maintaining and upgrading the skills we may need in a national emergency.

There is a kind of "strategic schizophrenia" plaquing our leaders. We stockpile Middle East oil against the day we need it in a national emergency, civilian or military. They do this while there is enough oil underground to last a generation on this continent.

But they do not turn a finger to maintain our machine tool expertise and skill which we could need at a moment's notice and which they are working to export overseas where we might not be able to reach it in an emergency.

The machine tool industry has not been given a death sentence willingly. It has attempted to fight back. But it is facing two opponents which make its fight almost futile. One of those enemies is foreign governments which subsidize their machine tool industries and give them preferred tax treatment. You do not have to be a trade expert to know that this allows foreign competitors to underprice our own domestic industry. To add a bitter pill to the scenario, many of those subsidies and that preferential tax treatment is made possible by our own Government's financial support of the same countries. Essentially, the craftsman is thrown out of work by his own tax money.

The second enemy is less to be expected and even less understandable. It is our own Government. Our trade laws provide for consideration for critical industries from damaging import competition. It is in the form of a petition called a 232 petition. It is filed with the Secretary of Commerce. It was favorably considered by his office and then went to the Executive for action. It has been sitting in the White House for 25 months while this crucial segment of our strength withers away.

But I mentioned hostility. During that 2-year period, in fact in only 1 year, the Department of Defense purchased nearly 27 million dollars' worth of machine tools from overseas suppliers. That may not sound like a large amount of money, but it would have put a large segment of those 45,000 employees back to work and kept a few machine tool manufacturers above water.

These foreign purchases alone are less important than the idea which motivates them. Gen. Bernard Rogers, the commander of our NATO forces, made a public statement in an interview by the Wall Street Journal praising the Independent European Program group saying it had done more than any other organization in moving down the road toward what we must have—which is a Western European defense industrial base which can compete with the United States.

□ 1650

And I want to repeat that that is an American general stating that we must have a Western European defense industrial base which can compete with the United States.

I make no claim to military expertise, but I have a memory. During World War II, I can remember the terrible costs we paid in the secret war in the North Atlantic. We lost hundreds of ships and millions of tons of shipping in moving supplies to Europe, to say nothing of the loss of thousands of lives. Does the general now propose to try to supply our defense industries from Europe against a far more formidable opponent than we faced in the 1940's?

Some time in the very near future, I hope, the 232 petition will be presented to the President finally by the National Security Council. Whatever the reason for the delay, it is wrong to have held this petition for 25 months. And if he is not already aware, it is high time that the President be made aware of this grave situation.

Neither the President, nor the country have been well served by this delay. It is most important that the NMTBA gets a recognition of its effort to work through the intent of the 1962 Trade Expansion Act, but it is also important that this type of stonewalling be stopped, not only at the National Security Council, but anywhere else in government it is occurring.

Mr. Speaker, we are captives of history. We will learn it and remember it, or we will be condemned to repeat it.

In the middle of the 1830's there was a tremendous argument waged in a major European country over trade. It was very similar in tone and context to what we are hearing in this country today. The protectionists of the 1830's wanted some import barriers erected to protect the beginnings of an industrial base. The "free traders" of that day wanted to protect the agriculture interests of the country. They did not want their agricultural export markets threatened by retaliatory trade barriers if their own industry markets had protection barriers raised.

The "free traders" won. Agriculture export markets were saved, in effect, "protected" at the expense of industry.

The world has lived to rue that decision made over 150 years ago. The country was Russia. Social historians believe that had Russia chosen industrialism and the building of a middle class of manufacturers which is the natural outgrowth of industrialization, communism would have never been able to gain a foothold.

I believe we are approaching such a crossroads in this country, right now!

Every evidence I see is that our choices are coming down on the side of deindustrialization. In trade arguments, we vote on the side of "protecting" disappearing agricultural markets abroad all the while trading off our industries.

It is a futile effort for the agriculture interests. It is a sad choice for our working people. The idea of becoming servants in a service economy, servants to the rest of the world, the producers, is frighteningly similar to the decision made in Russia so long ago. And I worry that the consequences may be as far reaching—as long lived.

We, who demand that our domestic industries be given an opportunity for fair trade and reciprocity of barriers and/or supports are truly the real free trade advocates.

Those who have stacked the deck against the growth of our own domestic and defense industries are the real protectionists—but, sad to say they are protecting the industries and the jobs of nations in Europe and the Orient. In the process, they are compromising the standard of living of our own people. They are also destroying our capability of defending ourselves without going thousands of miles away for strategic parts.

The consequences are being felt right now, but at some point, all too soon, I fear, the consequences may be so grave as to threaten our position as the leader of the Western World.

Mr. Speaker, I hope you will consider the gravity of the course we are taking. There is still time for us to change it.

□ 1700

MY ADVICE TO THE PRIVILEGED ORDERS

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

Mr. GONZALEZ. Mr. Speaker, last week in anticipation of the House's consideration of the President's request for $100 million, most of which would have been for direct military aid to the group that is variously referred as the rebel or the Contra groups that are presently mostly concentrated across the Nicaraguan border in the sovereign country of Honduras, and we also have progressed very far in what I consider to be a very shameful episode of American foreign policy in compelling the militarization or partial militarization for the first time in many decades of the very beautiful country of Costa Rica.

I stated last week in the remarks I made in anticipation of this vote today and made mention and reference to several things that until this last Monday had not been reported in the American press or in any medium of general mass communication to the American people. I think we also should understand that the issue is not simply the question of approving $100 million in amount in aid, but other policy sanctions on the part of the Congress. For example, part of the request of the President which was incorporated in the legislation before us today, and upon which we voted earlier this afternoon, was the President's request for congressional approval of the use of American military advisers to aid and to coexist, cheek by jowl, with the so-called Contras or rebels.

As I said last week, the President in reality was not really coming to the Congress in order to get $100 million, that he would accept much less, and then in subsequent statements made by the President since last week and earlier this week and over the weekend were to the effect that, yes; he would consider some alternative in lesser amount, or perhaps a hard bargain that at most would yield only in terms of delaying the implementation of the use of $100 million.

The reason I said what I did is that the President's conduct is going to be pursued regardless of what the Congress clearly indicates is its expressed will. The President clearly has revealed this, since the Congress has at no time since its approval of the 1974 War Power Limitation Act seen fit to oversee the act. It has not found it within its desires and will to ask the President for an accounting of his actions. He has been conducting war in Central America. He has been involved, in my opinion, in my opinion so strongly held that it has led to my introducing into the House in two Congresses a sum total of three resolutions alleging War Power Limitation Act violations on the part of President Ronald Reagan. Now until the Congress does that, I maintain that today's exercise really is meaningless as far as the President's determined irreversible, inflexible, dogmatic course of action which he has opted to follow, which is one of war, which is one of unilateral military intervention, for not once has the President ever indicated in his assumption of the Presidency in 1981 that he would even consider initiating a diplomatic approach. Instead, the President has undermined, has completely suborned the diplomatic initiatives of other countries, one group known as the First Contadora Group which consisted of essentially the same group of nations that were formed in 1957, President Dwight Eisenhower being in the Presidency, and for the same purpose. The purpose was to bring about a reconciliation in a peaceful way of the difficulties that had given rise to violence between the two nations of Honduras and Nicaragua where there has been a history of friction. In all of these countries, I know of no two that are exempted. There is a history over the course of a couple of centuries of friction, and animosities, jealousies, and what have you, which is very natural to expect anywhere in the world, even on the North American Continent.

□ 1710

What has been the history here between our country and our next neighbor to the south, Mexico, it has been a history of war, and friction. What has been the history with respect to our neighbor to the north?

Well, actually, we did, because we forget in our self-containment, and in our learning our history, our version of history, that actually the Thirteen Original Colonies from the standpoint of our national emergence were really part of a group of a total of 37 colonies; 24 of which are today part and parcel of the Dominion of Canada.

So that if we do not regain the historical perspective, if we continue to ignore the historical course of developments, particularly with reference to the country south of the border, we have to be paying a higher and higher price, not only in bad feeling and bad relations, but most of all in our ability to develop the economic markets that are natural for America.

What has happened under the same administration of President Ronald Reagan that has gone back to a discredited and an abandoned and a bankrupt policy of Calvin Coolidge, who was the last President to embrace the doctrine of direct military unilateral intervention.

As a matter of fact, it was right in the nation of Nicaragua, in 1929. I have placed in the RECORD over a year and a half ago the documents that were called a white paper of the then-Secretary of State in the regime of Calvin Coolidge, in which the rationalization was given for the invasion by our Marines.

The rationalization was that we had to contain the exportation of Mexican bolshevism—Mexico was then where Cuba is today. Bolshevism was the word, where Marxism-Leninism is today.

We have got to understand, however, that all during this while we have approached this from a unilateral, subjective approach. We have blithefully ignored history. Franklin Roosevelt, the first to realize that the United States had to be creative; it had to evolve a policy. It was not sufficient to say, "We will turn our backs on gunboat diplomacy. We deplore President Coolidge's approach." It was necessary to offer a creative—and he did, he came out with what was known and was glorified as the "Good Neighbor Policy."

Now that policy resulted in creative and in affirmative results for the United States, because not many years after that, less than 6, the United

States finds itself involved in a world war in which it was imperative that we have the sympathy and the alliance of these countries that border with ours. Mexico for instance.

Now, in Mexico, ever since the invasion of the Marines in 1914 in Veracruz, ever since the war with Mexico, there has always been a strong undercurrent of anti-Americanism. It is historical, it is traditional.

With the advent of the course of history, the approximation of nations, the fact that whether Mexico had its cultural centers in Europe, not in the United States or the New World, did not detract from the tremendous impact of American economic activity, the progressiveness of American society, and its obvious influence and Mexico's dependency on American's well-being.

So that you had the foreign minister of Mexico, Pavilla, during World War II, not only coming and joining the United States in an alliance, but even permitting the drafting of Mexican citizens who happen to be in the United States.

If you cross the border today and you visit the cemeteries in Nuevo Laredo, you will still see on occasion little American flags and flowers placed on top of some of the burial plots. These were men, Mexican nationals, who fought with our soldiers in the Pacific, in Germany, all over where our troops were, and who died in combat. They did not get the benefits for the survivors of the GI bill, or any of the veterans benefits that the United States has given.

What I am saying is, that the affirmative constructive policies—now, incidentally, Franklin Roosevelt had a very difficult time in the United States. He was bitterly criticized by the opposition and by the vested interests such as the oil and gas interests of the United States who were up in arms and wanted to invade Mexico, because of the expropriation of the oil companies, most of which were American.

Even despite that, Franklin Roosevelt knew because he had the sagacity to attract first-rate minds around him. As a matter of fact, I think Franklin Roosevelt set the pattern and the working order and the sort of job description that a 20th century President after mid-20th century would have to develop to try to cope with the enormity of what we have made of the office of the President.

He said the major task of the President is to attract first-rate minds, and then orchestrate them and lead them in an assault and resolution of the common problems confronting the American people.

Now I think that is very important to remember, because Franklin Roosevelt was able to attract not only able Secretaries of State, but the actual sergeants of that army; that is, men such as Assistant Secretary or Under Secretary for Latin American Affairs Sumner Wells, who was the architect and the carpenter to put the framework and the foundation behind this policy and make it effective.

So that when we did fight, and there was a tremendous pro-German sentiment in Mexico, because Germany had great cultural and great economic interchanges with Mexico, as well as France. As a matter of fact, ever since the occupation of Mexico by Maximillian, who was imposed by Napoleon III, and the elite of the third French empire were sent to Mexico, why did France invade Mexico?

In order to demand and obtain compliance of the Mexican people of the payment of the debts that the American people had to the French investors.

This is the issue today in Latin America. So that with this background of cultural and historic developments, with the background and the accumulation of historical developments with respect to the policy such as we have used.

For instance, before World War I, we had Gen. John J. (Blackjack) Pershing chasing over some of the north Mexican States after Pancho Villa; who was considered the bandit, the great murderer, assassin. This was the label given him.

History today softens that, and he appears as a great revolutionary personality in Mexican history.

We must evoke that history in order to do now what at all costs must come from some level of our Government. If the President, the executive branch, which under our Constitution, under our President, has the main responsibility of creating and carrying out foreign policy. This was determined very early in our history.

The very first Congress, in 1789, had to delegate. For instance, such things as the imposition of tariffs and duties and such had to be delegated to the President. By the very nature of a pluralistic body, it was not in a position to sit in and discuss taxes and tariffs and imposition of duties on thousands of items.

□ 1720

It had to be an executive branch duty even though the Constitution said that that duty was in the hands and within the jurisdiction exclusively of the Congress.

So that the President today has not offered the Congress any kind of a policy, short term, long term. We have not had any long-term development of policies since Franklin Roosevelt. We have accreted, we have let historical developments so telescope that we are approaching events in an ad hoc, spasm-like type of reaction. And that, of course, for a Nation such as ours, is not fair to the people of this great Nation.

What is going to be our policy? Not in Nicaragua. Even if we were to invade Nicaragua, sit in Nicaragua, govern Nicaragua, we would still have to ask ourselves the same question with respect to Guatemala, maybe even Mexico, our next-door neighbor who, right now, is on a cliff, 50-percent inflation, over 50-percent unemployment, and submarginal employment. Of course we are going to continue to face these cycles and tides of human beings who do what all human beings to in all history, and that is try to keep from starving, try to eke out an existence.

But my feeling and deep conviction has been for years that it is entirely unnecessary to wait for crisis. This has been, actually, what I feel is the thing that inwardly, subjectively, I feel the proudest, ever since I did get involved in the political endeavor: and I will say for the record that that first endeavor was on the local level, the city council; it was there that I discovered that this was a field of interest that absorbed me, that challenged me. I call it legislative advocacy. I discovered by accident, because the last thing I ever thought I would be doing was seeking political office. I studied engineering and then I studied law. I had two older brothers who were engineers. And I could not decide. And it was by accident and only after the war when I found myself working for the Bexar County Juvenile Department and eventually was appointed chief juvenile probation officer, that I realized what a sorry mistake had been committed by my family in the method and manner in which we had been reared, in which we were considered sort of guests, not citizens, though born here, and that sooner or later the entire family would be returning to our parents' homeland. This is understandable when one realizes that in my father's case his roots are in the northern State of Mexico, in Durango, back 400 years, 1561. Not the same in the case of my mother, but nevertheless it is understandable if we look at it from that standpoint, in a day and time in which we were quite living simplistically, 1911, from 1911 to 1930, roughly, was the very turbulent revolutionary period in the Republic of Mexico.

Now, what is going to be the policy? Nothing really has been resolved by today's vote because when the Congress cut off and mandated cutting off direct aid to the CIA for involvement with the Contras, the President simply shifted his funding in his executive discretionary funds and moved the money that he wanted, to the extent that he wanted, right down for the purpose that the Congress said it should not appropriate or divert any

appropriated funds for that purpose. The same thing will happen today. The President is not the kind that is flexible in his mindset approach to this type of a pattern of activity. I think that the most awesome development that has literally impressed me and raised my concerns extremely, like I have felt with none of the six Presidents that I have had the honor of serving with in this body since I came to the House, and that is the experience in Beirut, where a President, in his role as Commander in Chief, deploys a couple of thousand marines into a situation and under conditions that the Joint Chiefs of Staff unanimously advised him against.

Now when you have that and you have the consequent results, it was not easy for me to get up here for 14 months and ask the President, "Mr. President, what is the mission of the marines in Beirut? Mr. President, if you are telling the reporters that they are peacekeepers, you can't be a peacekeeper if you are on the side of one faction."

You are having the same thing in Lebanon as you have in Nicaragua, as you have in these other Central American countries in the course of turmoil, you have civil wars. This has been going on in what we call Lebanon for years, for generations. And when the President told a reporter because he did not answer the letters I sent him—this is the first President that does not answer a Congressman's letter of the six I worked with—but he did reply to a newspaper reporter's question, some 6 months after I had first written him in a letter. In it he said two reasons, one to shore up the Gemayel government in Lebanon. Well, the Gemayel government was one of four factions in Lebanon. So there would be three who would be antagonized. So you are not a peacekeeper if you are taking sides in a civil war.

The second reason he gave was that they were peacekeepers. But marines are not politicians, marines are not ambassadors, marines are warriors. They are trained as soldiers. That is their purpose. No soldier has a commander in chief who is worth his salt unless that commander in chief is in a position to give him clear and explicit mission purposes. What is the mission of the military? This is the pervasive question in our involvements since the active hot shooting phase of World War II, because I maintain World War II has not ended. There is no peace treaty terminating the declaration of war that this Congress made on December 7, 1941. We have 300,000 military in Germany alone, we have 45,000 in Korea.

So that what has happened is that we have our chief executive as a popinjay swinging on a pole. Just a few weeks ago the headlines were that, by golly, he was going to put down this upstart, Qadhafi, in Libya. So the headlines were, "Mediterranean Fleet Deployed." Secretary of State Shultz got up and he said, and it was front-page at least down in my San Antonio paper, "Secretary Shultz says don't rule out the possibility of the use of force."

Then the next thing you know you have this character known as Qadhafi who dresses himself very much like some of the courier-messengers here in Washington, DC, and he has his picture taken and all the press picks it up in the international sector and he says. "I am going on a PT boat to meet President Reagan's Mediterranean fleet."

Then all of a sudden nothing. Where is the big issue? Was or was not Qadhafi backing down? Did or did not President Reagan back down? The whole thing is absurd. Why? Because there is no basic policy of approach or consideration analysis.

I have asked the question from the beginning of my speechifying here, and that beginning was April 1, 1980, and it was not President Ronald Reagan who was in office. It was Jimmy Carter. I was asking the same question I am asking today. There was a very, very illustrative book written that I think was sort of a seminal writing and thought-provoking book. The title of it was "On Revolution" by Hannah Arendt. She had one statement—she had other things that I think historical developments prove her erroneous or wrong in her criteria or her judgment, but her basic thesis was that a contest that divides the world today, and which continues, and in which so much is at stake, those will probably win who understand revolution. That is a very, very true statement that should have been emblazoned on every State Department entrance door. It should have been placed before every Secretary of State. If we do not understand these developments after 1947, labeled as wars of liberation, people's liberation movements, from Asia to the Middle East to the New World—Is the El Salvador movement the same as the Nicaraguan? Is this indeed an East-West conflict? During debate today we had eminent leaders in the House saying it indeed was. Well, the first Secretary of State under the Reagan administration was Alexander Haig. And he no sooner had been installed after January 20 when he announced that he was drawing the line, those were his words, in the smallest country in the Western Hemisphere, El Salvador, and that this was an East-West conflict reflected in the smallest country in the New World.

Five years later and $4 billion out of our Treasury, that conflict is no closer to resolution now than it was then. Should we not ask, Mr. Speaker, what is going on here? Can it be that the basic assumption that you can and insist on obtaining a military resolution is flawed? Can that be the thing? And if, after $4 billion, all told, and 5 years, and the loss of several of our active-duty military, and the yet-to-be-reported violation of the advisory capacity of our military, and in our embracing tactics that we condemn when used by other nations, in that tiniest, smallest of countries, what then are we going to do when Guatemala blows up? You do not have to be a prophet, you do not have to be a big, big expert to know that it is coming.

Where have we been, where have our voices of outcry on persecution been when we have literally equipped the armies of Guatemala to eradicate entire Indian tribes?

□ 1535

If we were to be judged by the Nuremberg principles, we would be declared guilty. We are, in fact, at this very moment, under what we would call in our court system here a restraining order by the World Court of Justice to cease and desist and refrain from conducting war against Nicaragua, are perpetrating acts of war against Nicaragua, because we have been tried and found guilty of acts of war. We have been accused and found guilty of trying to mine and bomb and destroy and port facilities. There is no question about it.

Our CIA has called upon tactics that I do not think have ever been sanctioned in law. The CIA was created by the 1947 National Security Act. I do not think the CIA, under that act or any subsequent amendments, has the authority or the right to accept the untold number of war planes that the Defense Department gave it on September 18, 1984, for use, obviously, by the Contras, obviously, in and around Nicaragua.

What I am saying is that these collateral debates such as they have been on whether or not we are going to sanction and approve $18 million for the President, they are that. They are collateral issues. They are not hitting at the heart of the matter. They are not asking the President for accountability.

Now the American people have no other way except through their elected Representative and their elective officials—in this case, it is their U.S. Senators and Members of the House and, in the case of the President and Vice President. Now the President and Vice President have 230-plus million Americans to look after. They can interpret their mandate to their like. In a State like mine, the two U.S. Senators have over 15 million citizens to respond to. But in the case of the individual Representative, the citizen should have a sense of immediate accessibility, whether it is just a tele-

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pone, to this office we call the Office of Representative of the Congress of the United States. If that office is not accessible or if it is not leading the way in disseminating the information necessary to understand the issues, can we then demand of the American people to act and respond in a knowledgeable way? Well, I think that begs the question; of course not.

I heard some statements made here today that were taken as dogma, and even some of those were arguing and saying that they could not go along with the President were quick to preface their remarks by saying, "But that doesn't mean that I am on the side of the Sandinistas. I don't think they are any better or worse or anything. They are no angels."

Well, that is again begging the question.

The point is that we heard very serious allegations. One, that the church was persecuted and is being persecuted in Nicaragua. But the same people who are alleging this persecution are equally condemnatory of Fidel Castro in Cuba. But the church has always had and still has and continues to have diplomatic relations with Cuba. As a matter of fact, my own archbishop of the archdiocese of San Antonio just came back from a conference of bishops in Cuba.

Why is it then that the Vatican is so severe in its handling of the eccelsiastics in Nicaragua? Well, can it be that President Reagan, after he named our first representative to the Vatican, has struck a deal with the Pope, and that the Pope, among other things, will supply our CIA with what is going on in Poland, for example?

I can assure you the CIA does not have the capability to find out any other way.

Can it be that the leading lobbyist right now here in Washington on behalf of the so-called Contras was the former representative of the Banco de Ambrociano of Italy, which is the Vatican bank, which went kerplunk as a result of a scandal, in which that same lobbyist was the one who headed that bank's interests in Nicaragua during Somoza? Could there be some happenstance connection? Could it be that there is some reason why some of the leading columnists and editorialists in the Central and South American press say that the real issue and that the reason why ultimately American soldiers will be there is that that is the only way they will be able to collect the bank's debts, which they cannot get right now, and which the leading countries meeting just last month in February in South America were united in their expression of concern about the exaction of the interest rates demanded in the repayment of these debts? These are the real issues.

But who here has ever informed this Congress of the nature and the background of these lobbyists, some of whom were referred to by some of my colleagues as very distinguished and responsible leaders trying to bring democracy to Nicaragua?

I think that those facts ought to be known. I think they should be established. I think we Americans are in many ways so innocent even now.

What I said for the first time and placed in the RECORD, because what I did put in the RECORD a letter that the Washington Ambassador from Nicaragua had sent, I assume, to all the Members—I know I got one of the letters. I had known from reading some of the Latin American press, some of the Mexican press, Argentina press, which I do read, that these events had happened, but they had never been reported in our press. In this letter the Nicaraguan Ambassador was saying, look, we have just entered into a bilateral agreement with Costa Rica in which we are creating a commission to resolve peacefully our differences here along the border.

So that it was not until this Monday that the first report of this event was written in the American press, in the Washington Post for Monday, March 17, on page A18. The title of the article is "Latin Mood Shifts Against Washington; Diplomatic Trends Weaken Reagan Effort to Isolate Nicaragua and Win Contra Aid." It is bylined by Robert J. McCartney, Washington Post Foreign Service. Its dateline is Mexico City, March 16.

The article follows:

[From the Washington Post, Mar. 17, 1986]

LATIN MOOD SHIFTS AGAINST WASHINGTON; DIPLOMATIC TREND WEAKENS REAGAN EFFORT TO ISOLATE NICARAGUA AND WIN CONTRA AID

(By Robert J. McCartney)

MEXICO CITY, March 16.—The diplomatic mood in Latin America has tipped against Washington in recent months, weakening the Reagan administration's sales pitch to Congress for aid to the Nicaraguan rebels and isolating the United States in the region on the issue.

Seven South American countries and Mexico, grouped in the Contadora movement, took the unprecedented step last month of formally urging the U.S. government to halt aid to the guerrillas and press efforts for a regional peace treaty.

These countries are convinced that such U.S. involvement only aggravates the conflict in Central America and hurts chances for a negotiated settlement there, according to senior diplomats of Latin American and other western countries.

The Latin Americans' stepped-up role has its roots in the expansion of the Contadora movement last summer, in the emergence of new democratic governments in South America, and in a new sense of regional solidarity owing to the Latin American debt crisis, diplomats said.

In Central America, a center-left tide in recent elections has contributed to fresh interest in peace talks with Nicaragua's Sandinista government.

Costa Rica has irritated the United States by talking directly with Nicaragua about the two nations' border problems. Guatemala's new civilian government, hoping to make a foreign policy splash, plans to host a summit of Central America's five presidents in May.

The diplomatic trend appears to have undermined Washington's efforts to isolate Nicaragua. Instead, the United States finds itself isolated in the face of nearly unanimous regional opposition to helping the contras, or counterrevolutionaries, who are fighting a civil war against the Sandinista government.

"The United States' support efforts [for the contras] lead to concern that it could be the cause of destablilization and greater conflict in Central America. There is real ideological agreement on this among the countries in the Contadora groups," a South American ambassador said.

The Latin Americans' shift has attracted the attention of U.S. allies in Western Europe, Canada and Australia and reinforced the allies' own skepticism over U.S. policy in Central America, western diplomats said.

Nevertheless, the tilt is unlikely to have much effect beyond its impact on U.S. and foreign public opinion. None of the Contadora countries has expressed any intention to cut back economic or diplomatic ties with the United States because of disagreements over Central America.

Moverover, Washington may benefit later this year from the Latin American countries' own growing frustration with the Nicaraguan government's military buildup and curbs on political pluralism, according to the Latin and other western diplomats. These sources emphasize, however, that dissatisfaction with the Sandinistas did not translate into support for the contras.

To some extent, the Latin Americans are making a fuss over contra aid in order to underline their opposition to direct U.S. military action in the region, western diplomats and other observers said. Several Latin American governments worry that use of U.S. forces against Nicaragua would trigger large protest demonstrations and cause significant political unrest in their countries, the sources said.

Peruvian President Alan Garcia said Friday that his country would break diplomatic relations with the United States if it attacked Nicaragua.

"The Latins are saying very strongly that the time has come to tell the United States that you can't just send the Marines into Latin America anymore," a senior West European diplomat said.

As far as contra aid is concerned, U.S. officials argue that the Latin Americans' diplomatic stance is largely a public relations gimmick playing on anti-Yankee feeling at home.

"Central America is a long way away from some of these (Contadora) countries and is not a priority national interest," a U.S. official said.

Some U.S. officials say that representatives of several Latin American nations have told the United States privately that their governments "secretly" favor a tough line against Nicaragua, and even want Washington to back the contras. This was disputed strongly, however, in interviews with senior diplomats of four Latin American countries and three non-Latin U.S. allies.

"It is unrealistic for the United States to say that all of our diplomatic work is just for show. This attitude leads nowhere," a South American envoy said.

A western ambassador said: "The Americans claim to hear privately all the time that people wish they would go in against the Sandinistas. That is just not what we are being told by the Latin Americans."

A high point of Latin American opposition to U.S. policy in Central America came on Feb. 10, when the foreign ministers of the eight countries of the Contadora movement met jointly with Secretary of State George P. Shultz in Washington to urge the United States to halt aid to the contras.

The original Contradora group—Mexico, Venezuela, Colombia and Panama—has been trying since January 1983 to draw up a region-wide peace treaty for Cental America. The group, named for the Panamanian island where it first met, has produced two major draft treaties calling for Cental America's countries to reduce their military arsenals, halt all support for guerrillas in neighboring countries, and promote democracy at home.

Neither pact has won universal acceptance among the five Cental American nations: Guatemala, El Salvador, Honduras, Nicaragua and Costa Rica. Critics charge that the Contadora process has yielded only meaningless paperwork and fruitless diplomatic conferences.

But the Contadora process got a boost last July when Brazil, Argentina, Uruguay and Peru formed a support group for Contadora. The Contadora movement now includes every major Latin American democracy except Bolivia, Ecuador and the Dominican Republic, and represents approximately 300 million people.

Three of the support group countries—Brazil, Uruguay and Argentina—have switched recently from military to civilian governments, which the U.S. administration applauded.

In general, however, the new democratic governments are pursuing policies that are more nationalistic and more critical of Washington.

□ 1745

Well, most of them, including Daniel Ortega of Nicaragua, were in Guatemala City at the taking of the oath of office at the newly elected president of Guatemala, who said, "Gentleman, let's get together here and declare ourselves in positive agreement of seeking and obtaining a peaceful settlement of our differences," and every one of those, including Daniel Ortega, subscribed to that.

Now, it was not until after those meetings that the President mentioned the possibility of some kind of compromise based on a diplomatic approach. But what it would be, to this day he has not said. Now, today during the debate there were some pledges made by some of the Members apparently speaking on behalf of the White House who said, "Well, there is no harm in giving the President this money because he is going to hold up its use for 90 days to see if we can force Nicaragua to a diplomatic resolution."

Well, these nations have already done it. When the Contadora group had an agreement from these nations in dispute, Nicaragua, Honduras, the United States undermined—that is a strong word, but it is the truth. The United States did not say we appreciate this and we want to help you, we want a peaceful resolution. We undermined them. We put pressure, for instance, on the Mexican foreign minister. And, of course, they are vulnerable. Why, which one of us is not vulnerable to threats, depending on the nature of the threats?

I happen to know, for instance, in the case of the horrible decimation of the poorest of the poor in the world, not just in the New World, the Indian tribes up in the mountains of Guatemala, where they fled, 20,000 to 30,000 in one particular day or two, and went into and across the border of Mexico in the state of Chiapas. I talked to the bishop of Chiapas himself, who was still horrified—I could see the horror in his eyes—of the Guatemalan soldiers beyoneting 6- and 7-month-old babies, ripping their bellies open. With what bayonets? Russian made, Cuban made? No; bayonets and materiel that were clearly stamped "For U.S. Army use only."

Is this the way we want to be associated, whether we carry the day or not, with the masses of the people with whom destiny says we have to share the future in the New World and which for the first time in the last 15 years now exceed our population by about 75 or 80 million?

I say the time has come for us to develop, and if it is not forthcoming from the executive branch, then let the policymaking body rise to its purpose in great destiny, as it has in the past and let us forge the policy, one, that like Franklin Roosevelt's, will be creative and productive of good.

The irony of this is that we will never, never succeed with bullets and bayonets. If we are talking about eliminating communism, we will never, never, bomb communism out of existence. The only way is justice and social justice. That is the only way, and it is the surest way. It is the easiest way, really, in the long run, and it is the one most productive of good, where we can become the natural producers. Once again we must never forget the old biblical saying, "By their fruits ye shall know them." A good tree will not produce bad fruit. A bad tree cannot produce good fruit. And what is the result of Reaganomics and Reaganism? In the foreign field we have been kicked out completely of any influence in the Middle East. We have lost that. It is gone. In fact, England and France have returned with a greater presence than we.

To the south of us we had allowed our private sector to abandon Latin America. In less than a 10-year period our investments had dropped from 37 percent, or maybe more, to less than 17 percent. Why? It is a natural. Mexico, for instance. Who knows in this Congress, among my colleagues, that we buy over 85 percent of Mexico's production? Who knows it? Do you think that Mexico did not try during the last 20 years to find markets in Japan? In fact, they even tried Russia, through Cuba. But why do they find that it is better to deal with the United States? Naturally, because it is the natural market, it is the productive market, it is the profitable market. They do not have the problems that they found they confronted when Italy wanted to come in and buy oil, when France wanted to come in and buy oil, West Germany, Japan. What happened? The Mexicans found out that old Uncle Sam was not such an Uncle Shylock after all.

But is the United States reaping any good from this knowledge? No. It is not even generally known that we consume or rather buy that tremendous overwhelming preponderant amount of Mexican oil production.

Why should we be suffering in our growing agricultural producing areas for the lack of markets for this tremendous ingenuity of American production know-how?

Why should Mexico be a scarcity area now for corn and wheat and not be a natural outlet on some kind of a barter deal? Why? I will tell you why. Because the U.S. Government, the American people, do not have real control, not even ownership over the main grain companies in this country.

Canada, the great wheat producer, has a government wheat board. We do not have any such thing.

It is the big speculators in Brussels, another one in London, another one in Buenos Aires, Argentina, that is determining what the farmer is going to get for his grain in America and how it is going to be sold and when it is going to be sold and under what conditions.

Why do we not address that problem? I say that rather than wasting our sustenance in these frivolous and unproductive foreign adventures, Mr. President, we stay at home and first resolve the needs of our people. If you tell me that you have $100 million to give the Contras while you are also telling me as chairman of the Subcommittee on Housing that you do not have $63 million for the homeless of America, Mr. President, you will never get my vote, and I do not think you will find you will get the majority under those circumstances, as you found out today.

There is no way the American people, even those who have supported you, will accept that kind of a conflict or dichotomy, as they say. And, after all, we are supposed to be trying to represent people. I say, Mr. President, we are hurting here at home. Our people do not want to waste the sustenance and the strength of our future, which is our youth, in adventures in foreign shores, with no basic

purposeful reason of a creative nature or one conducive of any good.

Why are we in such a dilemma?

One of our most eloquent colleagues, the gentlewoman who preceded me, was deploring the sad state of how America, the great arsenal of democracy, is now a consuming importing nation. We are now back where we were before 1914 and during the Continental Congresses and during the time we were a colony, a sort of a merchantile system, where we import our manufactured and processed goods. We are not producing. As of the last 3½ years the United States is not a producing nation.

Second, we are now a debtor nation for the first time since 1914. When Teddy Roosevelt insisted and obtained the construction of the Panama Canal, he had to wait until he could get $40 million line of credit from the French bankers because we were not a creditor nation. And why? Because we were self-centered at that time. And we responded and we had not sold our soul and our people's souls and its economic well-being for a mess of potage. We had not sold out to the tremendous financial interests who have total control of our country today and who, in reality are making the decisions as to the American standard of living as to whether or not we will continue this debacle of more and more and thousands and thousands of small businesses going broke.

As I reported last week. The last report I got on housing indicates that for the first time since the Depression—and, mind you, that must be horrible, because during the Depression, before the housing policies and programs were put into effect, we did not have much home ownership. We do now, or we have had. But for the first time last month over 7 percent of the homeowners of this Nation were facing foreclosure. In what kind of a market? The market we had 2 years ago, 1½ years ago, which was an inflationary market? No. In a downturn market in which real estate values, for instance, in my area dropped 40 percent in less than 10 months. We anticipated this, Mr. President. And in May of 1983 a bit of legislation we called the Emergency Home Morgage Assistance Act, which I took great pride in having concocted on the basis of the Homeowners Loan Corporation studies of the 1930's, which worked, when our Government had faith in its people and the people returned that faith. When we closed out the Homeowners Loan Corporation the taxpayers made half a billion dollars profit, and that was a lot of money at that time. Half a billion dollars then was like $3 billion today, or more.

But not this time, Mr. President, because you fought us down the line. And even though we battled and we got it out of subcommittee and we got out of full committee and we got it out of this House by a goodly margin, you and your leaders in the Senate killed it. It languished and died in the Senate.

Mr. President, while you are asking for $100 million for a motley crew with untold purposes, ill-defined objectives, untold prospects for enmeshing this country in quicksands of jungle wars, while you are saying you have the $100 million for that, please reconsider and let us forwardly push with just that amount of money, $100 million, which is what we were asking for in 1983. We could have saved 150,000 Americans whose only real identification with the country is their home and their little plot or lot of land.

Let us, Mr. President, go back. I heard last week, right before my special order, a colleague representing the agricultural area, saying there was great distress and that family homes were popping out of existence like popcorn in a popper. Today we have heard the gentlewoman from Maryland. Before that I have heard many times the distinguished chairman of the Steel Caucus referring to the rust belt of the United States. That was the producing arsenal of democracy in the vast war today rusing, inactive, out of use.

□ 1800

We have been subjected to the invasion of former enemies who lost the shooting war and have won the economic war.

I have related in speech after speech in 1965 and especially since 1966 and the first credit crunch of June, 1966, and it gives me no particular joy to say, "I told you so," anymore than I am joyful because of the outcome of the vote today which I had advocated and pled for, because I have never been satisfied with criticizing. I criticize only after I have some suggestions as alternatives to be considered.

The only time I complain is when there is no consideration given, when you are shut out from any consideration, because I think that is a disservice. Every one of us has the right and the duty to speak out and be heard and to be considered in those serious endeavors.

There has never been any levity on my part, but what I say is in the words of the prophet Isaiah:

But this a people robbed and spoiled, they are all of them snared in holes and they are hid in prison houses. They are for a prey and none delivereth for a spoil and none sayeth restore.

I also include for the RECORD the following article and letter:

[From the Washington Post, Mar. 14, 1986]

The Reagan administration is right to take Nicaragua as a serious menace—to civil peace and democracy in Nicaragua and to the stability and security of the region. Some of its rhetoric is easily mocked, but the administration understands things much better than those who paint the Sandinistas as poor put-upon patriots of a mischievous but unthreatening leftist persuasion. There is no good reason to doubt the Sandinistas are revolutionary communists who would if they could make their country a second Cuba: a police state and an outpost of Soviet power. To defeat Somoza, they lied to the hemisphere that they were pluralists and democrats. To get aid from Jimmy Carter, they told more lies of their peaceful intent. They are squeezing the remaining pluralistic forces, and their subversive capability is evident.

The question is, what should be done about it? More precisely, since this is the seventh year of the revolution and the fifth year of the counter-insurgency and many political facts already exist on the ground, what can be done about it? For—here is where judgment must temper ardor—all possibilities are not equally open.

The first requirement is a general explicit agreement among Americans to draw certain geopolitical lines: no Soviet bases, no weapons of regional intimidation. The United States needs to make sure the Kremlin knows where these lines are. The United States needs to pledge to itself it will counter the inevitable Soviet probes.

Then the United States needs to do what is necessary to block and defeat efforts by Nicaragua, with or without its Cuban and Soviet patrons, to subvert other Central American countries. Naturally this can only be done with the consent and cooperation of the countries affected. The whole argument over the contras illustrates, by the way, the foolishness of imagining that El Salvador's large guerrilla force could stay in the field for two weeks without Nicaraguan support.

What about the contras? They have become an instrument to topple the Sandinistas or—a nearly equivalent goal— to deny them a monopoly of power. But they are an imperfect instrument. The credentials and field performance of the effective military leadership do not fit the democratic and humane purposes avowed by the political leadership. Their American sponsorship lets the Sandinistas depict them as inheritors of earlier Yankee interventions. Their American sponsorship also denies them the necessary warm support of almost all other Latin countries, whose fear of communist subversion is offset by a reluctance to endorse what they see as American armed intervention.

But, as the administration says, would not these difficulties dissolve if the United States ended its hesitancy on the contras and provided them the resources and American policy constancy they need to prevail? The record suggests that the Sandinistas would stiffen, close out the lingering traces of domestic pluralism and seek additional support. Other Latins, fearing the whirlpool, would distance themselves further from Washington.

The other Latins include Nicaragua's near neighbors and the South American democracies. They have found it next to impossible to gain political concessions from the Sandinista regime while it faced what it has regarded as a threat to its very existence. While Managua sees the issue as survival, no real concessions are likely, and even then they would be hard in coming. In this sense, the administration's insistence that the Sandinistas are irredeemable becomes, as does its critics' insistence that the contras cannot win, a self-fulfilling prophecy.

We believe, nonetheless, that serious negotiation offers a route to the loosening

that internal reconciliation and regional stabilization require. It counts that Nicaragua is not Cuba: not an island, necessarily more open to its neighbors, harder for Moscow (or Havana) to protect and sustain. It counts that inside as well as outside Nicaragua there remain important elements devoted to the best interests of their country. It counts that Latin America is caught up in a historic sweep toward democracy and that the Latin democracies are available to tug and haul on the parties, to assist in the back and forth, to draw away some of the Sandinistas' paralzying paranoia and to put the administration's effort in a larger multinational context.

"Serious negotiation." The goals—the feasible goals—are clear enough on the democratic side: first the scaling down of limits on civil liberties, press, private enterprise and church, the opening of next year's municipal elections to all parties, plus credible evidence of reduced Sandinista support for El Salvador's guerrillas; then a turn toward national power-sharing. What could the Sandinistas reasonably expect in return? A guerrilla cease-fire, postponement at least of American aid to rebel forces, a start on diminishing the American regional military presence, an end to economic sanctions; and, if things went along, American renunication of an intent to drive the Sandinistas from Nicaragua.

The Sandinistas have taken Nicaragua a long way toward the Soviet-Cuban orbit. An attempt to fit Nicaragua back into a Central American mode would be disorderly, incomplete and frustrating—but a vast improvement on what otherwise looms.

HOUSE OF REPRESENTATIVES,
Washington, DC, March 14, 1986.

EDITOR,
The Washington Post,
Washington, DC.

DEAR EDITOR: Your March 14 editorial on Nicaragua correctly points out that the Sandinistas are tough cookies; that's the way revolutionaries are. Then you go on to say that the Contras aren't nice guys, either, so maybe the best thing to do is forget about the latest request for more aid and try to negotiate a settlement. The trouble is, it isn't up to us to settle anything in Central America. It's up to those folks, not us.

Obviously, $100 million isn't going to make or break the Contras, let alone their enemies in Managua. If the Vietcong survived unlimited U.S. firepower, it's pretty clear that the Contras could do the same—if they had popular support, if they had internal unity, or even if they had some democratic leanings of their own.

The Reagan policy can make life tough for the Sandinistas, but they already know what hard times are. Hard times make hardbitten people. They haven't forgotten the decades of U.S.-sponsored dictatorship, and they see our present misadventures as just another chapter in Yankee efforts to impose our will in places where it's none of our business.

Nobody appointed Ronald Reagan to cleanse the world of obnoxious governments. If they did, there's a long list that he's forgotten about. If repression is bad in Nicaragua, how about Seoul? How about Santiago or worse still, Pretoria? And if "constructive engagement" works in South Africa, why couldn't it work in Nicaragua?

Money won't buy us a popular revolution in Nicaragua, any more than Marcos could buy his way out of one in the Philippines. The test the Contras have failed is the test of popular appeal and support. "People power" eliminated Somoza from Nicaragua, Marcos from the Philippines and Duvalier from Haiti. This is the power that the Contras don't have, and we can't buy. Reagan may believe that power stems from the barrel of guns, but revolutions grow only in the hearts of people. The Contras don't represent anything except an ugly past. Forget the aid. All it's doing is illing off whatever chance we might have ever had to walk away from our old role of bullyboy. Forget American negotiation; nobody down there is interested in being told again what Uncle Sam wants; it's their turn.

Sincerely,

HENRY B. GONZALEZ,
Member of Congress.

RECESS

The SPEAKER pro tempore. Without objection, the House will stand in recess.

Mr. WALKER. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

Does the gentleman from California wish to request time?

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the House stand in recess until 6:45 p.m.

The SPEAKER pro tempore. Without objection, the House will stand in recess until 6:45 p.m.

There was no objection.

(Accordingly, at 6 o'clock and 6 minutes p.m., the House stood in recess until 6:45 p.m.)

□ 1845

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. FOLEY] at 6 o'clock and 45 minutes p.m.

DEFICIT REDUCTION AMENDMENTS OF 1985

Mr. GRAY of Pennsylvania. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3128) to make changes in spending and revenue provisions for purposes of deficit reduction and program improvement, consistent with the budget process, with the Senate amendment to the House amendment to the Senate amendment to the House amendment to the Senate amendment thereto, to recede from disagreement to the Senate amendment, and to concur therein with an amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the amendment.

Mr. GRAY of Pennsylvania. Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The text of the amendment is as follows:

On page 1, strike out lines 8, 9, and 10.

On page 3, strike out lines 13 through 17, inclusive, and insert "which lies wholly within three".

On page 3, line 19, strike out "(except as provided above for Alaska)".

On page 5, strike out lines 9 through 12, inclusive, and insert the following: "shall pay the remaining balance due such State in accordance with section 8006(b) of the Outer Continental.".

On page 5, strike out line 14 and all that follows down through line 7 on page 8 and insert the following:

In section 8004—

(1) strike out "January 1, 1986" in subsection (a) and insert "April 15, 1986"; and

(2) insert "on October 1, 1986" after "United States Treasury" in subsection (b)(3).

In section 8006—

(1) insert "issued after September 18, 1978" after "any Federal leases" in subsection (a);

(2) insert "issued after September 18, 1978" after "derived from any lease" in paragraph (1) of subsection (a);

(3) insert "and any amount due such State under section 8(g)(5)(A) of the Outer Continental Shelf Lands Act, as amended by this title," after "subsection (a) of this section" in the first sentence of subsection (b);

(4) insert "and such section 8(g)(5)(A)" before the period at the end of subsection (b);

(5) strike out "10 percent" and insert "5 percent" in subsection (c); and

(6) insert "and section 8(g)(5)(A) of such Lands Act" after "subsection (a) of this section" in subsection (c).

In the second sentence of section 19(c) of the Outer Continental Shelf Lands Act as proposed to be amended by section 8101(a), insert ", to the maximum extent possible," after "equally weigh".

In section 5(j) of the Outer Continental Shelf Lands Act, as proposed to be added by section 8201—

(1) amend paragraph (2) to read as follows:

"(2) The requirements of paragraph (1) shall not apply to any vessel, rig, platform, or other structure which was built, which is being built, or for which a building contract has been executed, on or before October 1, 1985, and shall expire with respect to any vessel, rig, platform, or other structure for which either the bidding or award process has commenced on or after September 30, 1991.";

(2) strike out the quotation mark and the following period at the end of paragraph (3); and

(3) add at the end thereof the following new paragraph:

"(4)(A) Notwithstanding the provisions of this subsection, a lessee may petition the Secretary for a waiver of the requirements of this subsection.

"(B) The Secretary shall assign an Administrative Law Judge to conduct a hearing on the record on the petition and make a finding for the Secretary.

"(C) The Administrative Law Judge shal recommend to the Secretary that the Secre tary grant such waiver if the Administrativ Law Judge finds that the lessee's explora

tion or development and production plan cannot be carried out solely because of the additional costs that would be incurred as a result of the requirements of this subsection.

"(D) If the Secretary receives the recommendation from the Administrative Law Judge provided in paragraph (C), the Secretary may grant the waiver if the Secretary concurs with the finding of the Administrative Law Judge.".

Page 9, line 7, insert "and" after the comma.

Page 9, line 9. strike out ", and" and insert in lieu thereof a period.

Page 9, strike out line 10 and all that follows through line 17, on page 10.

Page 11, after line 23, insert the following:

In section 9221(a), strike out "September 30, 1986" and insert in lieu thereof "July 31, 1987".

Page 12, amend lines 1 through 8 to read as follows:

(1) in subsection (a), strike out "January 31" and "January 31" and insert in lieu thereof "May 31" and "May 31", respectively;

(2)(A) in subsection (b), strike out "11-month", "February", "January 31", "4-month", and "the month of January 1986" and insert in lieu thereof "7-month", "June", "May 31", "8-month", and "the 31-day period beginning on April 14, 1986", respectively, each place each appears;

(B) in subsection (b)(3), strike out "before the beginning of the respective period" and insert in lieu thereof "during the 31-day period beginning on April 14, 1986, or before the beginning of the calendar year involved, respectively"; and

Page 12, line 20, strike out "8" and "May" and insert in lieu thereof "7" and "June", respectively.

Page 15, strike out line 16 and insert the following:

In section 12302(d), strike out "1988" and insert in lieu thereof "1989".

Page 31, strike out line 18 and insert in lieu thereof the following:

(1) strike out "Subsection (c)" and insert in lieu

Page 35, strike out lines 3 and 4, and insert in lieu thereof the following:

In section 15202(b)(2), strike out "March 1, 1986" and insert in lieu thereof "June 1, 1986".

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

Mr. WALKER. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

MOTION OFFERED BY MRS. MARTIN OF ILLINOIS

Mrs. MARTIN of Illinois. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore. The Clerk will report the motion and the Senate amendment.

The Clerk read as follows: Mrs. MARTIN of Illinois moves to take from the Speaker's table the bill, H.R. 3128, with the Senate amendment to the House amendment to the Senate amendment to the House amendment to the Senate amendment thereto, and recede from its disagreement to the Senate amendment and concur in the Senate amendment.

Senate amendment to House amendment to Senate amendment to House amendment to Senate amendment: In lieu of the matter proposed to be inserted by the said amendment, insert:

In section 4016, insert "or seasonal suspension" after "adjustment in frequency"; and insert "adjustment or" after "service unless such".

In subparagraph (F)(ii) of paragraph (10) of section 204(b) of the Magnuson Fishery Conservation and Management Act, as proposed to be amended by section 6021, strike out "from such nations".

In title VI, strike out subtitle D and redesignate subtitles E, F, G, H, I, and J as subtitles D, E, F, G, H, and I, respectively.

In subsection (b)(2)(B) of section 315 of the Coastal Zone Management Act, as proposed to be amended by section 6044, strike out "environmental" and insert "environment".

In section 3A of the National Ocean Pollution Planning Act of 1978, as proposed to be added by section 6072(2)—

(1) amend subparagraph (B) of subsection (a)(2) to read as follows:

"'(B) be headed by a director who shall—

"'(i) be appointed by the Administrator,

"'(ii) serve as the Chair of the Board, and

"'(iii) be the spokesperson for the program,';

(2) insert a quotation mark and a period after the period at the end of subparagraph (D) of subsection (b)(2); and

(3) strike out paragraph (3) of subsection (b).

In section 6085—

(1) insert "and duties" after "functions" in the long title of the Act of August 6, 1947 cited in such section; and

(2) strike out "'or subdivision thereof'" and insert "'or subdivision thereof,'" in paragraph (2).

In title VIII, strike out the heading for subtitle A.

In section 8001, strike out "subtitle" and insert in lieu thereof "title".

In section 8(g) of the Outer Continental Shelf Lands Act, as proposed to be amended by section 8003, strike out paragraph (2) and insert in lieu thereof the following:

"(2) Notwithstanding any other provision of this Act, the Secretary shall deposit into a separate account in the Treasury of the United States all bonuses, rents, and royalties, and other revenues (derived from any bidding system authorized under subsection (a)(1)), excluding Federal income and windfall profits taxes, and derived from any lease issued after September 18, 1978 of any Federal tract which lies wholly (or, in the case of Alaska, partially until seven years from the date of settlement of any boundary dispute that is the subject of an agreement under section 7 of this Act entered into prior to January 1, 1986 or until April 15, 1993 with respect to any other tract) within three nautical miles of the seaward boundary of any coastal State, or, (except as provided above for Alaska) in the case where a Federal tract lies partially within three nautical miles of the seaward boundary, a percentage of bonuses, rents, royalties, and other revenues (derived from any bidding system authorized under subsection (a)(1)), excluding Federal income and windfall profits taxes, and derived from any lease issued after September 18, 1978 of such tract equal to the percentage of surface acreage of the tract that lies within such three nautical miles. Except as provided in paragraph (5) of this subsection, not later than the last business day of the month following the month in which those revenues are deposited in the Treasury, the Secretary shall transmit to such coastal State 27 percent of those revenues, together with all accrued interest thereon. The remaining balance of such revenues shall be transmitted simultaneously to the miscellaneous receipts account of the Treasury of the United States.".

In section 8(g)(5) of the Outer Continental Shelf Lands Act, as proposed to be amended by section 8003, strike out subparagraph (A) and insert in lieu thereof the following:

"(5)(A) When there is a boundary dispute between the United States and a State which is subject to an agreement under section 7 of this Act, the Secretary shall credit to the account established pursuant to such agreement all bonuses, rents, and royalties, and other revenues (derived from any bidding system authorized under subsection (a)(1)), excluding Federal income and windfall profits taxes, and derived from any lease issued after September 18, 1978 of any Federal tract which lies wholly or partially within three nautical miles of the seaward boundary asserted by the State, if that money has not otherwise been deposited in such account. Proceeds of such account shall be distributed as follows:

"Upon the settlement of any boundary dispute which is subject to a section 7 agreement between the United States and a State, the Secretary shall pay to such State all money due such State from amounts deposited in the escrow account. If there is insufficient money deposited in the escrow account, the Secretary shall transmit, from any revenues derived from any lease of Federal lands under this Act, the remaining balance due such State in accordance with the formula set forth in section 8004(b)(1)(B) of the Outer Continental Shelf Lands Act Amendments of 1985.".

Strike out section 8004 and insert in lieu thereof the following:

"SEC. 8004. DISTRIBUTION OF SECTION 8(g) ACCOUNT.

"(a) Prior to April 15, 1986, the Secretary shall distribute to the designated coastal States the sum of—

"(1) the amounts due and payable to each State under paragraph (2) of section 8(g) of the Outer Continental Shelf Lands Act, as amended by this title, for the period between October 1, 1985, and the date of such distribution, and

"(2) the amounts due each such State under subsection (b)(1)(A) of this section for the period prior to October 1, 1985.

"(b)(1) As a fair and equitable disposition of all revenues (including interest thereon) derived from any lease of Federal lands wholly or partially within 3 miles of the seaward boundary of a coastal State prior to October 1, 1985, the Secretary shall distribute:

"(A) from the funds which were deposited in the separate account in the Treasury of the United States under section 8(g)(4) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)(4)) which was in effect prior to the date of enactment of section 8003 of this title the following sums:

	($ million)
Louisiana	572
Texas	382
California	338
Alabama	66
Alaska	51
Mississippi	14
Florida	0.03

as well as 27 percent of the royalties, derived from any lease of Federal lands, which have been deposited through September 30, 1985 in the separate account described in this paragraph and interest thereon accrued through September 30, 1985 and shall trans

mit any remaining amounts to the miscellaneous receipts account of the Treasury of the United States; and

"(B) from revenues derived from any lease of Federal lands under the Outer Continental Shelf Lands Act, as amended, prior to April 15 of each of the fifteen fiscal years following the fiscal year in which this title is enacted, 3 percent of the following sums in each of the five fiscal years following the date of enactment of this Act, 7 percent of such sums in each of the next five fiscal years, and 10 percent of such sums in each of the following five fiscal years:

	($ million)
Louisiana	84
Texas	134
California	289
Alabama	7
Alaska	134
Mississippi	2.

"(2) The acceptance of any payment by a State under this section shall satisfy and release any and all claims of such State against the United States arising under, or related to, section 8(g) of the Outer Continental Shelf Lands Act, as it was in effect prior to the date of enactment of this Act and shall vest in such State the right to receive payments as set forth in this section.

"(c) Notwithstanding any other provision of this Act, the amounts due and payable to the State of Louisiana prior to October 1, 1986, under subtitle A of title VIII (Outer Continental Shelf and Related Programs) of this Act shall remain in their separate accounts in the Treasury of the United States and continue to accrue interest until October 1, 1986, except that the $572,000,000 set forth in subsection 8004(b)(1)(A) of this section shall only accrue interest from April 15, 1986 to October 1, 1986, at which time the Secretary shall immediately distribute such sums with accrued interest to the State of Louisiana.".

Strike out section 8006.

Strike out subtitles B and C of title VIII.

In subtitle A of title IX, strike out sections 9203, 9212, 9302, 9311, and 9312, and conform the table of contents of title IX accordingly.

In section 9101—

(1) in subsection (a), strike out "FEBRUARY 28" and "February 28" and insert in lieu thereof "APRIL 30" and "April 30", respectively;

(2) in subsections (b), (e)(1)(B), (e)(2)(B), (e)(2)(C), and (e)(3)(C), strike out "1 percent" and insert in lieu thereof "½ percent";

(3) in subsection (d), strike out "December 19, 1985" and insert in lieu thereof "March 15, 1986";

(4) in subsection (e)(1)(A), strike out "March" and insert in lieu thereof "May";

(5) in subsection (e)(2)(B), strike out "5 months" and "7 months" and insert in lieu thereof "7 months" and "5 months", respectively; and

(6) in subsection (e)(3)(B), strike out "7/12" and insert in lieu thereof "5/24".

In section 9102(d)—

(1) strike out "5 months" in paragraph (2)(B)(i) and insert in lieu thereof "7 months",

(2) strike out "7 months" in paragraph (2)(B)(ii) and insert in lieu thereof "5 months",

(3) strike out "March" in paragraph (3) and insert in lieu thereof "May", and

(4) add at the end thereof the following:

"(4) EXCEPTION.—

"(A) Notwithstanding any other provision of this subsection, the amendments made by this section shall not apply to payments with respect to the operating costs of inpatient hospital services (as defined in section 1886(a)(4) of the Social Security Act) of a subsection (d) hospital (as defined in section 1886(d)(1)(B) of such Act) located in the State of Oregon.

"(B) Notwithstanding any other provision of law, for a cost reporting period beginning during fiscal year 1986 of a subsection (d) hospital to which the amendments made by this section do not apply, for purposes of section 1886(d)(1)(A) of the Social Security Act—

"(i) during the first 7 months of the period the 'target percentage' is 50 percent and the 'DRG percentage' is 50 percent, and

"(ii) during the remaining 5 months of the period the 'target percentage' is 25 percent and the 'DRG percentage' is 75 percent.

"(C) Notwithstanding any other provision of law, for purposes of section 1886(d)(1)(D) of such Act, the applicable combined adjusted DRG prospective payment rate for a subsection (d) hospital to which the amendments made by this section do not apply is, for discharges occurring on or after October 1, 1985, and before May 1, 1986, a combined rate consisting of 25 percent of the national adjusted DRG prospective payment rate and 75 percent of the regional adjusted DRG prospective payment rate for such discharges.".

In section 9103, in subsections (a) and (b)(2), strike out "March" and insert in lieu thereof "May" each place it appears.

In section 9104, in subsections (a) and (c)(1), strike out "March" and insert in lieu thereof "May" each place it appears.

In section 9105, in subsections (a) and (e) strike out "March" and insert in lieu thereof "May" each place it appears.

In section 9123(b), strike out "January" and insert in lieu thereof "April".

In section 9124(b)(1), strike out "April" and insert in lieu thereof "July".

In section 9128, strike out "will go" and insert in lieu thereof "went".

In section 9201(d), strike out "March" and insert in lieu thereof "May" each place it appears.

In section 1886(h)(4)(E) of the Social Security Act, which is proposed to be added by section 9202(a)—

(1) strike out "before July 1, 1986" in clause (i)(I),

(2) strike out "the individual is unable to take that examination because" in clause (i)(II), and

(3) insert "or a previous examination of the Educational Commission for Foreign Medical Graduates" in clause (ii)(II) after "FMGEMS examination".

In section 9211(e), strike out "February" and "April" and insert in lieu thereof "May" and "July", respectively, each place each appears.

In section 9301—

(1) in subsection (a), strike out "JANUARY 31" and "January 31" and insert in lieu thereof "APRIL 30" and "April 30", respectively;

(2) in subsection (b), strike out "11-month", "February", "January 31", "4-month", and "January 1986" and insert in lieu thereof "8-month", "May", "April 30", "7-month", and "April 1986", respectively, each place each appears; and

(3) in subsection (c)(5), strike out "July" and insert in lieu thereof "October".

In section 9303—

(1) in subsection (b)(2), strike out "April", "1987" and "December 31, 1986" and insert in lieu thereof "July", "1988", and "December 31, 1987", respectively, and

(2) in subsection (b)(5)(A), strike out "April" and insert in lieu thereof "July".

In section 9304(b)—

(1) strike out "11-month" and "February" and insert in lieu thereof "8-month" and "May", respectively;

(2) in paragraph (1) in the matter before subparagraph (A), insert "at any time" after "in the case of any physician who"; and

(3) in paragraph (1)(B), strike out "is not a participating physician" and all that follows through "September 30, 1985, or" and insert in lieu thereof "was not a participating physician (as defined in section 1842(h)(1) of the Social Security Act) on September 30, 1985, and who is not such a physician".

In section 9307(c)—

(1) in paragraph (1), strike out "subsection (l)" and insert in lieu thereof "subsection (k)";

(2) in paragraph (2), strike out "after subsection (k), added by section 146(a) of this title," and insert in lieu thereof "at the end"; and

(3) in the subsection added by paragraph (2), strike out "(l)(1)" and insert in lieu thereof "(k)(1)".

In subtitle B of title IX, strike out sections 9504, 9513, and 9521, and conform the table of contents of title IX accordingly.

In section 9501(d)(1), strike out "April" and insert in lieu thereof "July".

In section 9505(b)(1)—

(1) strike out "sections 9501 and 9504" and insert in lieu thereof "section 9501", and

(2) strike out "(VI)" and "(VII)" and insert in lieu thereof "(V)" and "(VI)", respectively.

In section 9506(a), in proposed subsection (k)(2) of section 1902 of the Social Security Act, insert "(other than by will)" after "established".

In section 9511(b), strike out "January" and insert in lieu thereof "April".

In section 9517(c), amend paragraph (2) to read as follows:

"(2)(A) Except as provided in subparagraph (B), the amendments made by paragraph (1) shall apply to expenditures incurred for health insuring organizations which first become operational on or after January 1, 1986.

"(B) In the case of a health insuring organization—

"(i) which first becomes operational on or after January 1, 1986, but

"(ii) for which the Secretary of Health and Human Services has waived, under section 1915(b) of the Social Security Act and before such date, certain requirements of section 1902 of such Act,

clauses (ii) and (iv) of section 1903(m)(2)(A) of such Act shall not apply during the period for which such waiver is effective.".

In section 9522, insert "(or submitted during 1986 by)" after "granted to".

In section 9523—

(1) in subsection (a), strike out "CONTINUED" and "continue" and insert in lieu thereof "RENEWED" and "renew", respectively, and

(2) in subsection (b)—

(A) strike out "continued" and insert in lieu thereof "renewed",

(B) strike out "the date of the enactment of this Act" and insert in lieu thereof "December 31, 1985".

In section 9526, at the end of subsection (a) of proposed section 1920 of the Social Security Act, add the following:

"(F) Section 310(b)(1) of Public Law 96-272 (relating to continuing medicaid eligibility for certain recipients of Veterans' Administration pensions).".

In subtitle C of title XII, strike out section 12302.

In section 12301—

(1) in subsection (b)—

(A) strike out "or 1903(u)" in paragraph (1), and

(B) strike out "titles IV-A and XIX" and insert in lieu thereof "title IV-A" each place it appears; and

(2) after subsection (d), strike out "and 1982.".

In section 12304(a)(3), immediately before the semicolon at the end of the proposed new subparagraph (C), insert the following: "; but the State shall not be subject to any financial penalty in the administration or enforcement of this subparagraph as a result of any monitoring, quality control, or auditing requirements".

Part 1 of subtitle A of title XIII of the bill is amended to read as follows:

"PART 1—TRADE ADJUSTMENT ASSISTANCE

"SEC. 13001. SHORT TITLE.

"This part may be cited as the 'Trade Adjustment Assistance Reform and Extension Act of 1986'.

"SEC. 13002. ELIGIBILITY OF WORKERS AND FIRMS FOR TRADE ADJUSTMENT ASSISTANCE.

"(a) WORKERS.—Sections 221(a) and 222 of the Trade Act of 1974 (19 U.S.C. 2271(a); 2272) are each amended by inserting '(including workers in any agricultural firm or subdivision of an agricultural firm)' after 'group of workers'.

"(b) FIRMS.—

"(1) Subsections (a) and (c) of section 251 of the Trade Act of 1974 (19 U.S.C. 2341) are each amended by inserting '(including any agricultural firm)' after 'a firm'.

"(2) Paragraph (2) of section 251(c) of the Trade Act of 1974 (19 U.S.C. 2341(c)(2)) is amended to read as follows:

"'(2) that—

"'(A) sales or production, or both, of the firm have decreased absolutely, or

"'(B) sales or production, or both, of an article that accounted for not less than 25 percent of the total production or sales of the firm during the 12-month period preceding the most recent 12-month period for which data are available have decreased absolutely, and'.

"SEC. 13003. CASH ASSISTANCE FOR WORKERS.

"(a) PARTICIPATION IN JOB SEARCH PROGRAM REQUIRED.—

"(1) Subsection (a) of section 231 of the Trade Act of 1974 (19 U.S.C. 2291(a)) is amended by adding at the end thereof the following new paragraph:

"'(5) Such worker, unless the Secretary has determined that no acceptable job search program is reasonably available—

"'(A) is enrolled in a job search program approved by the Secretary under section 237(c), or

"'(B) has, after the date on which the worker became totally separated, or partially separated, from the adversely affected employment, completed a job search program approved by the Secretary under section 237(c).'.

"(2) Section 231 of the Trade Act of 1974 (19 U.S.C. 2291) is amended by adding at the end thereof the following new subsection:

"'(c) If the Secretary determines that—

"'(1) the adversely affected worker—

"'(A) has failed to begin participation in the job search program the enrollment in which meets the requirement of subsection (a)(5), or

"'(B) has ceased to participate in such job search program before completing such job search program, and

"'(2) there is no justifiable cause for such failure or cessation,

no trade readjustment allowance may be paid to the adversely affected worker under this part on or after the date of such determination until the adversely affected worker begins or resumes participation in a job search program approved under section 237(c).'.

"(3) Subsection (a) of section 239 of the Trade Act of 1974 (19 U.S.C. 2311(a)) is amended—

"(A) by striking out 'training,' in clause (2) and inserting in lieu thereof 'training and job search programs,'; and

"(B) by striking out 'and (3)' and inserting in lieu thereof '(3) will make determinations and approvals regarding job search programs under sections 231(c) and 237(c), and (4)'.

"(b) QUALIFYING WEEKS OF EMPLOYMENT.—The last sentence of section 231(a)(2) of the Trade Act of 1974 (19 U.S.C. 2291(a)(2)) is amended by striking out all that follows after subparagraph (C) and inserting in lieu thereof 'shall be treated as a week of employment at wages of $30 or more, but not more than 7 weeks, in case of weeks described in paragraph (A) or (C), or both, may be treated as weeks of employment under this sentence.'.

"(c) WEEKLY AMOUNTS OF READJUSTMENT ALLOWANCES.—Section 232 of the Trade Act of 1974 (19 U.S.C. 2292) is amended—

"(1) by striking out 'under any Federal law,' in subsection (c) and inserting in lieu thereof 'under any Federal law other than this Act',

"(2) by striking out 'under section 236(c)' in subsection (c) and inserting in lieu thereof 'under section 231(c) or 236(c)', and

"(3) by striking out 'If the training allowance' in subsection (c) and inserting in lieu thereof 'If such training allowance'.

"(d) LIMITATIONS.—

"(1) Paragraph (2) of section 233(a) of the Trade Act of 1974 (19 U.S.C. 2293(a)(2)) is amended by striking out '52-week period' and inserting in lieu thereof '104-week period'.

"(2) Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended by adding at the end thereof the following new subsection:

"'(e) No trade readjustment allowance shall be paid to a worker under this part for any week during which the worker is receiving on-the-job training.'.

"SEC. 13004. JOB TRAINING FOR WORKERS.

"(a) IN GENERAL.—Section 236 of the Trade Act of 1974 (19 U.S.C. 2296) is amended—

"(1) by striking out 'for a worker' in subsection (a)(1)(A) and inserting in lieu thereof 'for an adversely affected worker',

"(2) by striking out 'may approve' in the first sentence of subsection (a)(1) and inserting in lieu thereof 'shall (to the extent appropriated funds are available) approve',

"(3) by striking out 'under paragraph (1)' in subsection (a)(2) and inserting in lieu thereof 'under subsection (a)',

"(4) by striking out 'this subsection' in subsection (a)(3) and inserting in lieu thereof 'this section',

"(5) by redesignating paragraphs (2) and (3) of subsection (a) as subsections (e) and (f), respectively,

"(6) by inserting at the end of subsection (a) the following new paragraphs:

"'(2) For purposes of applying paragraph (1)(C), a reasonable expectation of employment does not require that employment opportunities for a worker be available, or offered, immediately upon the completion of training approved under this paragraph (1).

"'(3)(A) If the costs of training an adversely affected worker are paid by the Secretary under paragraph (1), no other payment for such costs may be made under any other provision of Federal law.

"'(B) No payment may be made under paragraph (1) of the costs of training an adversely affected worker if such costs—

"'(i) have already been paid under any other provision of Federal law, or

"'(ii) are reimbursable under any other provision of Federal law and a portion of such costs have already been paid under such other provision of Federal law.

"'(C) The provisions of this paragraph shall not apply to, or take into account, any funds provided under any other provision of Federal law which are used for any purpose other than the direct payment of the costs incurred in training a particular adversely affected worker, even if such use has the effect of indirectly paying or reducing any portion of the costs involved in training the adversely affected worker.

"'(4) The training programs that may be approved under paragraph (1) include, but are not limited to—

"'(A) on-the-job training,

"'(B) any training program provided by a State pursuant to section 303 of the Job Training Partnership Act,

"'(C) any training program approved by a private industry council established under section 102 of such Act, and

"'(D) any other training program approved by the Secretary.', and

"(7) by inserting after subsection (c) the following new subsection:

"'(d) Notwithstanding any provision of subsection (a)(1), the Secretary may pay the costs of on-the-job training of an adversely affected worker under subsection (a)(1) only if—

"'(1) no currently employed worker is displaced by such adversely affected worker (including partial displacement such as a reduction in the hours of nonovertime work, wages, or employment benefits),

"'(2) such training does not impair existing contracts for services or collective bargaining agreements,

"'(3) in the case of training which would be inconsistent with the terms of a collective bargaining agreement, the written concurrence of the labor organization concerned has been obtained,

"'(4) no other individual is on layoff from the same, or any substantially equivalent, job for which such adversely affected worker is being trained,

"'(5) the employer has not terminated the employment of any regular employee or otherwise reduced the workforce of the employer with the intention of filling the vacancy so created by hiring such adversely affected worker,

"'(6) the job for which such adversely affected worker is being trained is not being created in a promotional line that will infringe in any way upon the promotional opportunities of currently employed individuals,

"'(7) such training is not for the same occupation from which the worker was separated and with respect to which such worker's group was certified pursuant to section 222,

"'(8) the employer certifies to the Secretary that the employer will continue to employ such worker for at least 26 weeks after completion of such training if the worker desires to continue such employment and the employer does not have due cause to terminate such employment,

"'(9) the employer has not received payment under subsection (a)(1) with respect to any other on-the-job training provided by such employer which failed to meet the requirements of paragraphs (1), (2), (3), (4), (5), and (6), and

"'(10) the employer has not taken, at any time, any action which violated the terms of any certification described in paragraph (8) made by such employer with respect to any other on-the-job training provided by such employer for which the Secretary has made a payment under subsection (a)(1).'.

"(b) ON-THE-JOB TRAINING DEFINED.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended by adding at the end thereof the following new paragraph:

"'(16) The term "on-the-job training" means training provided by an employer to an individual who is employed by the employer.'.

"(c) AGREEMENTS WITH THE STATES.—Section 239 of the Trade Act of 1974 (19 U.S.C. 2311) is amended—

"(1) by amending subsection (a)(2) by inserting 'but in accordance with subsection (f),' after 'where appropriate,'; and

"(2) by adding at the end thereof the following new subsections:

"'(e) Agreements entered into under this section may be made with one or more State or local agencies including—

"'(1) the employment service agency of such State,

"'(2) any State agency carrying out title III of the Job Training Partnership Act, or

"'(3) any other State or local agency administering job training or related programs.

"'(f) Each cooperating State agency shall, in carrying out subsection (a)(2)—

"'(1) advise each adversely affected worker to apply for training under section 236(a) at the time the worker makes application for trade readjustment allowances (but failure of the worker to do so may not be treated as cause for denial of those allowances), and

"'(2) within 60 days after application for training is made by the worker, interview the adversely affected worker regarding suitable training opportunities available to the worker under section 236 and review such opportunities with the worker.'.

"SEC. 13005. JOB SEARCH ALLOWANCES.

"(a) IN GENERAL.—Section 237 of the Trade Act of 1974 (19 U.S.C. 2297) is amended by adding at the end thereof the following new subsection:

"'(c) The Secretary shall reimburse any adversely affected worker for necessary expenses incurred by such worker in participating in a job search program approved by the Secretary.'.

"(b) DEFINITIONS.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319), as amended by section 13004(b) of this Act, is further amended by adding at the end thereof the following new paragraph:

"'(17)(A) The term "job search program" means a job search workshop or job finding club.

"'(B) The term "job search workshop" means a short (1 to 3 days) seminar designed to provide participants with knowledge that will enable the participants to find jobs. Subjects are not limited to, but should include, labor market information, resume writing, interviewing techniques, and techniques for finding job openings.

"'(C) The term "job finding club" means a job search workshop which includes a period (1 to 2 weeks) of structured, supervised activity in which participants attempt to obtain jobs.'.

"SEC. 13006. ADJUSTMENT ASSISTANCE FOR FIRMS.

"(a) TECHNICAL ASSISTANCE.—

"(1) Paragraph (1) of section 252(b) of the Trade Act of 1974 (19 U.S.C. 2342(b)(1)) is amended to read as follows:

"'(1) Adjustment assistance under this chapter consists of technical assistance. The Secretary shall approve a firm's application for adjustment assistance only if the Secretary determines that the firm's adjustment proposal—

"'(A) is reasonably calculated to materially contribute to the economic adjustment of the firm,

"'(B) gives adequate consideration to the interests of the workers of such firm, and

"'(C) demonstrates that the firm will make all reasonable efforts to use its own resources for economic development.'.

"(2) Section 252 of the Trade Act of 1974 (19 U.S.C. 2342) is amended by striking out subsection (c) and redesignating subsection (d) as subsection (c).

"(3) Paragraph (2) of section 253(b) of the Trade Act of 1974 (19 U.S.C. 2343(b)(2)) is amended by striking out 'such cost' and inserting in lieu thereof 'such cost for assistance described in paragraph (2) or (3) of subsection (a)'.

"(b) NO NEW LOANS OR GUARANTEES.—Section 254 of the Trade Act of 1974 (19 U.S.C. 2344) is amended by adding at the end thereof the following new subsection:

"'(d) Notwithstanding any other provision of this chapter, no direct loans or guarantees of loans may be made under this chapter after the date of enactment of the Trade Adjustment Assistance Reform and Extension Act of 1986.'.

"SEC. 13007. EXTENSION AND TERMINATION OF TRADE ADJUSTMENT ASSISTANCE.

"(a) IN GENERAL.—Section 285 of the Trade Act of 1974 (19 U.S.C. 2271, preceding note) is amended—

"(1) by striking out the first sentence thereof and inserting in lieu thereof "(a)",

"(2) by striking out the section heading and inserting in lieu thereof 'SEC. 285. TERMINATION.', and

"(3) by adding at the end thereof the following new subsection:

"'(b) No assistance, allowances, or other payments may be provided under chapter 2, and no technical assistance may be provided under chapter 3, after September 30, 1991.'.

"(b) CONFORMING AMENDMENT.—The table of contents of the Trade Act of 1974 is amended by striking out the item relating to section 285 and inserting in lieu thereof the following:

"'Sec. 285. Termination.'.

"SEC. 13008. AUTHORIZATION OF APPROPRIATIONS.

"(a) WORKERS.—Section 245 of the Trade Act of 1974 (19 U.S.C. 2317) is amended by striking out '1982 through 1985' and inserting in lieu thereof '1986, 1987, 1988, 1989, 1990, and 1991'.

"(b) FIRMS.—Subsection (b) of section 256 of the Trade Act of 1974 (19 U.S.C. 2346(b)) is amended—

"(1) by inserting 'for fiscal years 1986, 1987, 1988, 1989, 1990, and 1991' after 'to the Secretary',

"(2) by striking out 'from time to time', and

"(3) by striking out the last sentence thereof.

"SEC. 13009. EFFECTIVE DATES; APPLICATION OF GRAMM-RUDMAN.

"(a) IN GENERAL.—Except as provided in subsections (b) and (c), the amendments made by this part shall take effect on the date of the enactment of this Act.

"(b) JOB SEARCH PROGRAM REQUIREMENTS.—The amendments made by section 13003(a) apply with respect to workers covered by petitions filed under section 221 of the Trade Act of 1974 on or after the date of the enactment of this Act.

"(c) EXTENSION AND AUTHORIZATION.—Chapters 2 and 3 of title II of the Trade Act of 1974 (19 U.S.C. 2271, et seq.) shall be applied as if the amendments made by sections 13007 and 13008 had taken effect on December 18, 1985.

"(d) APPLICATION OF GRAMM-RUDMAN.—Trade readjustment allowances payable under part I of chapter 2 of title II of the Trade Act of 1974 for the period from March 1, 1986, and until October 1, 1986, shall be reduced by a percentage equal to the non-defense sequester percentage applied in the Sequestration Report (submitted under the Balanced Budget and Emergency Deficit Control Act of 1985 and dated January 21, 1986) of the Comptroller General of the United States for fiscal year 1986.".

In section 13031(e)(2)—

(1) strike out "section 236(c)" and insert in lieu thereof "section 236", and

(2) strike out "58b(c)" and insert in lieu thereof "58b".

Strike out subtitle B of title XIII and redesignate the following subtitles accordingly.

In section 13201—

(1) strike out "Subsection (c)" and insert in lieu thereof "(a) Subsection (c)", and

(2) add at the end thereof the following new subsection:

"(b) For purposes of all Federal and State laws, the amendment made by subsection (a) shall be treated as having taken effect on March 14, 1986.".

Strike out subsection (d) of section 13202 and insert in lieu thereof the following:

"(c) EFFECTIVE DATE.—

"(1) IN GENERAL.—The amendments made by this section shall apply to smokeless tobacco removed after June 30, 1986.

"(2) TRANSITIONAL RULE.—Any person who—

"(A) on the date of the enactment of this Act, is engaged in business as a manufacturer of smokeless tobacco, and

"(B) before July 1, 1986, submits an application under subchapter B of chapter 52 of the Internal Revenue Code of 1954 to engage in such business,

may, notwithstanding such subchapter B, continue to engage in such business pending final action on such application. Pending such final action, all provisions of chapter 52 of such Code shall apply to such applicant in the same manner and to the same extent as if such applicant were a holder of a permit to manufacture smokeless tobacco under such chapter 52.".

Strike out subsection (c) of section 13203 and insert the following:

"(c) EXISTING REDUCTION IN RATES FOR PERIOD AFTER TEMPORARY INCREASE RETAINED.—So much of subsection (e) of section 4121 (relating to temporary increase in amount of tax) as precedes paragraph (2) is amended to read as follows:

"'(e) REDUCTION IN AMOUNT OF TAX.—

"'(1) IN GENERAL.—Effective with respect to sales after the temporary increase termination date, subsection (b) shall be applied—

"'(A) by substituting "$.50" for "$1.10",

"'(B) by substituting "$.25" for "$.55", and

"'(C) by substituting "2 percent" for "4.4 percent".'"

In section 13203(d), strike out "December 31, 1985" and insert in lieu thereof "March 31, 1986".

In section 13205(a)(1), strike out "of the Internal Revenue Code of 1954".

In subsection (a)(2) of section 13205, strike out "of such Code" each place it appears.

In section 13205, strike out "December 31, 1985" and "January 1, 1986" and insert in lieu thereof "March 31, 1986" and "April 1, 1986", respectively, each place either appears.

At the end of paragraph (2) of section 1303(d) of the Internal Revenue Code of 1954 (as proposed to be added by section 13206(a)), insert the following: "In applying subparagraph (B), amounts which constitute earned income (within the meaning of section 911(d)(2)) and are community income under community property laws applicable to such income shall be taken into account as if such amounts did not constitute community income.".

In section 13207(c), strike out "September 12, 1985" and insert in lieu thereof "September 12, 1984".

In subparagraph (A) of section 531(g)(1) of the Tax Reform Act of 1984 (as proposed to be added by section 13207(d)), strike out "performed" and insert in lieu thereof "performs".

In paragraph (2) of section 531(g) of the Tax Reform Act of 1984 (as proposed to be added by section 13207(d)), strike out subparagraph (B) and insert in lieu thereof the following:

"(B) if—

"(i) such organization is described in section 501(c)(6) of the Internal Revenue Code of 1954 and the membership of such organization is limited to entities engaged in the transportation by air of individuals or property for compensation or hire, or

"(ii) such organization is a corporation all the stock of which is owned entirely by entities referred to in clause (i), and".

In clause (vi) of section 57(a)(9)(E) of the Internal Revenue Code of 1954 (as proposed to be added by section 13208(a)), strike out "The" and insert in lieu thereof "For purposes of this subparagraph, the".

In clause (vii) of such section 57(a)(9)(E), strike out "The" and insert in lieu thereof "For purposes of this subparagraph, the".

In section 14001(a)(2), strike out "amounts".

In section 14001(a)(4), strike out "March 1, 1986" and insert in lieu thereof "June 2, 1986".

In section 15202, strike out subsection (b) and redesignate subsection (c) as subsection (b).

In section 19001(a), strike out "and Compensation Rate Amendments of 1985" and insert in lieu thereof "Amendments of 1986".

In section 19011—

(1) strike out "April 1, 1986" in the last sentence of subsection (e)(2) and insert in lieu thereof "July 1, 1986"; and

(2) in subsection (f)—

(A) strike out "April 1, 1986" each place it appears and insert in lieu thereof "July 1, 1986";

(B) strike out "March 31, 1986" both places it appears in paragraph (2)(A) and insert in lieu thereof "June 30, 1986"; and

(C) strike out "April and May 1986" in paragraph (2)(B) and insert in lieu thereof "July and August 1986".

Strike out subtitle B of title XIX (and redesignate subtitle C as subtitle B).

In section 19031(b)(2), strike out "April 1, 1986" and insert in lieu thereof "July 1, 1986".

In section 19032—

(1) strike out "February 1, 1986" in subsection (a) and insert in lieu thereof "May 1, 1986"; and

(2) strike out "November 1, 1986, and November 1, 1987," in subsection (f) and insert in lieu thereof "February 1, 1987, and February 1, 1988,".

Mrs. MARTIN of Illinois (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Illinois [Mrs. MARTIN] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. GRAY] will be recognized for 30 minutes.

The Chair recognizes the gentlewoman from Illinois [Mrs. MARTIN].

Mrs. MARTIN of Illinois. I thank the Speaker.

Mr. Speaker, we do not intend to take the full 30 minutes, revisiting this legislation one more time. I am sure all Members of the House listening or here will recall this bill. Enough is enough. It is time to get reconciliation over. This agrees to the Senate amendment. It is safe to say that every side has negotiated in good faith but we could not make and agree to any changes. This does what reconciliation is supposed to do. It saves $25 billion over the 3 years, $19 billion in outlay savings and $6 billion in revenue increases. It has the changes that are necessary in 8(g) and OCS. It also has the necessary changes that are required retroactively with the cigarette tax. I think it is about time. If this reconciliation does not take place there will indeed be divorce. I would just say let us vote quickly and let us get the savings. Whatever State you represent you are better off with this bill.

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

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the motion to concur.

When the House acted on March 6 to amend the reconciliation package, it did so in good faith and in recognition of the need to compromise on items in dispute in order to resolve the deficit reduction agreements of last year.

I must oppose the motion to concur because I do not believe the other body's action has been taken in good faith. In the face of the clearly articulated position of the House, the other body, in its amendment of March 14, deleted crucial modifications of the Outer Continental Shelf Lands Act, Medicare, AFDC, and the Federal Employee Health Benefits Program. Beyond that, the other body went so far as to include in its amendment changes in the Medicare Program which will benefit a single constituency in a single State.

Since Tuesday, when the House disagreed to the other body's amendment and the other body insisted on its amendment, House Members with matters in dispute met to formulate a final concession. Yesterday, modifications were proposed to the other body. They responded today. That response was no response at all. The counteroffer of the other body indicates to me that they will not negotiate in good faith. We must not allow ourselves, as Members of the House, to be pressured into a compromise which is no compromise at all.

Reconciliation was intended to be a vehicle for deficit reduction. The House has acted to fulfill that pledge in good faith. The other body has not.

We must not agree to concur in the other body's action.

Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Speaker, I rise in opposition to this bill once again. I think it is a real tragedy that we have to cave in not only to the Senate but to OMB which has more power sometimes, it seems to me, than the three branches of Government. It is a shame that we have forgotten American workers and we want to cave in to the provision that excludes the Buy American provision. It is a shame that we have to once again sock it to Government employees who would have gotten an opportunity to have health benefits that were really competitive and that would have cost them a little less.

As a matter of fact it would have cost the Government less. But we do not ever in this body want to help Government employees. Somehow our astronauts, the people who work on our borders, deliver our mail, and issue those Social Security checks and inspect our food are not that important.

So I think it is a shame that we are just caving in to OMB and the other body, and I hope that we oppose it again. I think it is in our best interest to do that.

Mr. Speaker, I for one vote "no."

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana [Mr. BREAUX].

(Mr. BREAUX asked and was given permission to revise and extend his remarks.)

Mr. BREAUX. Mr. Speaker, I regret that the amendment that was offered by Mr. GRAY originally was objected to incorporating the provisions of the previously informally agreed-to proposal that we sent to the other body as a compromise yesterday. That represented the last vestige of our effort to keep faith with the reconciliation process that had produced a conference report last December.

Mr. Speaker, I do not want to rehash in detail a blow-by-blow account of the events that have taken us from that promising beginning to what inevitably appears to be the end of the road today. Other Members will likely want to express their views on some of the elements of that amendment now.

I would note, however, that all of the elements of this amendment from AFDC, unemployed-parent provisions, to the section 19 amendments to the OCS Lands Act, to the so-called Buy American provisions, to the 8(g) provisions represent additional and unilateral concessions offered by the House to provisions of the conference report that was agreed to by both Houses of Congress last December.

Our mistake in making these concessions was that we thought we would be negotiating in good faith. Our mistake was that we thought we were negotiating with parties in the other body who were capable of making independent judgments on important policy and budgetary decisions. Our mistake was that we did not realize that the other body, upon receiving a thumbs down from the President's men at OMB, would force us to negotiate with a gun to our head. With respect to the 8(g) we previously conceded, in House action 2 weeks ago, to demands of the White House that we deny coastal States a fair and equitable division of royalty revenues flowing from OCS leases after the date of the 1978 law requiring such a division, when those royalties came from leases issued prior to that date.

The OMB and the Senate did not think that even this concession was sufficient even though OMB Director Miller indicated that this would meet his objections when he testified before the other body last month. The OMB did not even think that it was fair and equitable to now pay the States what it admits is currently due to them, taking 10 percent off the top for their own purse and forcing the States to wait 15 years for this money.

I can recognize reality, however. I can feel the cold muzzle of that veto gun against my head and I am proud that we have held out for this long even though some were telling me last year to accept a settlement for my State that represented less than one-third of what we have in this package today.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Committee on Ways and Means, the gentleman from Illinois [Mr. ROSTENKOWSKI].

(Mr. ROSTENKOWSKI asked and was given permission to revise and extend his remarks.)

Mr. ROSTENKOWSKI. Mr. Speaker, I thank the gentleman for yielding.

I expect that tonight the House will finally bring to an end the long debate over the 1986 reconciliation bill. The conference agreement on this legislation was filed on December 19 of last year. For 3 months we have been sending this conference agreement, with various amendments, back and forth between the Senate and the House. Frankly, we are not any closer tonight than we have been for a number of weeks.

There is no question that this is important legislation. It will reduce the deficit by about $18 billion over the next 3 years. We have worked hard to resolve the issues that are in disagreement because we need these savings, and because we need to demonstrate to the American public that we are capable of enacting legislation that will address the serious deficit problem.

Despite the importance of this bill, I intend to vote against it for two reasons. It does not contain the extension of the AFDC two-parent family program to all States that was in the House bill and was agreed to as part of the original conference agreement. Also, I do not think it is right to single out specific States or other geographical regions for special treatment under our national entitlement programs.

Nevertheless, the House will work its will tonight and, as I said, I expect we will concur in the latest Senate amendment and send this legislation to the President.

I thank the Speaker.

Mrs. MARTIN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana [Mr. MOORE].

Mr. MOORE. I thank the gentlewoman for yielding.

Mr. Speaker, it seems like we are right back where we started again. It is about time we finished this. This is dragging on. When we leave here today we do not come back until after the recess and then we have something like a week or a week and a half to produce a budget resolution that meets the guidelines of Gramm-Rudman. So things are getting tighter and closer. I want to point out to the House again what is separating us from the other body in this version is not matters of money, they are matters of policy that ought to be brought up at another time, they ought to be brought up in legislation dealing with policy, not legislation dealing with spending changes to try to save money.

I think it would not be wise for us on this eve of recess to vote down again a measure that saves $17 billion for this country, savings we badly need, to begin work on Gramm-Rudman.

I also point out for the coastal States that this means another delay and continuing to trifle with an agreement that we have with the administration and with the other body that would put to rest and settle this matter once and for all paying the offshore revenue to the States involved. AFDC amendment is something that ought to be taken up again at another time. This will cost my State $12 million. This amendment will cost my State $12 million in additional expenditures at a time when it is running a deficit of maybe as much as $500 million.

I think the State of Louisiana would appreciate that coming up at another time, a time when we have time to sit down and discuss that and debate that separately as a policy change rather than trying to attach it to this spending reduction bill on the idea that we can get this and force this down the President's throat. It is not going to work. I do not know how many times it is going to take for the other body to keep rejecting something until we finally understand. The administration has made it clear it is not going to sign something like that. So we ought to drop it and get on with the business of saving money and take that up at another time.

Mr. FORD of Tennessee. Mr. Speaker, will the gentleman yield?

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

Mr. FORD of Tennessee. I thank the gentleman for yielding.

Mr. Speaker, I ask the gentleman from Louisiana, when we talk about AFDC unemployed-parent program, the Subcommittee on Public Assistance and Unemployment Compensation of the Committee on Ways and Means had full hearings on this matter, we marked that bill up in subcommittee, reported it to the full committee of which the gentleman is a member, we had open discussion at full committee level. We reported the bill out.

Mr. MOORE. I hear what the gentleman is saying. I do not disagree with him. But we have the tail wagging the dog.

Quite frankly I say to my good friend from Tennessee who has worked so hard on this amendment, while his amendment may be meritorious, bring it up in another bill. Do not let this hold up a $17 billion savings to the entire country and the money of these coastal States involved. Now is not the time to argue this.

□ 1900

Mr. FORD of Tennessee. If the gentleman will continue to yield, we worked tirelessly in the full committee on this unemployed parent program. We went to the conference committee in order to reconcile the differences with the Senate.

The gentleman talks about it is going to cost his State $12 million. That is true. But on the moratoriums, we lift the sanctions under the Medicaid Program, which will also provide about $17 million additional dollars to the State of Louisiana.

We did the same thing for Texas. We tried in every way to compromise with the conferees in the Senate side. We gave up everything. For them to come back now at the 11th hour, when we are about to leave here for recess for the Easter break, to tell us no, no AFDC UP Program—our President stood right in this well in his State of the Union Message, and he talked about the profamily piece. He talked about welfare reform.

Mr. MOORE. I hear the gentleman. I am simply saying this is not the time to fight that fight. This is a budget reconciliation bill. It is not a bill to address AFDC.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee [Mr. FORD].

Mr. FORD of Tennessee. Mr. Speaker, I thank the gentleman for yielding to me at this time.

Mr. Speaker, I would hope my colleagues would realize at this point the UP Program is only saying that the unemployed parent can live in the household and be a part of the family unit.

Right now, under current law, options are there for States to adopt it, whereas the father can live in the home and keep the family intact.

I would hope that we would take a clear message from the President when he said here that we are talking about welfare reform, profamily, in breaking the cycle of poverty. I would hope that we would see fit to reject this motion that is before the House today and not agree with what the Senate has rammed down our throats here this afternoon in saying that we ought to accept this reconciliation.

I, too, would agree that reconciliation is important, but it is not that important when we have gone through the legislative process to add the unemployed parent program to the reconciliation bill. We have gone through the subcommittee level, the full committee level, as well as our conferees on the Senate, to reconcile the differences. We gave up and protected Louisiana, Texas, and other States, We gave up everything that was fair that was possible to give up.

I would hope my colleagues would say no to this motion before the House today.

Mrs. MARTIN of Illinois. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. BOULTER].

Mr. BOULTER. Mr. Speaker, I rise in support of the motion to concur with the Senate amendments on reconciliation. There are a lot of reasons for my support, but there is one in particular that I want to bring to the attention of my colleagues.

In a time when we are attempting to reign in out of control Federal spending and get our fiscal house out of the red, we have a provision in the House package that would increase the size of the welfare state, bringing more people onto the welfare rolls, rather than trying to reduce those numbers.

This change would cost 25 States a total of $187.4 million each year—and would cost the State of Texas alone $23 million. The provision would mandate that as of January 1, 1988, States would have to provide AFDC benefits to two-parent families with dependent children in which the principal wage-earner in unemployed. Participation in the two parent AFDC Program has historically been an option for States. Many, including Texas, opted out of participation. Now we are saying, in the House passed version—that States must participate. Texas must, the law says, now spend as much as $23 million on a program it has chosen not to be part of.

This, Mr. Speaker, is not the kind of quality control on welfare that the American people want. In fact, it is just the opposite. The Senate amendments delete this unnecessary provision, returning the AFDC Program to its original state. The Senate amendments leave State's rights and State decisions where they belong—in the State.

We must remember that we are trying—the American people are demanding that we do—we are trying to reduce this Nation's deficit. This does not mean that we can shift burdens onto our State and local governments. This does not mean that we should be increasing the scope of our welfare system.

We must remember, Mr. Speaker, that we are trying to be fiscally, and socially, responsible. The Senate amendments do a far better job of meeting those goals, and I encourage my colleagues to support the Senate version.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Speaker, very briefly, the issue is not the timing on reconciliation in terms of savings. That is something we should have passed last year. I would say that I have no question in my mind that ultimately we will pass a form of reconciliation bill.

The real issue here is the integrity of the House in terms of the House's position. We made a deal with the Senate. We basically sat down and agreed as to the elements that would be included in reconciliation.

Instead, now in a bona fide offer that the House has made to the Senate, it is just outrightly rejected.

So the question is: Is the House going to stand for its position at this point? That is the issue.

Mr. Speaker, I would urge the Members to stand by the position of the House if we are to truly have a bargaining position, not only in this reconciliation, but in reconciliation bills for the future.

Mr. GRAY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana [Mr. ROEMER].

Mr. ROEMER. Mr. Speaker, I thank the Chairman for yielding. I would like to congratulate the gentleman, not necessarily for what we got today, but for what the gentleman has tried to do for those of us who wanted elements that we did not get.

Mr. Speaker, I also want to thank my colleagues, JOHN BREAUX, JERRY HUCKABY, HENSON MOORE, for the work they have done on agriculture. It could have been a lot better, but I think we have a chance now to help our State help this country with the deficit reduction.

Mr. Speaker, I say let us move on.

Mr. Speaker, I once again say to the Chairman, thank you for the attempt to have us a good bill rather than the one we have.

PARLIAMENTARY INQUIRY

Mr. GRAY of Pennsylvania. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GRAY of Pennsylvania. Mr. Speaker, it is my understanding that this side has the right to close debate.

The SPEAKER pro tempore. The gentlewoman from Illinois has the opportunity to close debate.

Mr. GRAY of Pennsylvania. Mr. Speaker, I will make one closing statement.

Mr. Speaker, I think all of us know what the issues are. We have been down this road many times. I think clearly the issue from my perspective is one of good faith. We have made many offers; the Senate has rejected them.

Mr. Speaker, I want to particularly take a moment to thank our distinguished leaders of the House who have worked so hard: Chairman ROSTENKOWSKI who worked tirelessly in this effort to bring about an equitable reconciliation process; also the gentleman from Louisiana [Mr. BREAUX] who was one of the originators of the idea of the Outer Continental Shelf proposals that were included in the House budget. It was his suggestion that led us to move it in the budget, and eventually it was accepted by the other body, and also by the administration as true deficit reduction. So the gentleman is to be congratulated for helping us in that leadership.

I also want to thank Mr. Bosco, who worked so hard to get the other body to recognize the need for protection of American jobs with the Buy America. I would also like to thank Chairman WILLIAM FORD of the Post Office and Civil Service Committee, who worked to protect the Federal employees

health benefits, which the other body rejected. I want to thank, of course, subcommittee Chairman HOWARD FORD of Tennessee, who worked to try to bring some real profamily into the welfare system that we heard so eloquently talked about from the well of this House during the State of the Union.

Mr. Speaker, I urge the Members of this body to vote against the motion to concur.

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

Mrs. MARTIN of Illinois. Mr. Speaker, although my heart tugs at the thought of not being able to debate this another week and at another time, may I strongly suggest a "yes" vote.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois [Mrs. MARTIN].

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were yeas 230, nays 154, not voting 50, as follows:

[Roll No. 66]

YEAS—230

Andrews
Archer
Armey
Aspin
AuCoin
Badham
Barnard
Bartlett
Barton
Bateman
Bereuter
Bevill
Bilirakis
Bliley
Boehlert
Boggs
Bonker
Boucher
Boulter
Breaux
Brooks
Broomfield
Brown (CO)
Broyhill
Bruce
Bryant
Burton (IN)
Callahan
Campbell
Carney
Carper
Carr
Chandler
Chapman
Chappell
Chappie
Cheney
Clinger
Coats
Cobey
Coble
Coelho
Coleman (MO)
Coleman (TX)
Combest
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
de la Garza
DeLay
Derrick
DeWine
Dicks
DioGuardi
Dornan (CA)
Dreier
Duncan
Durbin
Eckert (NY)
Edwards (OK)
Emerson
English
Erdreich
Fawell
Fiedler
Fields
Flippo
Franklin
Frenzel
Frost
Fuqua
Gallo
Gekas
Gilman
Gingrich
Glickman
Goodling
Gordon
Green
Gregg
Hall, Ralph
Hamilton
Hammerschmidt
Hansen
Hatcher
Hefner
Heftel
Hendon
Henry
Hiler
Hopkins
Hubbard
Huckaby
Hunter
Hutto
Hyde
Ireland
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Kasich
Kindness
Kleczka
Kolbe
Lagomarsino
Latta
Leach (IA)
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lott
Lowery (CA)
Lujan
Luken
Lungren
Mack
Madigan
Markey
Marlenee
Martin (IL)
Martin (NY)
Mazzoli
McCain
McCloskey
McCollum
McCurdy
McKernan
McKinney
McMillan
Meyers
Michel
Miller (WA)
Molinari
Mollohan
Montgomery
Moore
Moorhead
Morrison (WA)
Murtha
Myers
Natcher
Neal
Nelson
Nichols
O'Brien
Olin
Ortiz
Packard
Pashayan
Pease
Penny
Perkins
Pickle
Porter
Quillen
Rahall
Richardson
Ridge
Ritter
Roberts
Roemer
Rogers
Rose
Roth
Roukema
Rowland (CT)
Rowland (GA)
Rudd
Schaefer
Schneider
Schuette
Sensenbrenner
Shaw
Shelby
Shumway
Shuster
Siljander
Sisisky
Skeen
Slattery
Slaughter
Smith (NE)
Smith (NJ)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Snyder
Solomon
Spence
Spratt
Stallings
Stangeland
Stenholm
Strang
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Valentine
Vander Jagt
Walker
Watkins
Weber
Whitley
Whittaker
Whitten
Wilson
Wise
Wortley
Wyden
Young (AK)
Zschau

NAYS—154

Akaka
Alexander
Anderson
Anthony
Applegate
Barnes
Bates
Bedell
Beilenson
Bennett
Bentley
Berman
Boland
Boner (TN)
Bonior (MI)
Borski
Bosco
Boxer
Burton (CA)
Byron
Clay
Collins
Conte
Conyers
Cooper
Coyne
Daschle
Davis
Dellums
Dingell
Dixon
Donnelly
Dorgan (ND)
Dwyer
Dyson
Early
Eckart (OH)
Edwards (CA)
Evans (IL)
Fazio
Feighan
Florio
Foley
Ford (TN)
Frank
Gaydos
Gejdenson
Gonzalez
Gray (IL)
Gray (PA)
Guarini
Gunderson
Hawkins
Hayes
Hertel
Holt
Horton
Howard
Hoyer
Hughes
Jacobs
Jones (TN)
Kanjorski
Kaptur
Kildee
Kolter
Kramer
LaFalce
Lantos
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lloyd
Lowry (WA)
Lundine
MacKay
Manton
Martinez
Matsui
Mavroules
McCandless
McDade
McEwen
McHugh
Mica
Mikulski
Miller (CA)
Miller (OH)
Mineta
Mitchell
Moakley
Moody
Morrison (CT)
Mrazek
Murphy
Nowak
Oakar
Oberstar
Obey
Oxley
Panetta
Parris
Pepper
Petri
Price
Rangel
Ray
Regula
Reid
Rinaldo
Robinson
Rodino
Roe
Rostenkowski
Russo
Sabo
Savage
Saxton
Scheuer
Schroeder
Schulze
Seiberling
Sharp
Sikorski
Smith (FL)
Smith (IA)
Solarz
St Germain
Staggers
Stark
Stokes
Studds
Swift
Synar
Torres
Torricelli
Towns
Traficant
Udall
Vento
Visclosky
Volkmer
Vucanovich
Waxman
Weaver
Wheat
Williams
Wolf
Wolpe
Yates
Young (FL)
Young (MO)

NOT VOTING—50

Ackerman
Addabbo
Annunzio
Atkins
Biaggi
Brown (CA)
Bustamante
Crockett
Dickinson
Dowdy
Downey
Dymally
Edgar
Evans (IA)
Fascell
Fish
Foglietta
Ford (MI)
Fowler
Garcia
Gephardt
Gibbons
Gradison
Grotberg
Hall (OH)
Hartnett
Hillis
Kastenmeier
Kemp
Kennelly
Kostmayer
Lipinski
Loeffler
Long
McGrath
Monson
Nielson
Owens
Pursell
Roybal
Schumer
Skelton
Traxler
Walgren
Weiss
Whitehurst
Wirth
Wright
Wylie
Yatron

□ 1925

The Clerk announced the following pair:

On this vote:

Mr. Loeffler for, with Mr. Dymally against.

Messrs. STARK, SYNAR, REID, JONES of Tennessee, RINALDO and DYSON changed their votes from "yea" to "nay."

Messrs. HEFTEL of Hawaii, WYDEN, WHITTEN and McCLOSKEY changed their votes from "nay" to "yea."

So the motion was agreed to.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. REID. Mr. Speaker, I want the record to reflect that I voted "no" on H.R. 3128. Savings is not a question. The issue is whether or not the House and Senate agreement, which was reached in December, should have been met. It is my feeling that it should have been.

For example, the AFDC program called for a Work Fair Program which I think this country needs; it would have been a good start. There were other problems with the legislation, but I want the record to reflect that the issue is not savings, but one that we should have followed, as the House version of the agreement.

GENERAL LEAVE

Mr. FROST. 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 material on the bill, H.R. 3128.

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

Mr. DAUB. Reserving the right to object, Mr. Speaker, I do so for the purpose of using the request by the gentleman from Texas for unanimous consent, should I not have that opportunity later in this evening's proceedings, to inquire of any Member, particularly the chairman of the Budget Committee if he is in the Chamber, and or any other Member of the leadership as to why this House has decided to adjourn for 17 days and forget

about the budget process, which under Gramm-Rudman requires us to act so that the Senate can act by April 15 on what we have as a common budget, as required by that act.

I will be happy to yield to anyone who can so answer the question.

The SPEAKER pro tempore. Does the gentleman from Washington wish to respond?

Mr. FOLEY. Mr. Speaker, if the gentleman will yield, the recess schedule, as the gentleman knows, has been announced for some time. It was planned that the schedule would take effect early next week. We have made the decision to postpone legislation relating to the Federal Firearms Act until the week that we return.

There is no scheduled business now from this point forward to what was the schedule at the beginning of the Easter recess week.

Under those circumstances, it is my intention to call up immediately the recess resolution.

Mr. DAUB. Further reserving the right to object, Mr. Speaker, I do so to inquire again of the distinguished gentleman, does the gentleman know or have knowledge as to whether or not the House Budget Committee intends to meet at all next week in furtherance of the objective of being able to achieve a budget resolution in agreement with the other body by the 15th of April?

Mr. FOLEY. I have no knowledge of any scheduled meeting of the Budget Committee next week.

Mr. DAUB. Let me say, I will withdraw my objection to this particular request of the gentleman from Texas, with the intention of getting a vote on whether or not we adjourn.

Mr. FOLEY. The gentleman, of course, will be recognized for whatever parliamentary request or demand that the rules allow.

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

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

Mrs. JOHNSON. Reserving the right to object, Mr. Speaker, may I ask the gentleman, what then is the plan of the leadership to enable this House to pass a budget by our deadline in the bill that we just passed by April 15?

Mr. FOLEY. Mr. Speaker, if the gentlewoman will yield, we are recessed until the week of the 7th of April if the House agrees to the recess resolution. That will, of course, permit a week's time between that date and the date that the gentlewoman mentions.

Mrs. JOHNSON. Mr. Speaker, I am sorry, I cannot hear what the gentleman is saying.

Mr. FOLEY. Mr. Speaker, if the gentlewoman will yield, I would answer that the resolution will provide for the House to stand adjourned until April 8, 1 week before the deadline of the 15th.

Mrs. JOHNSON. Can I have the word of the gentleman from Washington that then we will be able in that week to reserve the time that we need to pass a budget early in that week so that it can go to conference and be returned?

I believe it is of the utmost importance that this House meet its Gramm-Rudman deadline and pass a budget out of conference with final action by April 15. I believe that is extremely important to our credibility and to our ability to implement our responsibility under the Gramm-Rudman legislation.

Mr. FOLEY. That is our intention.

Mrs. JOHNSON. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS A COSPONSOR OF H.R. 3800

Mr. TAUKE. Mr. Speaker, I ask unanimous consent that the name of the gentleman from California [Mr. BATES] be removed as a cosponsor of H.R. 3800.

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

There was no objection.

REREFERRAL OF EXECUTIVE COMMUNICATION 2686 AND H.R. 4144 TO COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION AND COMMITTEE ON WAYS AND MEANS

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that Executive Communication 2686 and H.R. 4144, both referred to the Committee on Public Works and Transportation, be referred jointly to the Committee on Public Works and Transportation and the Committee on Ways and Means.

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

There was no objection.

ADJOURNMENT OF THE HOUSE FROM TUESDAY, MARCH 25, 1986, TO TUESDAY, APRIL 8, 1986, AND ADJOURNMENT OF THE SENATE FROM WEDNESDAY, MARCH 26, 1986, OR THURSDAY MARCH 27, 1986, TO TUESDAY, APRIL 8, 1986

Mr. FOLEY. Mr. Speaker, I offer a privilege concurrent resolution (H. Con. Res. 304) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 304

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Tuesday, March 25, 1986, and that when the Senate adjourns on Wednesday, March 26, 1986, or on Thursday, March 27, 1986, pursuant to a motion made by the majority leader, or his designee, in accordance with this resolution, they stand adjourned until 12 o'clock meridian on Tuesday, April 8, 1986, or until 12 o'clock meridian on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution whichever occurs first.

SEC. 2. The Speaker of the House, after consultation with the minority leader of the House, and the majority leader of the Senate, acting jointly, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the concurrent resolution.

There was no objection.

The SPEAKER pro tempore. The question is on the concurrent resolution.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 170, nays 158, not voting 106, as follows:

[Roll No. 67]

YEAS—170

Akaka	Dwyer	LaFalce
Alexander	Dyson	Lantos
Aspin	Early	Lehman (CA)
Barnard	Eckart (OH)	Lehman (FL)
Barnes	English	Leland
Bedell	Erdreich	Levin (MI)
Bellenson	Evans (IL)	Levine (CA)
Bennett	Fazio	Lowry (WA)
Berman	Feighan	Luken
Bevill	Flippo	MacKay
Boggs	Foley	Manton
Boland	Ford (TN)	Martinez
Bonior (MI)	Frank	Matsui
Bonker	Frost	Mavroules
Borski	Gaydos	Mazzoli
Bosco	Gejdenson	McCloskey
Boucher	Glickman	McDade
Boxer	Gonzalez	McHugh
Brooks	Gordon	Mica
Burton (CA)	Gray (IL)	Miller (CA)
Byron	Guarini	Mineta
Chapman	Hamilton	Moakley
Chappell	Hayes	Mollohan
Coelho	Hefner	Montgomery
Collins	Heftel	Moody
Conyers	Hertel	Morrison (CT)
Cooper	Holt	Murphy
Coyne	Howard	Murtha
Daniel	Hoyer	Myers
Darden	Hughes	Natcher
Daschle	Jenkins	Nelson
de la Garza	Jones (NC)	Nowak
Dellums	Jones (OK)	O'Brien
Derrick	Jones (TN)	Oakar
Dicks	Kanjorski	Oberstar
Dingell	Kaptur	Obey
Dixon	Kildee	Olin
Donnelly	Kleczka	Ortiz
Dorgan (ND)	Kolter	Panetta
Durbin	Kostmayer	Pease

Penny
Pepper
Perkins
Price
Rahall
Rangel
Ray
Reid
Robinson
Rodino
Roe
Rostenkowski
Rowland (GA)
Russo
Sabo
Savage
Scheuer
Seiberling
Shelby
Sikorski
Smith (FL)
Smith (IA)
Snyder
Solarz
Spratt
St Germain
Staggers
Stokes
Stratton
Studds
Swift
Thomas (GA)
Torres
Torricelli
Towns
Udall
Valentine
Vento
Volkmer
Walgren
Watkins
Wheat
Whitley
Whitten
Williams
Wolpe
Yates
Yatron
Young (AK)
Young (MO)

NAYS—158

Anderson
Anthony
Applegate
Armey
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boner (TN)
Boulter
Brown (CO)
Broyhill
Bruce
Bryant
Burton (IN)
Callahan
Campbell
Carney
Carper
Chappie
Cheney
Clinger
Coats
Cobey
Coble
Coleman (MO)
Coleman (TX)
Combest
Conte
Coughlin
Courter
Craig
Crane
Dannemeyer
Daub
Davis
DeLay
DeWine
Dornan (CA)
Duncan
Eckert (NY)
Edwards (OK)
Emerson
Fawell
Fields
Franklin
Frenzel
Gallo
Gekas
Gingrich
Green
Gunderson
Hall, Ralph
Hammerschmidt
Hansen
Hendon
Hiler
Hopkins
Hubbard
Huckaby
Hunter
Hyde
Ireland
Johnson
Kasich
Kramer
Lagomarsino
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Lott
Lowery (CA)
Lujan
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCain
McCandless
McCollum
McEwen
McKernan
McMillan
Meyers
Michel
Mikulski
Miller (OH)
Miller (WA)
Moorhead
Morrison (WA)
Mrazek
Neal
Packard
Petri
Porter
Regula
Richardson
Ridge
Rinaldo
Ritter
Roberts
Roemer
Rogers
Roth
Roukema
Rowland (CT)
Rudd
Saxton
Schaefer
Schneider
Schroeder
Schuette
Sensenbrenner
Shumway
Shuster
Siljander
Skeen
Slattery
Slaughter
Smith (NE)
Smith (NJ)
Smith, Denny (OR)
Smith, Robert (NH)
Snowe
Solomon
Spence
Stallings
Stangeland
Stenholm
Strang
Stump
Sundquist
Sweeney
Swindall
Synar
Tallon
Tauke
Tauzin
Traficant
Visclosky
Vucanovich
Walker
Weber
Wise
Wolf
Wortley
Wyden
Young (FL)
Zschau

NOT VOTING—106

Ackerman
Addabbo
Andrews
Annunzio
Archer
Atkins
AuCoin
Badham
Bates
Biaggi
Breaux
Broomfield
Brown (CA)
Bustamante
Carr
Chandler
Clay
Crockett
Dickinson
DioGuardi
Dowdy
Downey
Dreier
Dymally
Edgar
Edwards (CA)
Evans (IA)
Fascell
Fiedler
Fish
Florio
Foglietta
Ford (MI)
Fowler
Fuqua
Garcia
Gephardt
Gibbons
Gilman
Goodling
Gradison
Gray (PA)
Gregg
Grotberg
Hall (OH)
Hartnett
Hatcher
Hawkins
Henry
Hillis
Horton
Hutto
Jacobs
Jeffords
Kastenmeier
Kemp
Kennelly
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Pashayan
Pickle
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Quillen
Rose
Roybal
Schulze
Schumer
Sharp
Shaw
Sisisky
Skelton
Smith, Robert (OR)
Stark
Taylor
Thomas (CA)
Traxler
Vander Jagt
Waxman
Weaver
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Whittaker
Wilson
Wirth
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Wylie

□ 1950

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

Mr. HEFTEL of Hawaii changed his vote from "nay" to "yea."

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CORRECTING ENROLLMENT OF H.R. 3128, DEFICIT REDUCTION AMENDMENTS OF 1985

Mr. HAYES. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (H. Con. Res. 305), to make technical corrections in the enrollment of the bill H.R. 3128.

The Clerk read the title of the concurrent resolution.

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

Mr. BARTLETT. Mr. Speaker, reserving the right to object, I shall not object, but I think it is important to take a minute to explain to the House what these provisions are.

Mr. Speaker, it is necessary to adopt the technical changes at this time because adequate notice was not given for their inclusion when the House last passed H.R. 3128.

The changes have been agreed to by the majority and minority on the two committees of jurisdiction—the Committee on Education and Labor and the Committee on Ways and Means.

The changes are absolutely necessary to the proper administration of the ERISA title IV termination insurance program inasmuch as—

First, they include transition rules and other adjustments to ease burdens on employers and the PBGC which otherwise would arise from the January 1, 1986, effective date of the legislation—for example employers who have already filed notices of intent to terminate would have an opportunity to withdraw their notice, file for a distress termination, or fully fund their plan for vested benefits;

Second, they include a number of technical and clarifying changes recommended and considered necessary by the Pension Benefit Guaranty Corporation; and

Third, they include corrections to spelling, punctuation, and cross-reference errors which could otherwise lead to confusion.

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

Mr. BARTLETT. Under my reservation, I yield to the gentleman from Minnesota.

Mr. FRENZEL. Mr. Speaker, these technical amendments have been chasing H.R. 3128 for a number of months, as it ricocheted between the House and the Senate with the Senate amendment and the House amendment to the Senate amendment to the House amendment to the Senate amendment. There has been no substantive argumentation; it is simply that politically this little 41-page book of technical amendments has not caught up with the reconciliation bill.

I would like to add, under the gentleman's reservation, Mr. Speaker, that the amendments which are contained in the reconciliation bill have no business being in there in the first place. They are substantive law which was added whimsically because somebody decided that H.R. 3128 was a convenient vehicle. Maybe tonight those people will be proved right.

The problem with them is while they attempt to shore up BBGC and the fund, they are inevitably going to cause pension plans not to be formed by new entrants. Inevitably through the years, this means less coverage for less individuals in the United States.

What went forward in H.R. 3128 was very unwise legislation. What follows here in this 41-page package is some necessary language to clean up some of the technical difficulties. It does not relieve the deep substantive difficulties of that legislation.

Mr. HAYES. Mr. Speaker, this amendment has been cleared by OMB and is acceptable to the other body.

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

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 305

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill (H.R. 3128) to make changes in spending and revenue provisions for purposes of deficit reduction and program improvement, consistent with the budget process, the Clerk of the House of Representatives shall make the following corrections:

(1) SECTION 11001.—In section 11001 of the bill, strike out "1985" and insert in lieu thereof "1986".

(2) SECTION 11002(c).—In section 11002(c) of the bill, strike out "Act" and insert in lieu thereof "title".

(3) SECTION 11004.—In section 11004 of the bill—

(A) in section 4001(a)(2)(B) of the Employee Retirement Income Security Act of 1974 (hereinafter in this resolution referred to as "ERISA"), as proposed to be amended, strike out "affiliated group" and all that follows and insert in lieu thereof "controlled group, and";

(B) in section 4001(a)(13)(A) of ERISA, as proposed to be added, insert ", in connection with such plan," after "responsible";

(C) in section 4001(a)(14)(B) of ERISA, as proposed to be added, strike out "section 414(c)" and insert in lieu thereof "subsections (b) and (c) of section 414";

(D) in section 4001(a)(15) of ERISA, as proposed to be added, strike out ", except as otherwise specifically provided in this title,";

(E) in section 4001(a)(17)(B) of ERISA, as proposed to be added, strike out "as of such date" and insert in lieu thereof "(as of such date)";

(F) in section 4001(a)(18) of ERISA, as proposed to be added, strike out "of" the fourth place it appears in subparagraph (A) and insert in lieu thereof "to", and strike out "as of such date" in subparagraph (B) and insert in lieu thereof "(as of such date)"; and

(G) in section 4001(a)(19) of ERISA, as proposed to be added, strike out "of" the fifth place it appears in subparagraph (A) and insert in lieu thereof "to", and insert "required to be" after "are" in subparagraph (B).

(4) SECTION 11004(b).—In section 11004(b) of the bill—

(A) strike out "paragraphs" and insert in lieu thereof "paragraph"; and

(B) strike out paragraphs (2) and (3) of section 4001(b) of ERISA, as proposed to be added, and insert in lieu thereof the following:

"(2) For purposes of subtitle E—

"(A) except as otherwise provided in subtitle E, contributions or other payments shall be considered made under a plan for a plan year if they are made within the period prescribed under section 412(c)(10) of the Internal Revenue Code of 1954 (determined, in the case of a terminated plan, as if the plan had continued beyond the termination date), and

"(B) the term 'Secretary of the Treasury' means the Secretary of the Treasury or such Secretary's delegate.".

(5) SECTION 11005(c)—In section 11005(c)—

(A) redesignate paragraphs (9) and (10) as paragraphs (10) and (11), respectively;

(B) insert after paragraph (8) the following new paragraph (8) the following new paragraph (9):

(9) Subsection (f)(4)(C) of section 4022A (29 U.S.C. 1322a(f)(4)(C)) is amended by striking out "concurrent" and inserting in lieu thereof "joint".

and

(C) Insert after paragraph (11) (as redesignated) the following new paragraph (12):

(12) Subsection (g)(4)(D) of section 4022A (29 U.S.C. 1322a(g)(4)(D) is amended by striking out "concurrent" and inserting in lieu thereof "joint".

(6) SECTION 11005.—In section 11005 of the bill, add at the end the following new subsection:

(e) TRANSITIONAL RULE.—

(1) NOTICE OF PREMIUM INCREASE.—Not later than 30 days after the date of the enactment of this Act, the Pension Benefit Guaranty Corporation shall send a notice to the plan administrator of each single-employer plan affected by the premium increase established by the amendment made by subsection (a)(1). Such notice shall describe such increase and the requirements of this subsection.

(2) DUE DATE FOR UNPAID PREMIUMS.—With respect to any plan year beginning during the period beginning on January 1, 1986, and ending 30 days after the date of the enactment of this Act, any unpaid amount of such premium increase shall be due and payable no later than the earlier of 60 days after the date of the enactment of this Act or 30 days after the date on which the notice required by paragraph (1) is sent, except that in no event shall the amount of the premium increase established under the amendment made by subsection (a)(1) be due and payable for a plan year earlier than the date on which premiums for the plan would have been due for such plan year had this Act not been enacted.

(3) ENFORCEMENT.—For purposes of enforcement, the requirements of paragraphs (1) and (2) shall be considered to be requirements of sections 4006 and 4007 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306 and 1307).

(7) SECTION 11006(a).—In section 11006(a) of the bill, in section 204(h) of ERISA, as proposed to be added—

(A) strike out "on or after the date of the enactment of the Single-Employer Pension Plan Amendments Act of 1985"; and

(B) In paragraph (2), strike out "under the plan who is a beneficiary of a deceased participant or".

(8) SECTION 11006(b).—In section 11006(b) of the bill, strike out "the date described in section 11019(a)" and insert in lieu thereof "January 1, 1986, except that, in the case of plan amendments adopted on or after January 1, 1986, and on or before the date of the enactment of this Act, the requirements of section 204(h) of the Employee Retirement Income Security Act of 1974 (as added by this section) shall be treated as met if the written notice required under such section 204(h) is provided before 60 days after the date of the enactment of this Act".

(9) SECTION 11007(a).—In section 11007(a) of the bill, in section 4041(a)(2) of ERISA, as proposed to be amended, strike out "plan termination under subsection (b) or (c)" and insert in lieu thereof "standard termination under subsection (b) or a distress termination under subsection (c)", and insert "of" after "case".

(10) SECTION 11008(a).—In section 11008(a) of the bill—

(A) in section 4041(b)(2)(A) of ERISA, as proposed to be amended, strike out "the termination date proposed in the notice" and insert in lieu thereof "the date on which the notice of intent to terminate is", and in clause (iii), strike out "is" and insert in lieu thereof "are";

(B) in section 4041(b)(2)(B) of ERISA, as proposed to be amended, strike out "At the time" and insert in lieu thereof "No later than the date on which", and in clause (i), strike out ", expressed in terms of the normal form of benefits under the plan," and insert in lieu thereof "and the benefit form on the basis of which such amount is determined";

(C) in section 4041(b)(2)(C)(i) of ERISA, as proposed to be amended, strike out "provide the plan administrator with a notice of noncompliance" and insert in lieu thereof "issue a notice of noncompliance to the plan administrator", and in subclause (I), strike out "the requirements of subsection (a)(2) and subparagraphs (A) and (B) have" and insert in lieu thereof "any requirement of subsection (a)(2) or subparagraph (A) or (B) has";

(D) in section 4041(b)(3)(A) of ERISA, as proposed to be amended, strike out "the termination of the plan" and insert in lieu thereof "the standard termination of the plan under this subsection", and in clauses (i) and (ii), strike out "are allocated" each place it appears and insert in lieu thereof "are required to be allocated"; and

(E) in section 4041(b)(3)(B) of ERISA, as proposed to be amended, strike out "the termination of the plan" and insert in lieu thereof "the standard termination of the plan under this subsection", and strike out "are allocated" and insert in lieu thereof "are required to be allocated".

(11) SECTION 11008(b).—In section 11008 of the bill, strike out subsection (b) and insert in lieu thereof the following:

(b) CONFORMING AMENDMENT.—Section 4041(f) (29 U.S.C.1341(f)) is amended to read as follows:

"(f) LIMITATION ON THE CONVERSION OF A DEFINED BENEFIT PLAN TO A DEFINED CONTRIBUTION PLAN.—The adoption of an amendment to a plan which causes the plant to become a plan described in section 4021(b)(1) constitutes a termination of the plan. Such as amendment may take effect only after the plan satisfies the requirements for standard termination under subsection (b) or distress termination under subsection (c).".

(12) SECTION 11008(c).—In section 11008(c) of the bill, strike out "May 1, 1986," and insert in lieu thereof "120 days after the date of the enactment of this Act.".

(13) SECTION 11008(d).—In section 11008(d) of the bill, strike out paragraphs (1) and (2) and insert in lieu thereof the following paragraphs (1) and (2):

(1) REQUIREMENTS TO BE MET BEFORE FINAL DISTRIBUTION OF ASSETS.—In the case of the termination of a single-employer plan described in paragraph (2) with respect to which the amount payable to the employer pursuant to section 4044(d) exceeds $1,000,000 (determined as of the proposed date of final distribution of assets), the final distribution of assets pursuant to such termination may not occur unless the Pension Benefit Guaranty Corporation—

(A) determines that the assets of the plan are sufficient for benefit commitments (within the meaning of section 4041(d)(1) of the Employee Retirement Income Security Act of 1974 Act (as amended by section 11007)) under the plan, and

(B) issues to the plan administrator a written notice setting forth the determination described in subparagraph (A).

(2) PLANS TO WHICH SUBSECTION APPLIES.—A single-employer plan is described in this paragraph if—

(A) the plan administrator has filed a notice of intent to terminate with the Pension Benefit Guaranty Corporation, and—

(i) the filing was made before January 1, 1986, and the Corporation has not issued a notice of sufficiency for such plan before the date of the enactment of this Act, or

(ii) the filing is made on or after January 1, 1986, and before 60 days after the date of the enactment of this Act and the Corporation has not issued a notice of sufficiency for such plan before the date of the enactment of this Act, and

(B) of the persons who are (as of the termination date) participants in the plan, the lesser of 10 percent or 200 have filed complaints with the Corporation regarding such termination—

(i) in the case of plans described in subparagraph (A)(i), before 15 days after the date of the enactment of this Act, or

(ii) in any other case, before the later of 15 days after the date of the enactment of this Act or 45 days after the date of the filing of such notice.

(4) SECTION 11008(d)(4)(A).—In section 11008(d)(4)(A) of the bill, strike out "paragraph (1)(C)" and insert in lieu thereof "paragraph (1)(B)".

(15) SECTION 11008(d)(4)(B)—In section 11008(d)(4)(B) of the bill, strike out "The preceding provisions of this subsection shall not apply (except in the case of an acquisition, takeover, or leveraged buyout)" and insert in lieu thereof "Except in the case of an acquisition, takeover, or leveraged buyout, the preceding provisions of this subsection shall not apply", and strike out "it" and insert in lieu thereof "the contributing sponsor".

(16) SECTION 11009(a).—In section 11009(a) of the bill—

(A) strike out "title)" and insert in lieu thereof "Act)";

(B) in section 4041(c)(2)(A) of ERISA, as proposed to be amended, strike out "the termination date proposed in the notice of intent to terminate provided" and insert in lieu thereof "the date on which the notice of intent to terminate is provided", and strike out "is" in clause (iv) and insert in lieu thereof "are";

(C) in section 4041(c)(2)(B) of ERISA, as proposed to be amended, insert "(as of the termination date)" after "each person who is", strike out "it" in clause (i)(I) and insert in lieu thereof "such person", strike out "it" in clause (ii)(I) and insert in lieu thereof "such person", and insert "to such person" after "unreasonably burdensome" in clause (iii)(II);

(D) in section 4041(c)(2)(C) of ERISA, as proposed to be amended, strike out the last sentence;

(E) in section 4041(c)(3)(A) of ERISA, as proposed to be amended, strike out "whether" each place it appears in clauses (i) and (ii) and insert in lieu thereof "that";

(F) in section 4041(c)(3)(B) of ERISA, as proposed to be amended—

(i) strike out "in the manner described in subsection (b)(3), and" in clause (i) and insert in lieu thereof ", and make certification to the corporation with respect to such distribution, in the manner described in subsection (b)(3), and shall";

(ii) strike out "that the plan is not sufficient for benefit commitments (or" in clause (ii), strike out "it)" in clause (ii) and insert in lieu thereof "it", strike out "whether" in clause (ii) and insert in lieu thereof "that", insert after "subsection (b)(3)," in clause (ii)(I) the following: "make certification to the corporation that the distribution has occurred, and take such actions as may be appropriate to carry out the termination of the plan,"; and

(iii) strike out "that the plan is not sufficient for guaranteed benefits (or" in clause (iii), strike out "it)" in clause (iii) and insert in lieu thereof "it", and strike out "whether" in clause (iii) and insert in lieu thereof "that";

(G) in section 4041(c)(3)(C) of ERISA, as proposed to be amended, strike out clauses (i) and (ii) and insert in lieu thereof the following:

"(i) FINDING WITH RESPECT TO BENEFIT COMMITMENTS WHICH ARE NOT GUARANTEED BENEFITS.—If, after the plan administrator has begun to terminate the plan as authorized under subparagraph (B)(i), the plan administrator finds that the plan is unable, or will be unable, to pay benefit commitments which are not benefits guaranteed by the corporation under section 4022, the plan administrator shall notify the corporation of such finding as soon as practicable thereafter. If the corporation concurs in the finding of the plan administrator (or the corporation itself makes such a finding) the corporation shall take the actions set forth in subparagraph (B)(ii)(II) relating to the trust established for purposes of section 4049.

"(ii) FINDING WITH RESPECT TO GUARANTEED BENEFITS.—If, after the plan administrator has begun to terminate the plan as authorized by subparagraph (B)(i) or (ii), the plan administrator finds that the plan is unable, or will be unable, to pay all benefits under the plan which are guaranteed by the corporation under section 4022, the plan administrator shall notify the corporation of such finding as soon as practicable thereafter. If the corporation concurs in the finding of the plan administrator (or the corporation itself makes such a finding), the corporation shall institute appropriate proceedings under section 4042.

and

(H) in section 4041(c)(3) of ERISA, as proposed to be amended, strike out subparagraph (D) and insert in lieu thereof the following:

"(D) ADMINISTRATION OF THE PLAN DURING INTERIM PERIOD.—

"(i) IN GENERAL.—The plan administrator shall—

"(I) meet the requirements of clause (ii) for the period commencing on the date on which the plan administrator provides a notice of distress termination to the corporation under subsection (a)(2) and ending on the date on which the plan administrator receives notification from the corporation of its determinations under subparagraph (A), and

"(II) meet the requirements of clause (ii) commencing on the date on which the plan administrator or the corporation makes a finding under subparagraph (C)(ii).

"(ii) REQUIREMENTS.—The requirements of this clause are met by the plan administrator if the plan administrator—

"(I) refrains from distributing assets or taking any other actions to carry out the proposed termination of this subsection,

"(II) pays benefits attributable to employer contributions, other than death benefits, only in the form of an annuity,

"(III) does not use plan assets to purchase irrevocable commitments to provide benefits from an insurer, and

"(IV) continues to pay all benefit commitments under the plan, but, commencing on the proposed termination date, limits the payment of benefits under the plan to those benefits which are guaranteed by the corporation under section 4022 or to which assets are required to be allocated under section 4044.

In the event the plan administrator is later determined not to have met the requirements for distress termination, any benefits which are not paid solely by reason of compliance with subclause (IV) shall be due and payable immediately (together with interest, at a reasonable rate, in accordance with regulations of the corporation).".

(17) SECTION 11009(b).—In section 11009(b) of the bill, strike out "Act" and insert in lieu thereof "title".

(18) SECTION 11010(a)(1).—In section 11010(a)(1) of the bill, strike out subparagraph (B) and insert in lieu thereof the following:

(B) by inserting at the beginning of the matter following paragraph (4) the following new sentence: "The corporation shall as soon as practicable institute proceedings under this section to terminate a single-employer plan whenever the corporation determines that the plan does not have assets available to pay benefits which are currently due under the terms of the plan.".

(19) SECTION 11010(a)(2)(A).—In section 11010(a)(2)(A) of the bill, strike out "court".

(20) SECTION 11010(a)(2)(B).—In section 11010(a)(2)(B) of the bill, strike out "it may," and insert in lieu thereof "has determined", strike out "court", and strike out "(whether" and all that follows down through "shall,".

(21) SECTION 11010(b).—In section 11010 of the bill, insert after subsection (a) the following new subsection:

(b) ESTABLISHMENT OF SECTION 4049 TRUST.—Section 4042 is further amended by adding at the end thereof the following new subsection:

"(i) In any case in which a plan is terminated under this section in a termination proceeding initiated by the corporation pursuant to subsection (a), the corporation shall establish a separate trust in connection with the plan for purposes of section 4049, unless the corporation determines that all benefit commitments under the plan are benefits guaranteed by the corporation under section 4022 or that there is no amount of unfunded benefit commitments under the plan.".

(22) SECTION 11011(a).—In section 11011(a) of the bill, strike out "(a) LIABILITY" and all that follows down through "following:" and insert in lieu thereof the following:

(a) LIABILITY FOR DISTRESS TERMINATIONS AND TERMINATIONS BY THE CORPORATION.—Section 4062 (29 U.S.C. 1362) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by striking out so much as precedes subsection (f) (as redesignated) and inserting in lieu thereof the following:

(23) SECTION 11011(a).—In section 11011(a) of the bill, in section 4062(a) of ERISA, as proposed to be amended, insert a comma after "corporation" in paragraph (1), insert "or section 4042(i)" after "or (iii)" in paragraph (2), and strike out "referred to in section 4042(d)(1)(B)" in paragraph (3) and insert in lieu thereof "appointed under subsection (b) or (c) of section 4042,".

(24) SECTION 11011(a).—In section 11011(a) of the bill, strike out section 4062(b) of ERISA, as proposed to be amended, and insert in lieu thereof the following:

"(b) LIABILITY TO THE CORPORATION.—

"(1) AMOUNT OF LIABILITY.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the liability to the corporation of a person described in subsection (a) shall consist of the sum of—

"(i) the lesser of—

"(I) the total amount of unfunded guaranteed benefits (as of the termination date) of all participants and beneficiaries under the plan, or

"(II) 30 percent of the collective net worth of all persons described in subsection (a),

and

"(i) the excess (if any) of—

"(I) 75 percent of the amount described in clause (i)(I), over

"(II) the amount described in clause (i)(II),

together with interest (at a reasonable rate) calculated from the termination date in accordance with regulations prescribed by the corporation.

"(B) SPECIAL RULE IN CASE OF SUBSEQUENT INSUFFICIENCY.—For purposes of subparagraph (A), in any case described in section 4041(c)(3)(C)(ii), actuarial present values shall be determined as of the date of the notice to the corporation (or the finding by the corporation) described in such section.

"(2) PAYMENT OF LIABILITY.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the liability to the corporation under this subsection shall be due and payable to the corporation as of the termination date, in cash or securities acceptable to the corporation.

"(B) SPECIAL RULE.—Payment of the liability under paragraph (1)(A)(ii) shall be made under commercially reasonable terms prescribed by the corporation. The parties involved shall make a reasonable effort to reach agreement on such commercially reasonable terms. Any such terms prescribed by the corporation shall provide for deferral of 50 percent of any amount of liability otherwise payable for any year under this subparagraph if a person subject to such liability demonstrates to the satisfaction of the corporation that no person subject to such liability has any individual pre-tax profits for such person's fiscal year ending during such year.

"(3) ALTERNATIVE ARRANGEMENTS.—The corporation and any person liable under this section may agree to alternative arrangements for the satisfacton of liability to the corporation under this subsection.

(25) SECTION 11011(a).—In section 11011(a) of the bill, strike out section 4062(c) of ERISA, as proposed to be amended, and insert in lieu thereof the following:

"(c) LIABILITY TO SECTION 4049 TRUST.—

"(1) AMOUNT OF LIABILITY.—

"(A) IN GENERAL.—In any case in which there is an outstanding amount of benefit commitments under a plan terminated under section 4041(c) or 4042, a person described in subsection (a) shall be subject to liability under this subsection to the trust established under section 4041(c)(3)(B) (ii) or (iii) or section 4042(i) in connection with the terminated plan. Except as provided in subparagraph (B), the liability of such person under this subsection shall consist of the lesser of—

"(i) 75 percent of the total outstanding amount of benefit commitments under the plan, or

"(ii) 15 percent of the actuarial present value (determined as of the termination date on the basis of assumptions prescribed by the corporation for purposes of section 4044) of all benefit commitments under the plan.

"(B) SPECIAL RULE IN CASE OF SUBSEQUENT INSUFFICIENCY.—For purposes of subparagraph (A)—

"(i) PLANS INSUFFICIENT FOR GUARANTEED BENEFITS.—In any case described in section 4041(c)(3)(C)(ii), actuarial present values shall be determined as of the date of the notice to the corporation (or the finding by the corporation) described in such section.

"(ii) PLANS SUFFICIENT FOR GUARANTEED BENEFITS BUT INSUFFICIENT FOR BENEFIT ENTITLEMENT.—In any case described in section 4041(c)(3)(C)(i) but not described in section 4041(c)(3)(C)(ii), actuarial present values shall be determined as of the date on which the final distribution of assets is completed.

"(2) PAYMENT OF LIABILITY.—

"(A) GENERAL RULE.—Except as otherwise provided in this paragraph, payment of a person's liability under this subsection shall be made for liability payment years under commercially reasonable terms prescribed by the fiduciary designated by the corporation pursuant to section 4049(b)(1)(A). Such fiduciary and the liable persons assessed liability under this subsection shall make a reasonable effort to reach agreement on such commercially reasonable terms.

"(B) SPECIAL RULE FOR PLANS WITH LOW AMOUNTS OF LIABILITY.—In any case in which the amount described in paragraph (1)(A) is less than $100,000, the requirements of subparagraph (A) may be satisfied by payment of such liability over 10 liability payment years in equal annual installments (with interest at the rate determined under section 6621(b) of the Internal Revenue Code of 1954). The corporation may, by regulation, increase the dollar amount referred to in this subparagraph as it determines appropriate, taking into account reasonable administrative costs of trusts established under section 4041(c)(3)(B)(ii) or (iii) or section 4042(i).

"(C) DEFERRAL OF PAYMENTS.—The terms for payment provided for under subparagraph (A) or (B) shall also provide for deferral of 75 percent of any amount of liability otherwise payable for any liability payment year if a person subject to such liability demonstrates to the satisfaction of the corporation that no person subject to such liability has any individual pre-tax profits for such person's fiscal year ending during such year. The amount of liability so deferred is payable only after payment in full of any amount of liability under subsection (b) in connection with the termination of the same plan which has been deferred pursuant to terms provided for under subsection (b)(2)(B).

(26) SECTION 11011(a).—In section 11011(a) of the bill, in section 4062(d) of ERISA, as proposed to be amended, strike out "referred to in section 4042(d)(1)(B)" and insert in lieu thereof "appointed under subsection (b) or (c) of section 4042" and in the matter following paragraph (3), insert "(at a reasonable rate) calculated from the termination date in accordance with regulations prescribed by the corporation" after "interest".

(27) SECTION 11011(a).—In section 11011(a) of the bill, in section 4062(e)(3) of ERISA, as proposed to be amended, strike out "begins" and insert in lieu thereof "ends".

(28) SECTION 11011(b).—In section 11011(b) of the bill, strike out "Subsection (e) of section 4062" and insert in lieu thereof "Subsection (f) of section 4062 (as redesignated by subsection (a)(1))" and strike out "(e)" the second place it appears and insert in lieu thereof "(f)".

(29) SECTION 11011(c)(2).—In section 11011(c)(2) of the bill, in section 404(g)(4) of the Internal Revenue Code of 1954, as proposed to be added, strike out "Any" and insert in lieu thereof "For purposes of this subsection, any", and strike out "the date described in section 11019(a) of the Single-Employer Pension Plan Amendments Act of 1985" and insert in lieu thereof "the date of the enactment of the Single-Employer Pension Plan Amendments Act of 1986".

(30) SECTION 11011(c)(3)—In section 11011(c)93) of the bill, strike out "the date described in section 11019(a)" and insert in lieu thereof "January 1, 1986,".

(31) SECTION 11012(a)—In section 11012(a) of the bill, in section 4049(a) of ERISA, as proposed to be added, strike out the last sentence and insert in lieu thereof the following:

The trust shall be maintained for such period of time as is necessary to receive all liability payments required to be made to the trust under section 4062(c) with respect to the terminated plan and to make all distributions required to be made to participants and beneficiaries under this section with respect to the terminated plan.

(32) SECTION 11012(a).—In section 11012(a) of the bill, in section 4049 of ERISA, as proposed to be added, strike out so much of subsection (b) as precedes paragraph (2) and insert in lieu thereof the following:

"(b) DESIGNATION OF FIDUCIARY BY THE CORPORATION.—

"(1) PURPOSES FOR DESIGNATION OF FIDUCIARY.—

"(A) COLLECTION OF LIABILITY.—The corporation shall designate a fiduciary (within the meaning of section 3(21)) to serve as trustee of the trust for purposes of conducting negotiations and assessing and collecting liability pursuant to section 4062(c).

"(b) ADMINISTRATION OF TRUST.—

"(i) CORPORATION'S FUNCTIONS.—Except as provided in clause (ii), the corporation shall serve as trustee of the trust for purposes of administering the trust, including making distributions from the trust to participants and beneficiaries.

"(ii) DESIGNATION OF FIDUCIARY IF COST-EFFECTIVE.—If the corporation determines that it would be cost-effective to do so, it may designate a fiduciary (within the meaning of section 3(21)), including the fiduciary designated under subparagraph (A), to perform the functions described in clause (i).

(33) SECTION 11012(a).—In section 11012(a) of the bill, in section 4049(c)(1)(A) of ERISA, as proposed to be added, strike out "of" the second place it appears and insert in lieu thereof "to".

(34) SECTION 11012(a).—In section 11012(a) of the bill, redesignate the second subsection (c) of section 4049 of ERISA, as proposed to be added, as subsection (d).

(35) SECTION 11012(b).—In section 11012(b) of the bill, in section 501(c)(24) of the Internal Revenue Code of 1954, as proposed to be added, strike out "1985" and insert in lieu thereof "1986".

(36) SECTION 11012(c).—In section 11012(c) of the bill, insert "of such Code" after "section 402(a)".

(37) SECTION 11012(d).—In section 11012(d) of the bill, strike out "incurred under" and insert in lieu thereof "otherwise payable as provided in".

(38) SECTION 11013(b).—In section 11013(b) of the bill, strike out "the date described in section 11019(a)" and insert in lieu thereof "January 1, 1986".

(39) SECTION 11014(a).—In section 11014(a) of the bill, in section 4070(a) of ERISA, as proposed to be added, strike out "A person" and insert in lieu thereof "Any person", strike out "who is adversely" and insert in lieu thereof "is adversely", strike out "an employee organization which represents" and insert in lieu thereof "who is an employee organization representing", and by inserting "so adversely affected" and "beneficiary".

(40) SECTION 11014(b)(1).—In section 11014(b)(1) of the bill—

(A) in section 4003(f)(1) of ERISA, as proposed to be amended, strike out "who is adversely" and insert in lieu thereof "is adversely", strike out "and any employee organization which represents" and insert in lieu thereof ", or who is an employee organization representing", and by inserting "so adversely affected" after "beneficiary"; and

(B) in section 4003(f)(2)(B) of ERISA, as proposed to be amended, insert "for the judicial district" after "district court".

(41) SECTION 11014(b)(2).—In section 11014(b)(2) of the bill, in section 4003(e)(6)(C) of ERISA, as proposed to be amended, strike out "if such date is later than the date described in clause (i)".

(42) SECTION 11015(a)(2)(A).—In section 11015(a)(2)(A) of the bill—

(A) in section 412(f)(3)(C)(i) of the Internal Revenue Code of 1954, as proposed to be added, strike out "oustanding" in subclause (III) and insert in lieu thereof "outstanding", and strike out "subsection (d)" in subclause (III) and insert in lieu thereof "subsection (e)"; and

(B) in section 412(f)(3)(C)(ii) of such Code, as proposed to be added, strike out "of" the fourth place it appears and insert in lieu thereof "or".

(43) SECTION 11015(a)(3).—In section 11015(a)(3) of the bill, strike out "the date described in section 11019(a)" and insert in lieu thereof "the date of the enactment of this Act".

(44) SECTION 11016(a).—In section 11016(a) of the bill—

(A) strike out paragraph (1);

(B) redesignate paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(C) strike out paragraph (4) and insert in lieu thereof the following new paragraph:

(3) RESTORATION OF PLANS.—Section 4047 (29 U.S.C. 1347) is amended—

(A) in the first sentence, by inserting "under section 4041 or 4042" after "terminated" each place it appears; and

(B) in the second sentence, by striking out "section 4042" and inserting in lieu thereof "section 4041 or 4042". and

(D) redesignate paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively;

(E) in paragraph (5)(A)(ii)(I) (as redesignated), strike out ", to which section 4021 applies and";

(F) in paragraph (5)(A)(iii)(I) (as redesignated), insert a comma after "section" the second place it appears;

(G) Strike out paragraph (5)(A)(iii)(III) (as redesignated) and insert in lieu thereof the following:

(III) in paragraph (3), by inserting "under section 4041(c) or 4042" after "terminates" and by striking out "employer" in subparagraph (C) and inserting in lieu thereof "contributing sponsor".

and

(H) in paragraph (5)(A)(iv)(II) (as redesignated), strike out "and";

(I) in paragraph (5)(A)(iv)(III) (as redesignated), strike out the period and insert in lieu thereof "; and";

(J) in paragraph (5)(A)(iv) (as redesignated), add after subclause (III) the following:

(IV) in paragraph (2), by striking out "termination" and inserting in lieu thereof "plan terminated under section 4042".

and

(K) in paragraph (5)(B) (as redesignated), strike out clause (ii) and insert in lieu thereof the following:

(ii) Section 4064(b) (29 U.S.C. 1364(b)) is amended to read as follows:

"(b) The corporation shall determine the liability with respect to each contributing sponsor and each member of its controlled group in a manner consistent with section 4062, except that—

"(1) the amount of the liability determined under section 4062(b)(1) with respect to the entire plan—

"(A) shall be determined without regard to clauses (i)(II) and (ii) of section 4062(b)(1)(A), and

"(B) shall be allocated to each controlled group by multiplying such amount by a fraction—

"(i) the numerator of which is the amount required to be contributed to the plan for the last 5 plan years ending prior to the termination date by persons in such controlled group as contributing sponsors, and

"(ii) the denominator of which is the total amount required to be contributed to the plan for such last 5 plan years by all persons as contributing sponsors,

and clauses (i)(II) and (ii) of section 4062(b)(1)(A) shall be applied separately with respect to each such controlled group, and

"(2) the amount of the liability determined under section 4062(c)(1) with respect to the entire plan shall be allocated to each controlled group by multiplying such amount by the fraction described in paragraph (1)(B) in connection with such controlled group.

The corporation may also determine the liability of each such contributing sponsor and member of its controlled group on any other equitable basis prescribed by the corporation in regulations.".

and

(L) in paragraph (5)(C) (as redesignated), strike out "any" the second place it appears in clause (ii), and strike out "comprises with others" in clause (iii) and insert in lieu thereof "(alone or together with members of such contributing sponsor's controlled group) constitutes";

(M) in subparagraph (B)(ii) of paragraph (6) (as redesignated), strike out "section 4062(b)(1)(A)" and insert in lieu thereof "section 4062(b)(1)(A)(i)"; and

(N) in subparagraph (B)(vi) of paragraph (6) (as redesignated), in section 4068(c)(1) of ERISA, as proposed to be amended, strike out "1985" and insert in lieu thereof "1986".

(45) SECTION 11016(c)(3).—In section 11016(c)(3) of the bill, in section 304(c)(1) of ERISA, as proposed to be added, strike out "such application" and insert in lieu thereof "the affected plan".

(46) SECTION 11016(c)(4).—In section 11016(c)(4) of the bill, strike out "Act" and insert in lieu thereof "title", and, in section 412(f)(4)(A) of the Internal Revenue Code of 1954, as proposed to be added, strike out "such application" and insert in lieu thereof "the affected plan".

(47) SECTION 11016(c).—In section 11016(c) of the bill, redesignate paragraphs (12) and (13) as paragraphs (13) and (14), respectively, and insert after paragraph (11) the following:

(12) CONFORMING AMENDMENT.—Section 4044(a)(29 U.S.C. 1344(a)) is amended by striking out "defined benefit".

(48) SECTION 11016(d)(4).—In section 11016(d)(4) of the bill, insert "the" after "of" the second place it appears.

(49) SECTION 11017(a)(1)(A).—In section 11017(a)(2)(A) of the bill, strike out "Act" and insert in lieu thereof "title".

(50) SECTION 11017(a)(2)(G).—In section 11017(a)(2)(G) of the bill, strike out "a" and insert in lieu thereof "an".

(51) SECTION 11017(b)(2).—In section 11017(b)(2) of the bill, strike out "February 1, 1986," and insert in lieu thereof "May 1, 1986,".

(52) SECTION 11018(a)(1)(C).—In section 11018(a)(1)(C) of the bill, insert "the date of the" after "prior to" in the matter following clause (iv).

(53) SECTION 11018(b).—In section 11018(b) of the bill, strike out all the single quotation marks and insert in lieu thereof double quotation marks, and in paragraph (4)(H), strike out "limitaiton" and insert in lieu thereof "limitation".

(54) SECTION 11019.—In section 11019 of the bill, redesignate subsection (b) as subsection (c), and strike out subsection (a) and insert in lieu thereof the following new subsections:

(a) IN GENERAL.—Except as otherwise provided in this title, the amendments made by this title shall be effective as of January 1, 1986, except that such amendments shall not apply with respect to terminations for which—

(1) notices of intent to terminate were filed with the Pension Benefit Guaranty Corporation under section 4041 of the Employee Retirement Income Security Act of 1974 before such date, or

(2) proceedings were commenced under section 4042 of such Act before such date.

(b) TRANSITIONAL RULES.—

(1) IN GENERAL.—In the case of a single-employer plan termination for which a notice of intent to terminate was filed with the Pension Benefit Guaranty Corporation under section 4041 of the Employee Retirement Income Security Act of 1974 (as in effect before the amendments made by this title) on or after January 1, 1986, but before the date of the enactment of this Act, the amendments made by this title shall apply with respect to such termination, as modified by paragraphs (2) and (3).

(2) DEEMED COMPLIANCE WITH NOTICE REQUIREMENTS.—The requirements of subsection (a)(2), (b)(1)(A), and (c)(1)(A) of section 4041 of the Employee Retirement Income Security Act of 1974 (as amended by this title) shall be considered to have been met with respect to a termination described in paragraph (1) if—

(A) the plan administrator provided notice to the participants in the plan regarding the termination in compliance with applicable regulations of the Pension Benefit Guaranty Corporation as in effect on the date of the notice, and

(B) the notice of intent to terminate provided to the Pension Benefit Guaranty Corporation in connection with the termination was filed with the Corporation not less than 10 days before the proposed date of termination specified in the notice.

For purposes of section 4041 of such Act (as amended by this title), the proposed date of termination specified in the notice of intent to terminate referred to in subparagraph (B) shall be considered the proposed termination date.

(3) SPECIAL TERMINATION PROCEDURES.—

(A) IN GENERAL.—This paragraph shall apply with respect to any termination described in paragraph (1) if, within 90 days after the date of the enactment of this Act, the plan administrator notifies the Corporation in writing—

(i) that the plan administrator wishes the termination to proceed as a standard termination under section 4041(b) of the Employee Retirement Income Security Act of 1974 (as amended by this title) in accordance with subparagraph (B),

(ii) that the plan administrator wishes the termination to proceed as a distress termination under section 4041(c) of such Act (as amended by this title) in accordance with subparagraph (C), or

(iii) that the plan administrator wishes to stop the termination proceedings in accordance with subparagraph (D).

(B) TERMINATIONS PROCEEDING AS STANDARD TERMINATION.—

(i) TERMINATIONS FOR WHICH SUFFICIENCY NOTICES HAVE NOT BEEN ISSUED.—

(I) IN GENERAL.—In the case of a plan termination described in paragraph (1) with respect to which the Corporation has been provided the notification described in subparagraph (A)(i) and with respect to which a notice of sufficiency has not been issued by the Corporation before the date of the enactment of this Act, if, during the 90-day period commencing on the date of the notice required in subclause (II), all benefit commitments under the plan have been satisfied, the termination shall be treated as a standard termination under section 4041(b) of such Act (as amended by this title).

(II) SPECIAL NOTICE REGARDING SUFFICIENCY FOR TERMINATIONS FOR WHICH NOTICES OF SUFFICIENCY HAVE NOT BEEN ISSUED AS OF DATE OF ENACTMENT.—In the case of a plan termination described in paragraph (1) with respect to which the Corporation has been provided the notification described in subparagraph (A)(i) and with respect to which a notice of sufficiency has not been issued by the Corporation before the date of the enactment of this Act, the Corporation shall make the determinations described in section 4041(c)(3)(A) (i) and (ii) (as amended by this title) and notify the plan administrator of such determinations as provided in section 4041(c)(3)(A)(iii) (as amended by this title) and notify the plan administrator of such determinations as provided in section 4041(c)(3)(A)(iii) (as amended by this title).

(ii) TERMINATIONS FOR WHICH NOTICES OF SUFFICIENCY HAVE BEEN ISSUED.—In the case of a plan termination described in paragraph (1) with respect to which the Corporation has been provided the notification described in subparagraph (A)(i) and with respect to which a notice of sufficiency has been issued by the Corporation before the date of the enactment of this Act, clause (i)(I) shall apply, except that the 90-day period referred to in clause (i)(I) shall begin on the date of the enactment of this Act.

(C) TERMINATIONS PROCEEDING AS DISTRESS TERMINATION.—In the case of a plan termination described in paragraph (1) with respect to which the Corporation has been provided the notification described in subparagraph (A)(ii), if the requirements of section 4041(c)(2)(B) of such Act (as amended by this title) are met, the termination shall be treated as a distress termination under section 4041(c) of such Act (as amended by this title).

(D) TERMINATION OF PROCEEDINGS BY PLAN ADMINISTRATOR.—

(i) IN GENERAL.—Except as provided in clause (ii), in the case of a plan termination described in paragraph (1) with respect to which the Corporation has been provided the notification described in subparagraph (A)(iii), the termination shall not take effect.

(ii) TERMINATIONS WITH RESPECT TO WHICH FINAL DISTRIBUTION OF ASSETS HAS COMMENCED.—Clause (i) shall not apply with respect to a termination with respect to which the final distribution of assets has commenced before the date of the enactment of this Act unless, within 90 days after the date of the enactment of this Act, the plan has been restored in accordance with procedures issued by the Corporation pursuant to subsection (c).

(E) AUTHORITY OF CORPORATION TO EXTEND 90-DAY PERIODS TO PERMIT STANDARD TERMINATION.—The Corporation may, on a case-by-case basis in accordance with subsection (c), provide for extensions of the applicable 90-day period referred to in clause (i) or (ii) of subparagraph (B) if it is demonstrated to the satisfaction of the Corporation that—

(i) the plan could not otherwise, pursuant to the preceding provisions of this paragraph, terminate in a termination treated as a standard termination under section 4041(b) of the Employee Retirement Income Security Act of 1974 (as amended by this title), and

(ii) the extension would result in a greater likelihood that benefit commitments under the plan would be paid in full,

except that any such period may not be so extended beyond one year after the date of the enactment of this Act.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

WORLD HEALTH WEEK AND WORLD HEALTH DAY

Ms. OAKAR. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from the further consideration of the Senate joint resolution (S.J. Res. 226), to designate the week of April 6, 1986, through April 12, 1986, as "World Health Week," and to designate April 7, 1986, as "World Health Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but simply would like to inform the House that the minority has no objection to the legislation now being considered.

Ms. OAKAR. Mr. Speaker, will the gentleman yield?

Mr. HANSEN. Under my reservation of objection, I yield to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Speaker, I would like to thank the minority for its cooperation on this resolution.

Mr. LEVIN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. HANSEN. I yield to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN of Michigan. Mr. Speaker, as the sponsor of House Joint Resolution 426, I rise in strong support of this resolution which would designate April 6 through 12, 1986, as "World Health Week" and April 7 as "World Health Day."

For 37 years, April 7 has been celebrated as "World Health Day." In observance of "World Health Day," communities throughout the world and across the Nation conduct health fairs, health education workshops, and other informational programs. These activities serve to focus public attention on the challenges we face in obtaining better health for all.

This year, the activities will run for 1 week. With "Healthy Living: Everyone a Winner" as its theme, "World Health Week 1986" will be an occasion to urge Americans to make a commitment to healthier lifestyles and to support global efforts to ensure health for all. This year's theme reminds us that we can improve our own health if we eat nutritious foods, exercise regularly, and if we don't abuse tobacco, alcohol or drugs. The theme also stresses the importance of combating malnutrition, the lack of clean water and sanitation and inadequate health care services in developing nations, in order to achieve the World Health Organization's goal of "Health for All by the Year 2000."

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

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 226

Whereas the health of a nation depends upon the health of its people;

Whereas improvement of the health of the people of our Nation contributes to world health, and world health contributes to the health of our Nation—a principle enunciated in the Constitution of the World Health Organization and accepted by the United States;

Whereas the United States is an active member of the World Health Organization and has both benefited from and contributed to the achievements of the Organization;

Whereas the countries of the world, acting through the World Health Organization, are committed to the goal of "Health for All by the Year 2000";

Whereas primary health care is recognized as a key to the attainment of "Health for All by the Year 2000";

Whereas health education and health awareness, prevention, and treatment of common diseases and illnesses, basic sanitation, and adequate nutrition are essential elements of primary health care;

Whereas the World Health Organization has established April 7 of each year as World Health Day to call attention to what individuals and governments can do to further the health of human beings everywhere, and the American Association of World Health has sponsored and assisted in this endeavor; and

Whereas it has been the custom for the President to call attention to World Health Day each year in the form of a public message: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of April 6, 1986, through April 12, 1986, is designated as "World Health Week" and April 7, 1986, is designated as "World Health Day" and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate programs, ceremonies, and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

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 Senate joint resolution just passed.

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

There was no objection.

MAKING A REPAYABLE ADVANCE TO THE HAZARDOUS SUBSTANCE RESPONSE TRUST FUND

Mr. BOLAND. Mr. Speaker, I send to the desk a joint resolution (H.J. Res. 573) making a repayable advance to the Hazardous Substance Response Trust Fund, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. ECKART of Ohio. Mr. Speaker, I reserve the right to object.

On my reservation, Mr. Speaker, I yield to the gentleman from Massachusetts for purposes of explaining the bill.

Mr. BOLAND. Mr. Speaker, over the past 6 months, the reauthorization of Superfund has been hotly debated on both sides of this Capitol. What this program needs is a good, long-term bill and an assured source of funds.

Up until this point, the Committee on Appropriations has strenuously opposed all efforts to provide short-term extensions, in order to keep maximum pressure to reach some sort of an agreement on Superfund reauthorization.

Mr. Speaker, we have reached the point of a crisis, and we have passed that point, and still there is no solution in sight. Unless something is done soon, national Superfund contractors responsible for the actual work will have to be terminated and their staffs will have to be laid off.

If that should happen, it will take many months, maybe 12 to 18 months, to put the program back on track. We cannot allow that to happen to the Superfund Program.

So this resolution simply provides, out of the $900 million already appropriated for Superfund in 1986, that $150 million will be available from a repayable advance from the general fund to the Hazardous Substance Response Trust Fund.

These funds cannot be obligated after May 31, 1986. I understand that agreement has been reached by both sides and that the Committee on Ways and Means has no objection to it. Hopefully, they will be coming in with a solution to the tax problem.

My understanding is that the Committee on Energy and Commerce agrees to this. And CBO indicates that there are no additional outlays and no additional budget authority. The appropriation is already in place and this simply permits $150 million of that $900 million appropriated to be available now to continue this program.

Mr. ECKART of Ohio. Mr. Speaker, under my reservation of objection, I yield to the gentleman from New York [Mr. GREEN].

Mr. GREEN. Mr. Speaker, I would like to emphasize a couple of points to the House. First, this was adopted early this evening by the Committee on Appropriations by a voice vote. One addition, has been made to it, spelling out specifically the May 31st expiration date of the appropriation.

The other point that I think is very important is that there are no new obligations, no new budget authority in here, and no new outlays in here. This is all money that was in the HUD-independent agencies 1986 appropriation bill that has been adopted.

The only problem has been the hangup in the conference in the authorizing legislation. This emergency legislation will allow the program to keep going without contractors having to be terminated, and without the whole program collapsing. This will keep us going for 2 months while the conferees try to resolve their differences.

Mr. ECKART of Ohio. Continuing my reservation, Mr. Speaker, I yield to the gentleman from Minnesota [Mr. FRENZEL].

Mr. FRENZEL. May I ask the distinguished gentleman from Massachusetts: The resolution merely provides for borrowing; it does not provide for any particular rate of taxation?

Mr. BOLAND. The gentleman is absolutely correct. It provides an advance from the general fund and that will be repaid to the general fund when the money is available through the taxing process.

Mr. FRENZEL. I thank the gentleman for his explanation, and the gentleman from Ohio [Mr. ECKART] for yielding.

Mr. ECKART of Ohio. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Just for the Members of the body, the Committee on Public Works, Representative HOWARD and myself, we support this action because it has to be done at this point.

Mr. ECKART of Ohio. Under my reservation of objection, Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. I want to clear up a technical point. The unanimous consent was for consideration only? The question will be put on the resolution, is that correct?

Mr. ECKART of Ohio. It is my understanding that the question is consideration, and not passage.

The gentleman would have to proffer that question to the Speaker.

PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. Speaker, the unanimous-consent request is for consideration, and the question will be put?

The SPEAKER pro tempore. That is correct.

Mr. BOLAND. Will the gentleman yield?

Mr. ECKART of Ohio. Under my reservation, I am happy to yield to my colleague from Massachusetts.

Mr. BOLAND. Mr. Speaker, I thank the gentleman from Ohio [Mr. ECKART] and the gentleman from New Jersey and everyone else involved in this, including the members of the Committee on Ways and Means and the Committee on Energy and Commerce.

This is a very serious problem with the Environmental Protection Agency. We completed 2 days of hearings yesterday with the EPA, and Lee Thomas, who in my judgment is probably one of the finest administrators that has ever been appointed, indicated to us the seriousness of the problem. He believes in a long-term solution. However, that is not possible within the timeframe within which these committees have been operating. So a short-term solution is the only solution to resolving the problems facing EPA today.

Mr. ECKART of Ohio. Last, Mr. Speaker, continuing my reservation, I understand there are no language or substantive provisions in this bill?

Mr. BOLAND. That is correct.

Mr. ECKART of Ohio. I understand that there are no future encumbrances in this bill.

Mr. BOLAND. There are no future encumbrances.

Mr. ECKART of Ohio. And that it can in no way be used for repayments or advances.

Mr. BOLAND. The gentleman is correct.

Mr. ECKART of Ohio. Mr. Speaker, I withdraw my reservation objection, and urge adoption of the joint resolution.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 573

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

the heading Environmental Protection Agency, "Hazardous Substance Response Trust Fund" in Public Law 99-160 is amended by deleting "as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), $900,000,000, to be derived from the Hazardous Substance Response Trust Fund," and inserting in lieu thereof "including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), $900,000,000, of which $750,000,000 shall be derived from the Hazardous Substance Response Trust Fund and $150,000,000 shall be derived from an advance from the general fund of the Treasury to the Hazardous Substance Response Trust Fund to be repaid in accordance with section 223(c)(3) of Public Law 96-510 and notwithstanding section 223(c)(2)(D) of Public Law 96-510, *Provided*, That none of the $150,000,000 shall be available for obligation after May 31, 1986,".

The joint resolution 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.

JAMES WILDER DAY

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

Mr. EMERSON. Mr. Speaker, everybody loves a hometown boy who has made good. I am pleased to share with you today the success story of one young man from a community in my district in southeast Missouri.

In 1976, James Wilder was a senior at Sikeston Senior High School, where he thrilled football fans with his talents as a member of the Sikeston Bulldog football team. During his high school career, James distinguished himself as a member of the all-conference team, and as an honorable mention member of the Missouri All-State Team. In his senior year he broke the Sikeston Bulldog regular season rushing record by gaining 1,292 yards.

Following high school, James attended the University of Missouri at Columbia, where he again displayed his talents on the football field. Each Saturday afternoon during the football season, James Wilder thrilled Mizzou football fans as a star attraction of the Tiger squad. By the time his senior year was completed, James had broken the university's rushing record and was selected as the most valuable player in the 1978 Liberty Bowl.

James now makes his hometown proud as a running back with the Tampa Bay Buccaneers. He has been called the NFL's best kept secret. He is a star on the national horizon, but he has never forgotten his roots. James visits his hometown with regularity and has sponsored a softball team for young people—offering them the chance to participate in community sports, just as he did as a youngster.

Mr. Speaker, I am proud to share the success of this outstanding young man with my colleagues, and to announce that Thursday, April 3, 1986, has been proclaimed "James Wilder Day" in the city of Sikeston; and on that evening he will be presented with the annual Man of the Year Award by the Sikeston Chamber of Commerce. In addition, for the first time in history, the Sikeston Public Schools will be retiring a jersey number—James Wilder's number 29.

The city of Sikeston and, indeed, all of southeast Missouri, are proud of this favorite son and are delighted to be honoring this hero. He is an inspiration to all young men and women in our area—proving that hard work, diligence in purpose, and dedication to the task have their reward in success and achievement.

AUTHORIZING THE SPEAKER TO ACCEPT RESIGNATIONS, AND APPOINT COMMISSIONS, BOARDS, AND COMMITTEES AUTHORIZED BY LAW OR BY THE HOUSE, NOTWITHSTANDING ADJOURNMENT

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until Tuesday, April 8, 1986, the Speaker be authorized to accept resignations, and to appoint commissions, boards, and committees authorized by law or by the House.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, APRIL 3, 1986

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday, April 9, 1986, may be dispensed with.

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

There was no objection.

THE HOUSE TURNS ITS BACK ON THE NICARAGUAN CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 30 minutes.

Mr. BURTON of Indiana. Today was a very disappointing day Mr. Speaker, for many of us who have worked very hard and diligently in the area of foreign affairs to deal with the crisis in Central America.

We have felt for some time that that situation needed to be addressed, but unfortunately the House saw fit today, by about a 12-vote margin, to turn their back on that crisis and let it continue to fester.

My concern, Mr. Speaker, is that the problem is going to get considerably worse before it gets better.

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We have had a number of days of debate on this floor and a lot of misinformation has been presented to the American people. I would like to try to set some of that straight tonight before I go home. I do not think I could sleep well if I felt that the American people had been misled and did not know the facts.

So I want to make a few points before we depart on our recess with a lot of unfinished business yet to be done.

Mr. Speaker, I yield to my colleague from California.

Mr. DORNAN of California. Mr. Speaker, I am proud to join the gentleman from Indiana in this special order because post mortems sometimes are very valuable things.

First of all, Mr. Speaker, I would like to congratulate you for bringing down the gavel and asking the demonstration to stop on your side of the aisle when the President's resolution was rebuffed.

Given the number of speeches on this House floor that we were dealing with hard-core Communists in Managua who were dealing in terror, persecuting the church, building prisons, and that is the only thing they are building down there and filling them with 11,000 political prisoners; suppressing labor unions. Not everybody around here cares about the private sector but that seemed to be what crippled Cuba was when the private sector all fled. There are some heroes trying to remain down there. They have had their property expropriated, several of them just since VIN WEBER and I met with them.

After talking about how horrible all the situation was down there, just trying to go for a little different direction and then have all this cheering on the other side I thought was in the poorest taste. And I appreciate you, Mr. Speaker, bringing down the gavel and demanding that there be no demonstration on your side of the aisle.

So let us proceed with a constructive post mortem here. I have things I want to get off my chest too.

I thank the gentlemen for taking this time out.

Mr. BURTON of Indiana. I yield to my colleague from Illinois.

Mr. CRANE. I thank the gentleman for yielding.

Unfortunately I was unable to secure time to participate in the debate that we had yesterday and this morning on this issue, notwithstanding the 10 hours allocated for the entire debate.

But there are some things that I want to get off my chest, too, and I am grateful for the gentleman having this opportunity to deliver the post mortem, as our colleague from California described it.

The thing that disturbed me about this whole debate is I do not think there is any dispute on either side of this question about the nature of the government that exists in Nicaragua. We all know it is totalitarian, we all know it has defiled the concept of free democratic elections; we all know it

does violence to religious worship; we all know it does violence to freedom of the press, freedom of speech, freedom of assembly. We all know it violates all of the traditional norms that we consider proper with respect to judicial institutions.

Now all of those ideals were principles that the Sandinista movement committed itself to in 1979 when the United States joined with the other members of the Organization of American States in an effort to derecognize the dictatorial Somoza Government, to anticipate the fulfillment of the real Sandinista movement which was to guarantee all of these principles. In short we joined in the overthrow of a government that did violence to all those principles because we had a revolutionary force committed to those ideals.

The sad reality was that the real Contra movement was Communist within that true democratic reform revolutionary movement. The real counterrevolutionaries are the people who sit in control of the Government of Nicaragua today who violated every one of the solemn commitments made to the United States and every other country that was a participant in the Organization of American States toward the realization of those goals. I think it is important now for us to look at the situation in the stark light of what transpired here on the floor and to call upon our own administration to urge those members of the Organization of American States that joined with us in 1979 and derecognize that Government that exists in Nicaragua and to re-recognize the true Sandinista movement represented by the freedom fighters and ultimately work toward the end of the tyranny that exists down there that is a threat to their neighbors and is, in fact, a threat to the Western Hemisphere.

The revolution is still alive, but the revolution is represented by the freedom fighters who do indeed believe in freedom, not by the Communists who subverted that, and for us to continue to maintain recognition of that iniquitous regime to me is working at cross-purposes with everything we tried to wage the fight for in the debates that went on yesterday and today.

I thank the gentleman.

Mr. BURTON of Indiana. I thank the gentleman for his very valuable contribution.

I think what I would like to start off with—and I will try not to take too much time because I know the people at the front desk are tired, it has been a long 3 or 4 days—but the people of the United States, the people in the Congress I think should know that Mr. Ortega, who went to Moscow shortly after the vote last year for $17 million in humanitarian aid and because of his trip to Moscow changed a lot of minds on the other side of the aisle and we were able to get $27 million in humanitarian aid; Mr. Ortega this year did not go to Moscow but went to Havana instead. He addressed the Third Cuban Communist Party Congress in Havana on February 6. Instead of making the terrible mistake that he made last year he sent Bayardo Arce to the Communist Congress in Moscow during the same period of time so that they could be together with their comrades-in-arms who were working to make sure that they have worldwide revolution.

But that did not upset my colleagues on the other side of the aisle this time because today they manifested their support or at least their nonopposition to that Communist regime by voting against military aid for the freedom fighters who are fighting so valiantly for the recapture of their revolution in Nicaragua.

I will be submitting some items for the RECORD, Mr. Speaker.

Mr. Speaker, I want to make that point very clear, they did go to both the Cuban Communist Congress and the Moscow Communist Congress to express their support and allegiance to the puppets from Cuba and to the big brothers in Moscow as far as their mutual goals are concerned, those being worldwide domination and worldwide revolution.

Now last night one of my colleagues and I engaged in a debate about the problem of disinformation, Communist disinformation getting to the American people via the media here in the United States. I was told by my colleague that some of the things I raised, some of the issues I raised were drivel and that they should not be brought to the attention of the American people the way we did and that if I had not been doing it here on the floor of Congress, if I had been doing it in any other forum, I would probably be dragged into a court of law and sued for libel because I was accusing a law firm here in Washington, DC, of being tools or puppets of the Communist Sandinista government.

So today I wrote a letter to my colleague who made those allegations last night and I would like to read this letter into the RECORD for the benefit of my colleagues and for the people who may be paying attention to this debate:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 20, 1986.

DEAR PETE: Regarding the debate last night, it is not really in dispute that many of the human rights groups, such as WOLA, have become "shills for the Sandinistas" (that's what Bruce Cameron, former lobbyist for the ADA calls them). For example, two former WOLA associates, Kay Stubbs and Sophia Clark, are now working for the Nicaraguan foreign ministry in Managua (you can call the Nicaraguan embassy to verify this). None of these organizations has ever, to my knowledge, issued a report on human rights in Cuba.

The enclosed articles, from the *Wall Street Journal* and *The New Republic* outline the allegations we discussed regarding last year's WOLA report.

I also recommend the enclosed report on high-ranking Sandinista defector, Alvaro Baldizon. You may choose not to believe what he says, but you should at least review the report and judge it for yourself. You may want to take into account the fact that he has every incentive *not* to speak out against the Sandinistas, given that they are now holding his wife and family captive.

Sincerely,

DAN BURTON.

P.S.—This is not *drivel.*

Now Mr. Baldizon, who was a lieutenant for Tomas Borge, escaped to freedom and came to the United States and told about the atrocities that had been taking place at the hands of the Communist Sandinista government which my colleagues on the left of this body have chosen to ignore. I would like to read an excerpt of an article by Fred Barnes regarding Mr. Baldizon, talking about Tomas Borge, one of the nine comandantes in the Communist Party down there:

Borge personally ordered some killings and whitewashed others, Baldizon said. In 1981 Borge allegedly standardized the practice of murdering political foes by issuing a secret order allowing "special measures," the euphemism for assassinations. He institutionalized the deception of visiting foreigners, appearing before Christian groups in an office with a crucifix, a statue of Jesus Christ, and a Bible. His real office is adorned with pictures of Marx, Engels, and Lenin, and copies of *The Communist Manifesto* and *Das Kapital.* Moreover, Borge was involved in cocaine trafficking, put former criminals in police jobs, and installed Cuban advisers in operational posts.

Now remember, Baldizon was one of Borge's lieutenants.

Now this is fact, this is fact that has been given by a chief lieutenant who defected to the United States remarks last night drivel, I hope he reads this article. Also I sent to him an article from the Wall Street Journal regarding the Washington Office on Latin America's published reports regarding human rights violations in Nicaragua at the hands of the freedom fighters, the Contras. In this article it says that the law firm of Reichler & Applebaum received, not $350,000 as I stated last night, I made a mistake, but $320,000 in legal fees from the Communist Sandinista government last year.

Reichler & Applebaum sent Reed Brody—and I will give the name tonight—a 31-year-old lawyer, and Jim Bordeloin, a law school student, who were selected to conduct an objective investigation. They spent 4 months in Nicaragua taking statements from witnesses of resistance-force atrocities, all with the full cooperation of the Communist Sandinistas. Mr. Brody confirms that most of the investigators' in-country transportation, boarding, housing, office space, staff, and one can assume the witnesses themselves

were provided compliments of their Marxist Communist hosts and sympathizers in Managua.

This report was paid for lock, stock, and barrel, and I mean lock, stock, and barrel, by the Communist Sandinista government. But that was not enough. When they came back to publish the report the law firm of Reichler & Applebaum decided they wanted to distance themselves from this report so they sent a second team down there.

The second team was headed by a man named Mr. Fox. Let me give you his exact name here, Donald Fox, a New York city-based international human rights lawyer activist. Mr. Fox went down there and he confirmed later that his wife was a Nicaraguan-born lady who has two brothers and both of her brothers are members of the Communist Sandinista foreign ministry. He went down there, studied the report and the allegations made by the first committee that went down there and verified the first report. Obviously he would do that; his wife was in sympathy with the Communist government in Nicaragua, her two brothers are members of the Communist Sandinista government, the first report was paid for by the Communist Sandinista government and they came back and it was published by the Washington Office of Latin American Affairs. Mr. GEJDENSON, a member of the Democratic majority on the other side of the aisle, held a news conference along with some other Members, I understand, along with the members of the Washington Office on Latin American Affairs, and NBC, CBS, ABC, CNN, all the major networks were there and they all swallowed this Communist disinformation report hook, line, and sinker. And it went across the airwaves of this country to the American people as fact.

Now that is why the American people are confused about this issue. They do not know who to believe. Communist disinformation is publicized across the airwaves as fact and they have to listen to it.

After they listen to it they say well, who is right, who is wrong, is it the left or is it the right down there? Is it the Communists, the bad guys, or the freedom fighters? And because of this confusion today many of my colleagues I think were led down the primrose path and voted against aid to the freedom fighters.

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

Mr. BURTON of Indiana. I yield to the gentleman from Washington.

Mr. DICKS. I did not quite understand the gentleman. Is the gentleman suggesting that the Congressman from Connecticut [Mr. GEJDENSON] was involved in a disinformation campaign? Is the gentleman suggesting that he was exploited by the Communist? Is that what the gentleman is saying here before the House of Representatives?

Mr. BURTON of Indiana. I will be very happy to state it very clearly and concisely for my friend.

What I am saying is that the report was paid for by the Communist Sandinista government, not the report but the transportation and all the people who went down there. In fact I will quote the article, referring to a Wall Street Journal article that was on the editorial page written by Mr. Jim Denton.

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Let me read it to you once again so you will have it straight:

> Reed Brody, a 31-year-old lawyer, and Jim Bordeloin, a law-school student, were selected to conduct the "objective investigation." They spent four months in Nicaragua taking statements from witnesses of resistance-force atrocities, all with the full cooperation of the Sandinistas. Mr. Brody confirms that most of the investigators' in-country transportation, boarding, housing, office space, staff and, one can assume the witnesses themselves, were provided compliments of their Marxist hosts and sympathizers in Managua.

This report was commissioned by the law firm of Reichler & Applebaum. They sent the people down there to do the report in the first place. Reichler & Applebaum received $320,000 in legal fees from the Communist Sandinista government last year.

The gentleman just walked in, so I will go through this one more time.

The report was then verified by a second group that went down headed by a gentleman named Donald Fox, a New York City based international human rights lawyer activist. Mr. Fox is married to a lady from Nicaragua who has two brothers in the Communist Sandinista Foreign Ministry. He verified the first report, which was done at the behest of the law firm of Reichler & Applebaum. When they came back, this report was published by the Washington Office on Latin American Affairs. There was a news conference here on Capitol Hill, and Mr. GEJDENSON was a participant. Whether he knew or did not know this was done at the behest of the law firm of Reichler & Applebaum, I do not know.

But what I am saying is that Members of the Congress, in my view, have been duped into believing that human rights violations have been perpetrated upon the people of Nicaragua by the freedom fighters down there, when much of that has been Communist disinformation, paid for by the Communist Sandinista government and sold to the American people lock, stock and barrel by a duped media.

Mr. DICKS. Well, I think the gentleman has to be a little careful, in my own judgment, when the gentleman starts suggesting that Members of Congress, who have a whole variety of sources of information and have maybe read a report and agree with its consequences and the substance of it, have been duped. I think that phrase is very pejorative.

I am a little surprised the gentleman, who I have a great deal of respect for, would enter into that kind of a diatribe just because today the House of Representatives voted. We had a vote here. We have a democratic process.

Mr. BURTON of Indiana. I brought this issue up many times. This is not the first. Nobody has refuted it.

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

I want to say this to my good friend, with whom I helped found the military reform caucus and for whom I have the deepest respect. Nothing pains me more than the fact that for many Members in this body, if a Wall Street Journal article is being read by one Member which suggests—let us get it out in the open—which suggests that one of our good friends may well have been taken in. That is certainly what the article suggests. Nothing pains me more than to have it said that the gentleman from Indiana, who was reporting that our good friend may well in fact have been deceived, that it was the gentleman from Indiana who was first challenged, whereas in fact I think we would want to say to our good friend from Connecticut, what are the lessons all of us should learn about Soviet disinformation if, in fact, you are taken in.

Mr. DICKS. I happen to know the gentleman from Connecticut. He is a very bright, able Member of this body. I am certain that he has looked at this issue like all of us have. We read lots of reports. We get in lots of different debates about it.

The people here, I think, have a right to make their judgments.

Mr. BURTON of Indiana. If I may reclaim my time, this was brought up the first time at a Foreign Affairs Committee meeting in which Mr. GEJDENSON was in attendance. Now, he knows about this report and he knows that we challenged the report, because Reichler & Applebaum received this legal retainer of $320,000 from the Communist Sandinista government, and they requested the study be done in the first place. and sent the group down there the first time.

So he is not unaware of this, and he has never come to the floor to challenge these remarks. I would be happy to talk with him about them.

Mr. GINGRICH. Will the gentleman yield?

Mr. BURTON of Indiana. I would be happy to yield.

Mr. GINGRICH. I just want to carry this a step further.

I am not suggesting that any Member who voted no is necessarily being duped or anything else. That is not what I am saying. I want to make that very clear.

I am saying unequivocally there is clearly Soviet, Cuban, and Nicaraguan disinformation out there.

Mr. DICKS. I want to say to my distinguished friend that I agree with him.

Mr. GINGRICH. OK.

Mr. DICKS. There has certainly been a campaign conducted to influence public opinion in the United States. As the gentleman from Georgia well knows, the United States does the same thing all over the world on behalf of the things we believe in.

Mr. GINGRICH. In free countries where we can.

Mr. DICKS. I am not so sure it is just there. But I think the gentleman understands that we have a vigorous approach to presenting our viewpoint around the world with U.S. Government funds being involved.

Mr. GINGRICH. I ask the gentleman, does it not disturb the gentleman a little bit if a proposal is issued as supposedly being a human rights proposal, if in fact the Communist government has paid $320,000 to have a law firm to have the proposal written?

Mr. DICKS. All I am saying is I think we ought to be careful.

I think there is one thing we learned from this debate that we have just been through. I really do not think it is productive to start saying the press has been duped and Members have been duped.

Mr. GINGRICH. What if it has been?

Mr. DICKS. I really do not think that is the case.

Mr. GINGRICH. You do not think it is ever the case?

Mr. DICKS. There could be one report. There could be one situation. But Members have had a chance to debate this issue for 4 years.

Mr. GINGRICH. That is not the issue. The gentleman is missing the point we are trying to make, I think.

The question I am asking the gentleman is: What if there is a serious systematic disinformation effort? What if the Communist governments pay a significant amount of money to pay lobbyists? What if, in fact, they set up front groups? What if, in fact, in some cases, they work closely with specialists in the United States to figure out how to frame the Communist argument in the United States. Should that not be a matter of public record and should we not be aware of it?

Mr. DICKS. I agree with that. I do not have any problem with the gentlemen presenting their concerns about a disinformation campaign that has been presented by the Sandinistas and the Soviet Government. I do not have any problem with that.

What I am worried about—and I admit that I just heard part of the gentleman's presentation, and I wish I had heard all of his presentation—but when I hear the words "duped" and "misled" or that the Members of Congress——

Mr. BURTON of Indiana. Let me just interrupt.

Last night I brought this issue up on the floor before the debate. One of my colleagues stood up and said that everything we were saying was dribble and there was no documentation to back up what we were saying. So tonight I came down here with a specific purpose, among other things, to point out that there was fact and a firm basis for us saying what we said last night.

Now, this article has not been refuted by anybody. Nobody sued the paper for slander, and nobody has taken me on that was involved in that report on the floor of the House.

Mr. DICKS. All I am suggesting to my good friend is that when you use the word "duped," I do not think the Members around here are duped.

Mr. BURTON of Indiana. May I ask the gentleman a question?

Mr. DICKS. I think they study these issues carefully. And I think they make a judgment based on the evidence, and sometimes you do not agree. But I do not think they are being duped.

Mr. BURTON of Indiana. Let me just say one thing.

If a person believes a report to be fact, and it is in fact Communist disinformation, if it is not being duped, tell me what it is.

Mr. DICKS. I think Members may read 1 report and they may read 50 other reports.

Mr. BURTON of Indiana. What is it if it is not duped?

Mr. DICKS. But what the gentleman is suggesting is Mr. GEJDENSON made up his mind on this issue based on this report. I do not think that is how any Member makes up his mind.

Mr. BURTON. He made it in a news conference that cited this report as fact. If that is not being duped, American people were watching and there he was giving lending his credentials to the report.

I yield to my colleague.

Mr. GINGRICH. I just want to read a paragraph here. This is from the Wall Street Journal:

> The Brody document made its way into the public and congressional debate with a splash. The media fallout included articles in the Washington Post and the New York Times, and network coverage, including about 2½ minutes on the CBS Evening News. None of these accounts seriously challenged the report's origins or handling, ignoring or playing down the Sandinista sponsorship to the point that it was virtually unrecognizable to the audience.
>
> The overall impact of the press accounts and congressional responses served the purposes of a Marxist regime to distort the U.S. public and Congress' understanding of the human-rights saga in Nicaragua—all of which will continue to shape U.S. policy in that war torn country.

All I am saying to the gentleman from Washington State is that I am puzzled by the fact that—let us place it to one side. The gentleman from Connecticut who is not here and is a bright and a lively Member, and who I am sure would do a great job of explaining his position.

Mr. DICKS. I think he is a patriot.

Mr. GINGRICH. I think he is a patriot, too. We are all patriots. That is not the issue.

The issue is whether patriots dealing with a highly sophisticated foreign government which is systematically trying to manipulate the American system.

The gentleman does not seem to buy that. But I think that a Communist regime spending $300,000 on a law firm is not stupid.

Mr. BURTON of Indiana. If I may reclaim my time, I only have 5 minutes left and I want to make a couple of other points.

I do want to say this. The Soviet Union has a whole department in Moscow that is devoted entirely to disinformation.

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And is it any wonder that they would be exporting revolution and, right along with it, the experts who know how to utilize disinformation? If you think that that puppet regime down there in Nicaragua is not following the Moscow line and the Cuban line right down the pike, then you are very misguided. And the thing that concerns me is if they are masters of disinformation——

Mr. DICKS. If the gentleman will yield for one statement, I just think we ought to be careful about using the phrase "duped."

Mr. BURTON of Indiana. If they are masters of disinformation, then why in the world would they not be using disinformation tactics in Managua? Which they are, and this report verifies it.

Now, I just want to make a couple other points before I run out of time. I have just about 5 minutes left.

General Lopez, a Cuban war hero, a Communist, Gen. Nestor Lopez, who was involved in the war against Israel, who fought in the Yom Kippur war against Israel on the side of the Syrians in 1973, who later fought in Angola, on the side of the Communists in Angola, who fought against Batista when Castro came to power, now that Cuban general is down in Managua, Nicaragua, helping lead the Communist forces against the freedom fighters, helping lead the 3,000 Cubans who are down there, who are flying the

Communist Hind helicopters, the Soviet Hind helicopters.

So not only are there human rights distortions, disinformation, coming into the United States of America, but the Cubans and the Communists are sending men down there, generals and support troops, to augment the Communist Sandinista government in their quest to eradicate the freedom fighters in Nicaragua, to squash them once and for all.

But one of the things that bothers me the most is something that I brought up time and time again, and that is what they are teaching the children in Nicaragua. The first thing the Communists do when they take over a country is send in the teachers. They sent into Nicaragua about 300 to 600 teachers as soon as they took power. Our last commanding general in Vietnam, General Weyand, when asked why the Communists kept coming after losing a million men, why did the Communists and North Vietnamese keep coming, they lost 1 million men, we lost about 110,000 the reason was, he said, because of elderly ideological indoctrination. For instance, the children were taught to add and subtract by saying, "If there are 10 imperialists and 5 are killed, how many will be left?" That was taught in the textbooks.

Here is a copy of a textbook I got in Managua, Nicaragua, a first-grade mathematics text. And here is how they are teaching their children to add: two AK-47 rifles plus two AK-47 machineguns plus two machineguns are six machineguns. Three handgrenades plus three handgrenades are six handgrenades.

These children, like the Communist Vietnamese, are going to be zealots in the not-too-distant future, and if the freedom fighters down there are not allowed to fight them and to at least force them to the conference table and negotiate a free democracy, then they are going to have their way not only in Nicaragua but throughout Central America. And our children are going to have these zealots on the battlefield. They have alreay had 7 years to indoctrinate these children, and it is going to get worse.

I just want to end up by saying that my colleagues on the other side of the aisle, many of them, after the vote today, said, "Well, we may come back next month with another version, something that will be workable, something that we can support."

There are those of us on this side of the aisle who feel like if they come back with a watered-down version that is not going to give enough help to those people down there, we will not be able to support it.

We either should give enough help or none at all. To give false hope to protect the political fortunes of my friends on the left here in Congress, would be unforgivable, and I think that many of my colleagues on the other side of the aisle think that we will come back and just give a drop here and a drop there and that will pacify the American people. The American people are not going to be duped, they are not going to be fooled for very long. If the Communist Sandinistas are successful in crushing the freedom fighters, as they very well may do because the freedom fighters will not be getting any aid from us, at least not in the foreseeable future, if they crush those people down there, then they are going to solidify their position in Nicaragua, the exportation of the revolution will increase, make no mistake about it.

I saw the weapons in El Salvador that came through Nicaragua, and I talked to a captured Communist guerrilla who told me where the weapons came from, from Managua. The exportation of revolution will increase, and then, my friends, El Salvador will be in danger of falling and may fall, Guatemala, Honduras and then we are going to be up into Mexico, and our boys are going to be involved in a war that is unnecessary. And I say to my colleagues on the other side of the aisle who voted against helping those freedom fighters today that the responsibility will be at your feet, at your feet.

Articles referred to are as follows:

[From the Wall Street Journal, Apr. 23, 1985]

CONTRA ATROCITIES, OR A COVERT PROPAGANDA WAR?

A LOBBYING DRIVE BEGAN IN MANAGUA

(By Jim Denton)

The likely congressional defeat of President Reagan's proposal to provide military aid to the anti-Sandinista contra forces comes in the wake of an extraordinary lobbying campaign. The struggle for the hearts and minds of Congress has mobilized a handful of partisans who have been enormously effective in distorting the Nicaraguan human-rights story. Although it is not uncommon for foreign governments to try persuasion on Capitol Hill, the manner and degree to which the Sandinistas have manipulated public and congressional opinion is noteworthy.

A review of the origins, the dubious handling and the reception of a report recently released by Rep. Samuel Gejdenson (D., Conn.), and two putative human-rights groups provides a case study of how Sandinista propaganda is legitimized and makes its way into the public debate and, ultimately, congressional policy.

The Washington, D.C., law firm of Reichler & Applebaum is the Nicaraguan government's official registered agent in the U.S. For its services, the firm is paid an annual rate of about $320,000. From all outside appearances the firm has ably represented its client. An accounting of the lobbyists' appointments with legislators and staff reads like a Who's Who among Senate and House liberals.

But Reichler & Applebaum's lobbying efforts on the Sandinistas' behalf have gone beyond the congressional routine. In an interview, Mr. Reichler confirmed that some months ago he originated and orchestrated a plan to send a team of "professional attorneys to Nicaragua to conduct an objective, independent investigation of contra atrocities."

Reed Brody, a 31-year-old lawyer, and Jim Bordeloin, a law-school student, were selected to conduct the "objective investigation." They spent four months in Nicaragua taking statements from witnesses of resistance-force atrocities, all with the full cooperation of the Sandinistas. Mr. Brody confirms that most of the investigators' in-country transportation, boarding, housing, office space, staff and, one can assume, the witnesses themselves, were provided compliments of their Marxist host and sympathizers in Managua.

Upon completion of the "investigation," the 141-page Brody Report, consisting of nearly 150 sworn affidavits from "witnesses," was duly processed back through the Sandinistas' lobbyists at Reichler & Applebaum. There it was prepared in final form and, according to a report submitted to the House Foreign Affairs Subcommittee on Western Hemisphere Affairs, passed to the Washington Office on Latin America (WOLA), the International Human Rights Law Group and Rep. Gejdenson for public dissemination.

These three parties all have their individual biases. WOLA, for example, has been a particularly prolific and harsh critic of the human-rights records of Latin American governments friendly to the U.S., as well as the contras, and sympathetic to the Sandinistas and other Marxist insurgents in the region. In reviewing WOLA reports, articles and studies, no serious or critical account of Fidel Castro's human-rights record in Cuba could be found. It is also worth noting, in weighing the group's objectivity, that two former WOLA employees are now employed by the Nicaraguan Foreign Ministry.

Apparently recognizing that a hasty embrace of the Sandinista-sponsored Brody report might be viewed with skepticism. Rep. Gejdenson, WOLA and the Law Group assembled a second delegation to verify the Brody findings. This second delegation consisted of Michael Glennon, former chief counsel to the Senate Foreign Relations Committee under the chairmanship of Frank Church; Donald Fox, a New York City-based international human-rights lawyer-activist; Valerie Miller, the delegation's interpreter, who lived in post-revolutionary Nicaragua for two years and wrote a book on the Sandinista literacy campaign; and, as an observer, a staff aide to Rep. Gejdenson. Mr. Fox confirmed that his Nicaraguan-born wife, now a U.S. citizen, Ana Clemenzia Tercero, accompanied the group to Managua to visit family members at WOLA's expense. Ms. Tercero's brother is a high-ranking official in the Nicaraguan Foreign Ministry assigned to Rome. This group uncovered no discrepancies in the Brody findings after having corroborated only 10 of the nearly 150 Brody affidavits during its one-week visit to Nicaragua.

Then, on March 7, in releasing the Sandinista-sponsored Brody Report, Rep. Gejdenson, WOLA and the Law Group called for a congressional investigation into contra atrocities before a packed press conference on Capitol Hill. Mr. Gejdenson stated he was forwarding the report to Rep. Lee Hamilton (D., Ind.), chairman of the House Intelligence Committee, and Rep. Michael Barnes (D., Md.), chairman of the House Foreign Affairs Subcommittee on Western Hemisphere Affairs, of which Mr. Gejden-

son is a member. In their prepared press statements, Mr. Gejdenson, WOLA and the Law Group did not mention the Sandinistas' role in originating and facilitating the Brody Report.

Last week the House Western Hemisphere Affairs Subcommittee held several days of hearings on aid to the contras. At Thursday's session, at the request of Mr. Gejdenson, Mr. Brody testified before the committee and had his report entered into the Congressonal Record. Mr. Fox also testified, embracing the Brody report. And, apparently in order to gain some distance from the Sandinista-inspired document. Mr. Fox submitted a second report written by himself, Mr. Glennon, the Law Group and WOLA. The findings of this report substantiated and reinforced the Brody report.

The Brody document made its way into the public and congressional debate with a splash. The media fallout included articles in the Washington Post and the New York Times, and network coverage, including about 2½ minutes on the CBS Evening News. None of these accounts seriously challenged the report's origins or handling, ignoring or playing down the Sandinista sponsorship to the point that it was virtually unrecognizable to the audience.

The overall impact of the press accounts and congressional responses served the purposes of a Marxist regime to distort the U.S. public and Congress' understanding of the human-rights saga in Nicaragua—all of which will continue to shape U.S. policy in that war-torn country.

(Mr. Denton is executive director of the National Forum Foundation, a public-policy group in Washington.)

DANIEL ORTEGA AT THE CUBAN PARTY CONGRESS

To reaffirm publicly the Sandinistas' solidarity with Fidel Castro and the Cuban Revolution, President Daniel Ortega of Nicaragua made a special point to attend the Third Party Congress of the Cuban Communist Party February 4-7, 1986

Ortega was only one of two chiefs of state to participate in the congress (the other being the President of Guinea Bissau).

Indicative of his priorities, by attending he snubbed an important delegation of Western leaders representing the Socialist International who were visiting Managua.

He competed at the podium in anti-U.S. rhetoric with representatives from the Soviet bloc and from communist parties of such countries as Angola, Ethiopia, and Afghanistan.

Ortega also rubbed shoulders with representatives of such political terrorist groups as the Argentine Mononeros, the Chilean "Manuel Rodriguez" Patriotic Front, and the Colombian M-19.

In his speech, Ortega characterized Nicaragua's relations with Cuba as "unalterable, non-negotiable and sealed with the blood of Cuban internationalists fallen on Nicaraguan soil . . ."

He also praised Cuba as "a symbol of dignity, resistance, and combativeness in Latin America." He closed his remarks by declaring, "Long live Cuba and Nicaragua, united they will overcome!"

In reciprocation for Ortega's expression of loyalty, Cuban Politburo member Jorge Risquet responded, "In the future, as now, we will share our bread, our knowledge and our blood with the heroic people of Sandino's homeland."

Fidel Castro asserted that not only the Salvadoran guerrillas (statement by Salvadoran Communist leader Shafik Handal) but "all the Central American revolutionaries" would unite to defend the Sandinistas.

Ortega returned to Havana March 2, 1986, for what a Nicaraguan Government communique characterized as a "private" stay of 10 days, after dispatching another of the Comandantes, Bayardo Arce, to Moscow to attend the Soviet Communist Party Congress. Arce is chief ideologue of the Sandinista Party.

(Excerpts of Ortega's speech in Havana are attached.)

SPEECH BY COMMANDER OF THE REVOLUTION DANIEL ORTEGA, PRESIDENT OF NICARAGUA AND COORDINATOR OF THE FSLN EXECUTIVE COMMITTEE, THIRD CUBAN COMMUNIST PARTY CONGRESS, HAVANA, FEBRUARY 6, 1986

Esteemed Comrade Fidel Castro, comrade delegates and guests: I bring greetings from the FSLN militants to the militants of the CCP who are today holding their Third CCP Congress. We are bringing a fraternal message from Sandino's heroic people to Marti's heroic people . . .

Cuba is an example of a people's determination when they decide to be free in the face of the terrorist actions of Yankee imperialism. To speak of Cuba is to speak of the heroic resistance against the invasion in Giron. It is to speak of the people's firmness in the face of the criminal blockade. It is to speak of the internationalism of thousands of Cubans who have given their blood and sweat in favor of sister peoples . . .

In the report presented yesterday, we have learned of the tasks undertaken by the workers, peasants, youths, women, soldiers, technicians, professionals, and party militants. The balance is positive, with a stronger revolution and with a more developed party, above all, marching with open eyes to avoid the obstacles that are in its path. We have learned in the report about the just and dignified positions that Cuba has upheld in the international field of defense of sovereignty, the self-determination of peoples, and peace. We were especially moved by the generosity of its heroic people who despite their limitations, struggles, and sacrifices, give their best and share their blood and bread with sister peoples who defend their freedom and independence in various regions of the world.

In Nicaragua, we are witnesses of the internationalist disposition of the Cuban people. Ever since the struggle against the Somozist dictatorship, the blood of Cuban revolutionaries has mixed in Nicaraguan soil with the blood of Nicaraguan revolutionaries. In these past years, the blood of Cuban internationalists who were providing their cooperation in various specialties has again been shed in Nicaraguan soil, victims once again of the imperialist policy that assassinated Sandino, Che, and Allende, and that procreated Batista, Somoza, Duvalier, and Pinochet . . .

Our relations with Cuba are friendly, fraternal, and respectful. They are relations that are unalterable and nonnegotiable. They are relations sealed with the blood of Cuban internationalists who have fallen on Nicaraguan soil . . .

They (the United States) are trying to justify their terrorist policy towards Nicaragua by accusing our homeland of being the sanctuary of the Salvadoran revolutionaries. We all know perfectly well that as long as there is injustice, exploitation, and lack of freedom, there will be revolutions and that if in El Salvador there is a revolutionary struggle it is because there has been a lack of justice and democracy and because the Salvadoran people have not been respected.

This Third Congress is taking place when the threats of the nuclear hecatomb are being brandished by the U.S. rulers in a policy of universal blackmail that is rejected by the peoples of the world. One can no longer deny the extraordinary efforts that the Soviet Union carries out in favor of peace . . .

To defend Nicaragua's right to self-determination and peace in Central America means to defend the right to self-determination of Latin America and the Caribbean as well as to defend our right to struggle against the financial blackmail to which we are being subjected by the creditors of a debt that is unrepayable, and therefore, uncollectible. It means defending the right to struggle for a new economic order; it means defending the right to peace . . .

Long live the Third Congress of the Cuban Communist Party! Long live the friendship between Cuba and Nicaragua! Cuba and Nicaragua, united they will overcome! Long live peace!

ISRAEL AND THE CONTRAS

(By Rowland Evans and Robert Novak)

The arrival in Nicaragua last week of a Cuban general who fought against Israel in the 1973 Yom Kippur War is the launching pad for a new political effort to win the contra-aid vote in Congress on grounds that a vote against the contras is a vote against Israel.

Brig. Gen. Nestor Lopez, the Soviet-trained Cuban commander who is just now making his debut in Nicaragua, commanded armored forces on the Syrian front against Israel and then stayed there for two more years. His move to Managua buttresses the administration's charge that a seamless web of left-wing forces now spans the globe, with the capability of pinpointing its power where and when needed.

According to that theory, Lopez's battle experience in one theater of operations after another shows the capability of moving non-Soviet communist forces led by Soviet-trained officers into combat almost anywhere. The troops that fight on the Honduran border today may return to the Israeli border tomorrow.

Republican supporters of anticommunist guerrillas in Nicaragua believe there is political advantage to be taken of this, particularly with many Democratic congressmen who vote consistently for aid to Israel but against the contras. Rep. Newt Gingrich plans to get a group of colleagues together for trips to New York, Chicago, and Miami—all major centers of Jewish population—to deliver this message: a "no" vote on aid to the contras is a "yes" vote for the enemies of Israel who fought in the Yom Kippur War on the Arab side.

Lopez was one of them. Indeed, at age 44 he typifies the Cuban communist professional who has made his mark in three theaters of war. A youthful fighter against the Batista regime in Cuba, he was trained at armor school in the Soviet Union. When the ill-fated freedom fighters landed at the Bay of Pigs in the spring of 1961, Lopez commanded one of the first Fidel Castro units to meet them.

In 1973, he was sent to the Mideast in command of an armored regiment fighting with the Syrians against Israel along the Golan Heights, staying there throughout sporadic cleanup fighting that lasted into

May 1974. All told, 3,000 Cubans were estimated to have been in Syria—including MiG and helicopter pilots.

According to The Economist's March 1978 Foreign Report, Cuban tank crews commanded by Lopez suffered 180 dead and 250 wounded in the Yom Kippur war. Less than a year later, in March 1975, the Cubans were dispatched to Angola to battle Jonas Savimbi's freedom fighters following Portugal's departure. Lopez was put in command of a Cuban armored division.

Thus, while Washington sends one of its veteran peace-seeking envoys, Ambassador Philip Habib, to Central America, Havana sends one of its outstanding combat veterans to Managua.

The Nicaraguan government's pleas for peace, echoed by Reagan critics in Washington, contrast with such warlike moves. Commandante Emmet Lang, the Nicaraguan air force commander in chief, is on a secret mission to Moscow seeking a favorable sign from the Soviets—such as the loan of MiG fighters, or perhaps the symbolic landing of a squadron of Bear bombers.

U.S. experts very much doubt the Sandinistas will get any such stakes-raising signal from the Soviets. But even without the Russians, internationalization of the communist struggle in Nicaragua is well along.

The globe-trotting Gen. Lopez shows what military analyst Edward N. Luttwak meant when he wrote that "the pieces are on the chessboard"—in the Middle East and elsewhere.

Tying Israel and the contras together politically is not all that easy. Formidable Democratic spokesmen in foreign affairs, including Rep. Mel Levine of California, chairman of the House Democratic task force on Central America, and Rep. Stephen J. Solarz of New York, a senior member of the House Foreign Affairs Committee, support Isreal and oppose the contras with nearly equal passion.

Gingrich and his colleagues will try to convince them they will not be able to perform that feat with impunity much longer. Levine acknowledged to us that the apparent contradiction made him "uncomfortable." But he said "the tail should not wag the dog"—that giving Israel what is asks is not the same as supplying arms to the anti-Sandinista contras.

Gingrich will try to change that, raising the political cost of opposing the contras. The arrival in Managua of the Cuban general with his battle ribbons from the Syrian front helps his cause.

NATIONAL AGRICULTURE DAY

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

Mr. DE LA GARZA. Mr. Speaker and my colleagues, I am concerned that, in the pressure of the vote of today, we have neglected to give more emphasis to the fact that today is National Agriculture Day. This is the day when we thank all of those who till the soil and work for us and make us the bested Nation in the world, with yet enough to export to other countries.

There is a very critical situation in rural America and in the farm sector. We have addressed that in part, with legislation that we feel will aid the farmers—credit legislation, commodity-support legislation—but the rest remains with the American people that they recognize who it is that puts the bread, the daily bread, on the table and the sacrifices that they made. We take pride in saying that Americans are the best fed people for the least amount of disposable income per family, with enough to sell abroad. Yet more often than not, the farmers sell for less than it costs them to produce it.

So what we need is that the American people realize, understand and, hopefully, appreciate the fact that it is the farmers, the producers of America, who are giving us this bounty, and at least for today, as we close this session, and tonight, that all of us say a silent prayer or otherwise for those who till the land. We have spoken today about life and liberty and democracy and the pursuit of happiness. None of this would be available in this country of ours without those who till the land. There would be no life, no liberty, no pursuit of happiness.

ORDER OF BUSINESS

Mr. GINGRICH. Mr. Speaker, I ask unanimous consent to proceed with my special order, which was requested earlier.

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

There was no objection.

WHERE DO WE GO FROM HERE?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes.

Mr. GINGRICH. Mr. Speaker, I want to talk about what happened today and where we go from here. Some who may watch or who may look tomorrow at the transcript may say, "Why is GINGRICH talking? Isn't the vote over?" and my answer to our friends is: No, it is not over.

I think the very distinguished Democratic chairman of the Foreign Affairs Committee said it beautifully on the floor today when he said, "This will not end today, whether we vote yes or not. This will not end tomorrow. This may well go on for 10 years." And then he cited—and I say with a great sense of history, for I have read some of his statements back in 1961 and 1962—Fidel Castro and all those who thought it would be over, "if only we could negotiate, if only we could have let Fidel play baseball in Yankee Stadium, if only we could do something." Twenty-six years after Fidel Castro, it is not over. As the very distinguished Democratic chairman of the Rules Committee, CLAUDE PEPPER, said today, in what I thought was a heroic moment that, frankly, sent chills up my spine listening to him talk, looking back over many years of watching this planet, a man who has witnessed the isolationism of the 1930's, a man who saw the rise of the cold war, a man who has seen far beyond those of us who are younger, Chairman PEPPER said, if I may paraphrase: "They are Communists. They lie to us. They have lied again and again. We have no choice."

And yet the fact is that when the vote was over today, while Ronald Reagan carried 49 States in 1984, today it is George McGovern, Jimmy Carter and Walter Mondale who control the House of Representatives. It was the George McGovern-Jimmy Carter-Walter Mondale foreign policy that received a vote today.

I will be glad to yield to my very distinguished friend, the gentleman from Arizona [Mr. RUDD].

Mr. RUDD. I thank the very distinguished gentleman in the well for taking this special order. His remarks are well taken in that people think this vote is over, and the vote on the floor is over, but I just have to make a comment with regard to a little bit of history that the gentleman was talking about.

I was in the Caribbean when Fidel Castro took over, and I was in Mexico at the time of the Bay of Pigs and at the time of the missile crisis.

In 1959, when Fidel Castro took over in Cuba, everybody thought, as you pointed out, that a democratic government might come to Cuba, with the exception of a few people. A friend of mine who was with AP at the time was the only reporter out of Havana who was writing these stories that told the stories the way it was. He knew that Fidel Castro was a Communist.

So Fidel made some promises and got a lot of support in this country, and then shortly after that he declared himself to be a Communist.

Now, two important things really took place in Cuba in 1961 and 1962. On April 17, 1961, the Bay of Pigs, the famous Bay of Pigs, occurred. And at that time, although the assistance had been promised and had been assured by President Eisenhower, who decided to leave it to his successor, President Kennedy, to carry out the plan that had been on the books for a long time, an open secret, I might add, that was not really a secret, but the refusal of President Kennedy to provide air support for the exiles, the freedom fighters who were trying to recover freedom in Cuba after they had been deceitfully deprived of freedom by Castro, Castro subsequently consolidated all of his power at the failure of the Bay of Pigs, and the Soviet Union got a permanent foothold in our own back yard and later installed missiles and nuclear warheads the following year.

In July 1962, we got information that the Soviets were shipping missiles to Cuba, and on October 22, President Kennedy, at long last, recognizing the folly of his earlier decision not to help in the Bay of Pigs, placed a naval blockade around Cuba, and President Kennedy planned an armed invasion, I was told at the time, on October 30, 1962. On October 28, Premier Khrushchev backed down, presumably, and promised to remove all of the missiles from Cuba, and we got some pictures of them removing something that looked like missiles and we took it for granted that they did. We do not know for sure that they did. It did not really matter because the base was assured.

The missile crisis, in my opinion, was the greatest geopolitical victory that any country could have had in recent times, and certainly the greatest geopolitical victory that ever occurred in the Western Hemisphere if you discount Hernan Cortez and Francisco Pizarro in the conquering efforts that they made in Latin America 400 years earlier.

And the reason it was such a victory is this: What did we get in return for all of this? We really got some empty promises that the missiles would be removed from Cuba, but in turn we took our missiles out of Turkey and we gave carte blanche authority to the Soviet Union to establish a permanent base in Cuba, a base for espionage, a headquarters for terrorism and a base for subversion and military activity throughout all of the other countries in Latin America.

At first, Castro decided to send his henchman, the Guevara, to Bolivia, and fortunately he discovered that he was not going to be able to live off the land and do the things that he wanted to do.

How lamentable it was that we did not provide the air support for the Cuban exiles. What a mistake that was. And we struck a deal with the Soviets to allow Cuba to become a dominant power in the world, even though it is a nation of something like 9 million people, to do the bidding of the Soviet Union at that time.

As we all know now, Cuba has armed forces, they have a submarine base for the Soviets, they have submarines of their own, warlike material, first-rate aircraft, perhaps 10,000 maybe 12,000 Soviet soldiers and advisers in Cuba to tell them where to go and how to get there and how to use the equipment, to teach them how to use it so that they can teach others how to use military equipment.

□ 2050

To go back for just a moment, on July 23, 1961, under the direction of Fidel Castro, three Nicargauan Marxist radicals, Carlos Fonseca Amador and Tomas Borge, now Interior Minister and overseer of the secret police for Nicaragua, and Castro's closest friend, and Silvio Mayorga, set up the FSLN in Honduras.

Now, I guess the name in Spanish is Printe de Sandinista Liberacion Nationale, the National Sandinista Liberation Front, and from Honduras they began their terrorist activities to overthrow the then legitimate government of Nicaragua.

In July 1979, the revolution came where the Sandinistas had taken power and put in Tomas Borge again, Nicaragua's Interior Minister, and Castro's personal choice to run the country, although Ortego took over.

Tomas Borge has with the help of Fidel Castro established a power base in Cuba that is almost unshakable today and the Cuban advisers that came in under Castro's direction have taught the government there how to really install political oppression.

On September 21, 1979, I think I have heard the gentleman talk about this before, the FSLN in Nicaragua approved the 72-hour document, the manifesto that committed the Sandinistas to revolutionary internationalism. I think that was the title of it, and a Marxist-Leninist state was closely aligned with the Soviet bloc.

The 3-day session produced the basic blueprint for the construction of communism in Nicaragua, spreading subversion throughout the region. The document was remarkably similar to that others captured in Grenada 4 years later and stressed the need to hoodwink U.S. opinion into believing that the Sandinista pledge to promote pluralism, a mixed economy and nonaligned foreign policy was the way to go; all of this for our consumption, the smokescreen behind which they could gain time and complete their integration into the Communist world revolution that took place and the scenario as to Communist evolution in Cuba now was installed and taking place in Nicaragua.

During the month of September 1983, Tomas Borge was interviewed by an American magazine. He was asked to respond to President Reagan's assertion that Nicaragua is the first domino in Central America since the revolutionary triumph in Nicaragua, and it will be the next revolution exported to Nicaragua and then to Guatemala and then on to Honduras and eventually to Mexico.

Borge replied, "That is one historical prophecy of Ronald Reagan that is absolutely true." That is frightening in itself.

Now, in 1984, January 10, Henry Kissinger reported the findings of the bipartisan Kissinger Commission and he said that our efforts in Latin America would fail because they are not broad enough and they do not provide sufficient resources. He mentioned a figure of $8 billion for all, not for the freedom fighters, but for all the area to try to cope with the crisis which on a continuous basis was being exacerbated by the Soviet Union and by Cuba.

One other little item that should frighten everybody as in June 1984 the Soviet Ambassador to Brazil said that the most important event in the past 2 years in that region in Central America undoubtedly is the Sandinista victory in Nicaragua and the way things are going. We will have another Cuba there. That was his opinion.

So the pattern is in and the domination that they accomplished, they continue to accomplish throughout the world, with one exception and that one exception was Grenada.

George Shultz met with the foreign ministers of the Contadora process and he said at that time in December 1985 that the Sandinistas did not want to negotiate in good faith, which is underscored by everything else that they have done.

So today we have in Nicaragua, like Cuba, a revolutionary movement by the Communist international and Daniel Ortega is quickly following the footsteps of Fidel Castro. He has betrayed the moderate members of the coalition, the people who were really seeking freedom, and he has consolidated his power by the use of force behind the barrel of a gun again.

In just winding this up a little bit, today the Sandinistas have the largest armed force in Central America. We all know that. We know the huge numbers of soldiers that they have under arms, perhaps 120,000, and we know that they have thousands, over 10,000 advisers in the form of people from the Soviet-Cuban, Bulgarians, North Koreans, Libyans, and Palestinians.

The buildup in offensive material with over 150 tanks, and I will not go ahead and name all the equipment they have, because we know what they have; but if we are as unconcerned, as apparently we are today with that vote, which I think is pretty final, then the Contras will have to disappear from the scene. The only hope that we will have then is presumably a negotiated settlement with Nicaragua, who will never negotiate. Why should they negotiate now? I will not be a bit surprised if Ortega does not get aboard a plane, issue a press release and go to Moscow to personally report the good position that he now finds himself in.

We have abandoned the Contras, as we did the Cuban freedom fighters at the Bay of Pigs. In doing so we have now allowed the Iron Curtain to fall around Nicaragua and when it comes up from time to time it will only be up long enough to allow military forces, terrorism, and espionage to leave in order to do the same thing in the surrounding countries. Probably the first target will be Honduras, then El Salva-

dor and then Guatemala and then Mexico, but they will leave Costa Rica to the last because Borge was reported to have said, "We don't have to worry about that. We can take them anytime we want."

I wonder what happened to the tremendous emotion captured in a phrase that our President Kennedy once said. He said,

> We are a people who will pay any price, make any sacrifice, travel any distance, to protect freedom on this earth.

I cannot believe that we as a people cannot be sympathetic with the freedom fighters all around the world, because we were once freedom fighters. Our Founding Fathers were and our statements of sympathy for that by almost every President that anyone can remember, starting recently, most recently with Harry Truman, were that we would defend freedom fighters wherever they might be found anywhere in the world.

Those people who opposed the freedom fighters in Honduras I do not feel understand that the freedom fighters are defending United States principles as surely as they are fighting for their own freedom.

I want to thank the gentleman for yielding to me, but this is a ticklish question. We in America who have always stood for freedom and liberty, and it has really taken 5,000 years for us to come to the understanding that we have about freedom and liberty and it culminated and became an apex of that thought with what happened 200 years ago in Philadelphia; but I just cannot believe that the sympathy we feel for freedom fighters everywhere, I cannot understand why we cannot feel that for the people who are trying to recover freedom which was taken from them, stolen from them by Ortega and the Sandinista movement in Nicaragua.

Mr. GINGRICH. Mr. Speaker, I particularly wanted to yield to our friend from Arizona because I know the gentleman personally has witnessed this. I know the gentleman has lived the frustration of 26 years of Fidel Castro and the Cuban Communists extending their power in Cuba, creating a colonial army for use in the Soviet empire.

I think, and I do not know whether the gentleman wants to comment on what I am about to say, because it is very, very strong, and yet it is at the core of the reason I decided to stay tonight and do this special order. It seems to me it is the history of 26 years of Cuban communism, 69 years of Soviet communism, that for people like us creates a genuine fear of Communist tyranny.

We were here on the floor today voting frankly out of fear, a real fear. We think the Soviets represent a weird and frightening reality, while our friends on the left believe in a pleasant fantasy that simply is not true.

Let me say, because I think we have to say it and we have to say it firmly and we have to say it clearly. There were patriots disagreeing on this floor today. I respect Members who voted their conscience. I respect the Speaker when he got up today and I think spoke from the heart, but I have to say that there was a deep emotion as I stood in the back at the last minute of the vote and some Members on the left cheered and applauded. A part of me, frankly, was sickened. They were patriots who were cheering and applauding. I do not question that they are sincere Americans, but I have to ask myself, "How much do those who were cheering lack compassion and concern? How much did they lack sensitivity?"

When that vote went down, there were Afghan freedom fighters who were crying because America once again has once again shown weakness in the face of communism.

There were Cambodian freedom fighters who were crying, because America still was not helping them adequately.

There were Polish workers in Solidarity crying, because we will have not found a way after 40 years to help those oppressed by communism in Europe.

There were Israelis crying, because their loved ones had been killed by Cuban troops led by Gen. Nestor Lopez, who is now the Cuban leader, the head of the Cuban colonial army in Nicaragua.

There were Nicaraguans crying, because they have 35,000 Cuban troops right now oppressing them with Soviet weapons and America is not doing enough to help them and they know that if we do not have the courage to stand up in our own backyard, we are not likely to have the courage to stand up across the ocean.

There were Ethiopians crying, because a thousand a day are dying in Soviet dictatorship concentration camps and forced relocations.

There were Cubans crying, because by failing to stand up to Castro and his colonial army we increased the power of his grip in his totalitarian government.

There were Nicaraguans crying, because they are going to be in the mountains fighting for freedom against Soviet helicopters manned by Cuban pilots with no effective American help tomorrow morning.

There were Soviet citizens crying, because like Sakharov, they were either threatened with a mental institution if they believe in freedom or they are imprisoned or sent in isolation to a strange city.

Who was laughing and cheering as they watched C-SPAN and saw the vote go down and saw America turn its back on freedom fighters?

I suspect the Soviet Embassy was laughting and cheering.

I suspect that Fidel Castro's observers at the United Nations in New York were laughing and cheering.

I suspect that Qadhafi in Libya when he got the vote results was laughing and cheering.

I suspect that Ortega and his communist gang in Nicaragua, although I have been told that Ortega himself is in Cuba right now and his air force general is in Moscow; but I suspect that Ortega and the Communist gang in Nicaragua are laughing and cheering, and in this House there were those on the left who were laughing and cheering.

Those who cheered, those who thought they defeated and weakened Ronald Reagan, in fact defeated and weakened the forces of freedom not only in Central America, but around the world.

I guess what I find so troubling and so hard to deal with is not the men and women of conscience who quietly and soberly voted no because in their hearts they just did not agree with Ronald Reagan, I think that is their job. I think if we cannot convince them, they owe it to this country to vote their conscience; but when you read, as we read today, "The Democratic leadership vowed to defeat him today in the House," referring to the President of the United States on a foreign policy issue, and you see the maneuvering in which first we scheduled a vote early because that way the Democratic leadership thought Ronald Reagan could not rally the country, and then when the President went on television and rallied the country, they offered a new vote in April, because they were afraid they would lose today, and then the radical elements in their party laughed and cheered. It is a bit much not to want to cry for freedom, for freedom fighters, and for America.

□ 2105

So I wanted to ask the gentleman from Arizona, and I appreciated so much him sharing with us the history of these years, because he has lived through the frustration that I think DANTE FASCELL, the chairman of the Democratic Foreign Affairs Committee, was warning all of us we may live through, and the question is whether we live through the next decade gradually winning for freedom, or we live through the next decade gradually losing our freedom.

I would be glad to yield further to the gentleman.

Mr. RUDD. I do not want to be an apologist, but when things happen as they have happened with the Communist extension of power throughout

the world since they came to power, when freedom fighters in Hungary wanted to regain freedom, when freedom fighters in Poland and Czechoslovakia and Greece—thank the Lord we were able to help them then, and I could ask you that question then, if you were opposed to freedom fighters, what would have happened in Greece if we had not come to the aid of them. They would now be under the total domination and another province of Soviet Russia.

But we look at these areas, and they say, "But that is far away. Afghanistan is far away. Ethiopia, Angola, is far away." Even in Vietnam we were not interested in that because it was far away. So we did not want to be bothered with that.

Does the gentleman think it is because we are here at home affluent, with good shoes on, with clothes on our backs, that we do not feel the compassion? We know it is there, we admit it, and for just a fleeting moment we are opposed and angered by what the Soviets are doing throughout the world, but it is far away and it is easier to just forget about it and hope that it will go away, even though you know in your heart it will not go away.

But here in Central America, that is not far away. That is almost within walking distance of the United States of America, or in a rowboat, if you will. But you would think by this time that we know how the Soviets operate, what communism is all about, that it feeds on war. That is the only way it continues to exist, is to feed on war, to let the people within the Iron Curtain borders of the country where it takes place, and I am talking about Soviet Russia and every other Communist country, that it will eventually take over everything that we hold dear.

Freedom and liberty will no longer be ours if we continue to let them advance, and advance and advance. You would think that we would at least become fearful enough to realize that if we have not helped these people regain their freedom, they do not want our soldiers there to do it, they want our help only in the way of materiel, that we will have lost our last opportunity, and the next time that we will be involved it will be in armed conflict to defend freedom and liberty as we know it. And could it be too late then?

Mr. GINGRICH. Let me say first of all, just very briefly, that I think there are three primary reasons we in America find it hard to systematically confront communism and the threat to our freedom and our survival.

The first is that if you are prosperous and you live in a suburb and your life is orderly and rational and you watch color television and you have a good life, it is hard to believe in the weird and frightening reality of Leninism and the Soviet system. It is just outside our normal behavior.

The second is that for very, very many members of the American political elite, members who are in the Henry Wallace-George McGovern tradition of isolationism and neopacificism, that I think there are intellectual and there are psychological reasons that they find it very hard to confront the Soviet empire. I think for some of them they have now spent 40 years trying to explain away this dangerous reality, and trying to develop a pleasant fantasy that sounds good even if it is not real.

The third, candidly, and the one that led me to ultimately decide to do this special order, is that only in recent weeks have we had the firmness and the clarity from the Reagan administration necessary to force this issue.

The fact is, the President has not been clear enough, his advisers have not been systematic enough. To this very day, they have not finished the process of getting the State Department to use the right language to explain what is going on. I think if the President does not lead systematically, and if his staff does not lead systematically, they can hardly expect the Nation to follow. In fact, I think this vote was lost as much in the last 5 days by people on the White House staff talking about compromise as by anything else.

If this issue is not important enough for the President and his senior staff to focus on systematically, it can hardly be important enough for the average American voter to worry about.

So I think all three factors are at stake.

Mr. RUDD. Mr. Speaker, if the gentleman will yield further, it is only recently that we began to understand that probably the key to all of this for the Soviets is the tremendous to which they have developed disinformation services to provide a wrong picture throughout our Nation, and it is targeted at us particularly. Everything that has happened in the last 2 or 3 weeks, for example, how much money the Nicaraguans, which came from Soviet Russia and Cuba, are spending to provide disinformation on all subjects with regard to who they are and what they are doing, and nothing about what they are not doing.

I recently received a pamphlet, as I know the gentleman did, from Los Angeles. It told me how wonderful everything was in Nicaragua. Tomas Borje is holding a child, grieving for the hated freedom fighters who had killed the parents. We saw pictures of schools that were blown up. We saw the hospitals that were blown up. We do not know if these were blown up in Nicaragua. It could have been in El Salvador. It could have been in Cuba at an earlier time.

But anyway, this came out, and this is all total disinformation. So the Soviet Union has been beaming information into our country into the ears and for the eyes of our citizens for a long time, to tell us that things are not the way we know they are, but the way they say it is. So disinformation is probably the key to this whole thing for the Communists in order to soften us up and to soften any nation up before they take over. When they promise freedom and liberty, they are talking about slavery.

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

Mr. GINGRICH. I would be glad to yield to my friend, the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding.

Mr. Speaker, I just wanted to get in here to say that I appreciate both gentlemen putting the vote today in somewhat of a historical perspective, because I think it is important to understand what happened today is a part of an ongoing history that this country is going to have to deal with at some point or another.

I was taught some time ago that men and nations move in historical cycles. The cycle tends to move from bondage to faith, from faith to courage, from courage to freedom, from freedom to abundance from abundance, to complacency, from complacency to dependency, and from dependency back to bondage.

What I heard on the House floor today and yesterday all too much was people talking about the downside of history rather than the upside of history. The upside of history is faith, courage, freedom, and ultimately abundance. The downside of history is complacency, dependency, and ultimately bondage.

What I heard many people saying on the floor today and yesterday was that they did not even have faith enough to stand with people of courage in Nicaragua who are members of churches that are being persecuted and who are people standing against all odds in order to protect their faith; that we do not even have the kind of courage in this House to stand safely on the House floor and vote to provide the kind of aid that gives people of real courage the sustenenace they need to carry on the fight for freedom; that we do not even believe in the ideals of freedom enough to do, as one of our colleagues described it, allow people to stand on their feet and fight rather than to live on their knees.

Rather, what we heard all too often in the debate today was people who had decided to be complacent, who had decided to be complacent about what was going on in Cental America, who had decided that despite the fact that they came to the floor and de-

scribed a Sandinista Communist regime in such horrid terms that they could not endorse it. Time and time again they said, "We cannot endorse this regime."

Despite knowing what they knew about what was happening in Nicaragua, they said, "Well, it really does not matter enough to do anything now." That is complacency.

And they also talked about dependency, because ultimately what they said was, "We have no solution to the problem there. Let us leave it to somebody else to solve the problem. Let us leave it to the Contadora nations. Let us leave it to a regional kind of solution. Let us leave it to someone else. We have no stake."

People are complacent, people who are dependent about the issues that we had before us in this House today, are ultimately people who are in danger of being placed into bondage.

That is my great fear. I share with the gentleman a sense of fear about what we saw take place here, because history teaches us precisely the kinds of things that took place here today are what allow free people to become slaves.

Mr. GINGRICH. Let me say that of all the people who voted "no" today, the ones who surprised me the most and saddened me the most and made me the most confused were those who claimed in April they would vote "yes" for something else a little bit like this.

There seems to be one faction of the House which always has a compromise, if only there is a headline or a fig leaf. There seems to be one faction of the House which, if they just said "no" to the freedom fighters and walked off, would then have the country and Ronald Reagan and history angry at them.

□ 2115

On the other hand, if they said yes to the freedom fighters, then they would have the radicals in their own conference angry at them. And it seems to me that our efforts in the coming weeks and months must focus on these Members, because they are the most difficult Members to deal with, and in many ways those who in the way they behave make it the hardest to explain the challenge and the choice.

Let me draw a distinction. There are Members in this House who sincerely and openly believe that we should not be in Central America. They go back and they explain their viewpoints, they are elected by folks back home who agree with them. I respect those Members because they are up front, they are straightforward. The folks back home know what they are voting for and they get what they vote for. That is perfectly reasonable and patriots can disagree. I go back home and I say you vote for NEWT GINGRICH and you are going to vote for somebody who is explicitly, strongly, actively trying to stop communism. And I am willing to take the risk of sending money to help the freedom fighters help themselves, because I think that is a smaller risk than some day having to send American troops.

Other Members come in and say I think we can afford the risk of communism in Central America. I think that is a smaller risk than us getting involved, and I will vote against aid. And I can respect those because they are up-front and clear.

The difficult ones, those who cause the most problems in having a clear debate and a clear dialog and a public education process, are the ones who say oh, I am really a conservative but I cannot quite vote for it this time. One was quoted, for example, in the New York Times as describing himself as a "genuine, certified, 100-percent hawk," except, of course, he was going to vote no. Now let me just say if you had even said "I was a 99-percent hawk but on this one, this 1 percent I was not" that would have made some sense. But there were no genuine, certified, 100-percent hawks who voted no today, and somehow what puzzles me the most is how do we get across the message, first of all, that there are a lot of folks who pretend they are sort of like Ronald Reagan when they are back home, but they vote sort of like they are George McGovern when they are up here.

And second, there was just something fundamentally wrong about standing here on the floor of the House in March, talking about a year in Central America and promising that in April you would vote a better deal. If the deal is better, should we not have voted on it today? What kind of person can walk off now before a recess knowing that tomorrow there will be Soviet helicopters, manned by Cuban pilots, killing young men and women in the mountains of Nicaragua, but in April, the ones who are still alive will get a better deal? How can they day by day over the next 30 days get up in the morning knowing that today Cuban colonial soldiers in Soviet helicopters will be patrolling, seeking freedom fighters to kill, but in April we are going to have a chance to vote on a better deal? How many men and women will die in the mountains of Nicaragua while we wait for the better deal?

If they had had a better deal, should they not in any sense of conscience have brought it up today, if it was really better, and if that deal is going to be voted on, and in my judgment it is a worse deal, not a better deal, and in my judgment has not got a chance of passing, then should we not have discovered that today and faced the fact that they have no answers, and that the President at least has an answer because, frankly, those on the left have an answer, and it is a legitimate answer. It is Nicaraguan communism is not a real threat, and do not really worry about it, let us talk. Those on the right have an answer, and it is a real answer. The answer is Nicaraguan communism in the Soviet empire and the Cuban colonial army are a threat, and if we do not do something about it, then let us help the freedom fighters help themselves. But those in the middle who voted no because they have a better deal in April, it seems to me they have the least answer and the most to answer for.

When they are home, I hope folks will ask them if it does not bother them a little bit that people are dying, as Americans drink their coffee, drink their Coca-Cola and go to movies.

In three recent debates, I have debated Democrats on the left who have said, well, if it gets bad enough, we can always send in the Marines. I believe that was even said on this floor today.

Let me say I hope as they go home that every American mother and father will say to them: "Do you really mean you believe it is a smaller risk to be prepared to send my son to die in Nicaragua rather than to send the weapons so that the Nicaraguan freedom fighters can fight for their own freedom? Are you really telling me you think you would rather gamble on our children in Central America 2 years from now than take the risk of helping freedom fighters today?"

You know, the old isolationism of the 1930's was based on bad information about the need for America to be involved elsewhere in the world, and sometimes in a sense that the old world would only taint the new if we came in greater contact with old-world conflicts. The fact is today we are faced with the fact that the old world is in the new world. It is a Soviet tyranny in Nicaraguan Cuba. It is Soviet colonial officers who trained the Cubans. It is Soviet secret police methods that dominate Nicaraguan Cuba. The old world has come to the new world, the tyranny is here. Now it is America which today rejected those who reach out to help us. We do not just fight for Nicaraguan freedom if we help the freedom fighters, we help the freedom help us fight for our own freedom, and it is we who are involved, for as Franklin Roosevelt said, if your neighbor's house is on fire and he is willing to help somehow put out the fire if you will lend him a hose, you are a pretty foolish person who refuses to lend the hose and waits until your own house is on fire. The fact is that today the Nicaraguan and Cuban houses are on fire with Communist tyranny.

Charles Krauthammer put it brilliantly in an article entitled "The Neutrality Act of 1986." I quote:

The great "red" scare of 1986 is over. The president and Pat Buchanan have backed off the claim that those who want to end the contra resistance would ensure the success of communism in Nicaragua. The tone of the charge was uncomfortably accusatory. But that does not make the proposition any less true this week than last.

It seems to me an unexceptionable and rather undeniable fact: if the contras wither, as House Democrats devoutly wish, there will be an irreversible consolidation of Sandinista power in Nicaragua. Can anyone present a remotely plausible scenario in which the Sandinistas, unforced, either relinquish power or permit a free competition for power—i.e., a democratic election?

That does not mean that those who are against contra aid *want* to see a communist Nicaragua. But the consequence of their position, however unintended, is certainly not unforeseen.

So it is dismissed. America's national interest, it is said, depends not on the form of a foreign government, but on its foreign policy. What we want is a Nicaragua that doesn't subvert its neighbors or permit the Soviets a military base. We don't care how it is ruled. Therefore the United States should work out a deal with the Sandinistas—a negotiated "Contadora" agreement under which the Sandinistas guarantee not to bother us or their neighbors, and we guarantee them control of Nicaragua by cutting off their opponents.

Now, what will prevent the Sandinistas from violating such an agreement? In 1979 in return for hemispheric support, the Sandinistas pledged in writing to the Organization of American States to bring pluralism and democracy to Nicaragua. They got the support. They gave Nicaragua dictatorship.

Apart from their word as Leninist gentlemen, what is to prevent the Sandinistas from ultimately subverting, for example, Costa Rica? Or from bringing in Soviet MIGs and transports and submarines, quietly and gradually, exactly as Cuba has done for 25 years?

Bruce Babbitt, progressive, hard-headed, neoliberal Democrat, and an advocate of such a deal, has the answer. "The United States, with its overwhelming dominance of the hemisphere, has the power and the duty to enforce such an agreement," he writes in The New York Times.

American power. It seems, then, that the Marines will do the enforcing. So it is unanimous. Everyone agrees: cut off the Nicaraguans who want to fight the Sandinistas and the only cordon against Sandinista threats to regional and U.S. security will be American boys and American blood. Not very sanitaire. And this is advertised as a counsel of prudence.

The current contra debate has produced the clearest division of the house in memory. The Democrats want to deal with the Sandinistas and the president wants to get rid of them. What muddies the waters is that neither side is permitted to say what it really thinks.

Democrats have to pretend that they care about democracy in Nicaragua. And the administration must pretend it does not seek to overturn the Sandinistas. Democrats *accuse* the president of seeking a military solution, as if that would be undesirable. (It certainly did the trick for Castro in Cuba, for the United States in Grenada and, for that matter, for the allies in World War II.) Even more absurd, the administration is forced to agree that victory is not its objective.

Instead, it has to cook up another preposterous mission on which to send Phil Habib. This one is designed to symbolize for House Democrats the administration's desire for a diplomatic solution. To be sure, House Democrats are easily impressed by airborne symbols. Last year, after all, a single flight to Moscow by Daniel Ortega convinced them that this agrarian reformer had pro-Soviet proclivities.

And now there is on-again, off-again talk of a compromise: the United States will starve the contras for a few more months, and the Sandinistas will thereby be induced to compromise and negotiate. This is the Nicaraguan version of that memorable Vietnam success, the "bombing pause." Only this time, the bombing—deadly fire from Afghan-tested Soviet MI-24 helicopter gunships—will continue. The pause will be in the supply of anti-aircraft defenses for those on the receiving end.

Compromise or not, if in the end the contras are cut off, the reason ultimately will be fear—fear of another Vietnam. It will not be the first time we have closed our eyes to a threat to escape an evil deja vu. Opponents of contra aid see it as another Gulf of Tonkin Resolution. They might consider another analogy, the Neutrality Acts of the 1930s, by which Congress undertook to legislate American safety in a world of Nazism and Japanese militarism. After the passing of the Third Neutrality Act of 1937, the New York Herald Tribune wryly dubbed it "an act to preserve the United States from intervention in the war of 1917-1918."

Cutting off the contras will not repeal the Gulf of Tonkin Resolution. Nor will it bring us the blessings of neutrality. At least the isolationists of the '30s had an idea: hunkering down and hiding from the world in our own hemisphere. Where do we hide now?

□ 2125

That was a quote from Charles Krauthammer, a democrat, a liberal internationalist by his own definition, but a man not too afraid to look the Soviet empire in the eye and see reality.

We in fact heard on this floor today, as he predicted, the Gulf of Tonkin resolution referred to by at least one man who voted against aid to the freedom fighters.

The fact is, that today the U.S. House of Representatives voted for neutrality in Central America, while the Soviets and the Cubans have voted for aggression.

Today the U.S. House of Representatives voted for unilateral disarmament of the freedom fighters, while the Soviets and the Cubans arm the Communist side.

This debate will not go away; this debate will not end; it will go on. What then should the White House do now? First, it should go to the other body and pass the reasonable request for a modest amount of money designed to help freedom survive in Central America.

Then, however, the White House should take heed of two Democrats: Of DANTE FASCELL, chairman of the Committee on Foreign Affairs, who told us this would be a 10-year struggle; and of Charles Krauthammer, who pointed out that all too often the voices of timidity in this administration have silenced the truth, have weakened the cause, have turned us away from the debate which is so necessary.

The No. 1 thing this administration must do is educate the American people about the Soviet empire. Yes, we can talk to Gorbachev, but let us be honest who we are talking to. Yes, we can deal with the Soviets, but let us be honest about who we are dealing with.

If this administration has not the courage to be up front and consistent about what the threat is, it should not expect the American people to understand and it should not expect the American people to support them.

Let me list some other things: This administration should release everything we have on Soviet, Cuban, and Nicaraguan disinformation efforts and on Communist lobbying in the United States, and it should establish the process of once a month releasing everything new we learn about every person who is working with the Communists, about every dollar the Communists are spending in this country, and it needs to clear up the confusion about disinformation.

The simple fact is: The Communist Governments of Nicaragua, Cuba, and the Soviet Union spend millions of dollars lying to the American people, hire Americans to carry those lies, and we should at least know who is doing it and what they are doing.

Second, this administration should hold a weekly briefing on death in Central America caused by communism and on the flow of arms into Nicaragua from Cuba and the Soviet empire. On a weekly basis, the President should report to the American people, if necessary an additional radio speech, possibly in something as extraordinary as a television speech.

Week after week we have to be as willing to speak about the Soviet empire's aggression as the Soviet empire is willing to be aggressive.

In addition, this administration should ask the Federal Emergency Management Administration to send a letter to every town and every county in this country, to outline the number of refugees we can expect if Central America goes Communist, and to ask that town and that county to hold a public meeting this summer to discuss how it is going to deal with the refugees.

Based on the flow of refugees from Cuba, Cambodia, Laos, Vietnam, and Afghanistan, we can expect between 9 and 15 million refugees in the next 5 or 6 years. Towns should be told how many they will probably get; and they should be asked to plan now and think through, how are they going to put the children in school, how are they

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going to pay for the people, where are they going to find the housing, what are they going to do with the public health facilities.

Now is the time for a prudent government to ask the Federal Emergency Management Administration to ask every town and every county to start thinking through the alternative.

This is not a cost-free vote. Those Members who stood in this House and said they did not want to spend $100 million should go to those town meetings and explain how much Cuban refugees have cost in south Florida. How much Laotian refugees have cost in Clayton County, GA. How much we have spent in southern California on Vietnamese and Cambodian refugees.

Let us talk about the real cost of not sending $100 million to help fight freedom, for freedom in Central America. Let us lay it on the line and be honest with the people who are going to pay for it when the refugees start arriving.

In addition, this administration needs to upgrade the quality of its strategy, its operations, and its tactics to deal with the transnational Soviet empire and its use of a Cuban colonial army.

The simple fact is: We have every power to say to the Soviets diplomatically, we will not tolerate Czechoslovakian airplanes, we will not tolerate any more Hind helicopters, we will insist that you cut it out, and we have methods of stopping you.

Furthermore, we need to systematically develop a strategy to raise the cost to Castro and his Communist dictatorship of serving as a Soviet colonial army. It is a tragedy that Cuba, that left-wingers tell us once upon a time was a sugar plantation for America, earning a living off of American tourists, has become a Soviet colony that earns its money by being a sugar plantation for the Soviet empire and sending its children overseas.

Progress under Castro has been, that instead of American tourists in Havana, the sons of Havana are now serving in Angola, Ethiopia, Mozambique, and Nicaragua. That is what Communists call "progress."

We need to take steps. There are simple steps. For a start, there should be a branch of Radio Marti set up in the bush in Angola, broadcast to the Cuban troops. We should offer a reward to every Cuban soldier in Angola, Ethiopia, Mozambique, and Nicaragua who deserts. We should offer a big reward to the first Cuban who deserts with a Hind helicopter. We would love to have a Hind helicopter; and I suspect the morning we offer, say $1 million, there will be fewer Hind helicopters flying without a KGB officer prepared to shoot the pilot if he tries to desert.

We need to systematically make life difficult for the Communist dictatorship in Cuba as long as it serves as a colonial army for the Soviets.

In addition, this administration needs to launch an all-out effort to communicate to the Jewish community that cares so deeply about Israel the reality of Nester Lopez and the fact that the Cuban general now serving in Nicaragua is precisely the same Cuban general who commanded a regiment in Syria against the Israelis, precisely the same Cuban general who commanded a division in Angola, smothering freedom there, precisely the same Cuban officer who was trained in the Soviet Union.

Furthermore, this administration should develop a Grenada Week effort this October on every college campus in America, on every public television station, to educate the American people about Leninism, the nature of the Soviet empire, the role of Cubans, terrorists ands Nicaraguans, and the absolute historic proof, first, that Leninism is real; second, that there are Communists in this hemisphere; third, that they are allied with Nicaragua and Cuba and the Soviet Union; and fourth, that there is an active Soviet disinformation effort, and we have absolute proof that on some occasions, American congressional staffs and American Congressmen—well-meaning patriots—have served unwittingly as methods of communicating that disinformation.

The President should make a major goal of his administration to make Grenada Week a week the American people can look at historic facts, and can debate the facts. Because in Grenada, we captured the documents that prove the truth about the nature of the Soviet empire.

□ 2135

In addition this administration through the Republican National Committee, through other institutions and other allies, should develop an intensive advertising campaign to make sure that people back home understand the nature of the Soviet empire, the Cuban colonial army, and the threat to American national security in Nicaragua.

I can assure the President that the voters of Tennessee never thought they sent McGovern-Mondale Democrats to Washington and would be shocked to discover that not a single Democrat in Tennessee voted to help the freedom fighters, that the voters of North Carolina did not think they sent McGovern-Mondale Democrats to Washington and would be shocked to discover that they did not send a single Democrat to Washington who voted to help the freedom fighters, that in Oklahoma there are two districts who have no idea they sent McGovern-Mondale Democrats to Washington and they voted against helping the freedom fighters; that in Texas, most Texas Democrats had no idea that a clear overwhelming majority of the Texas delegation Democrats voted the McGovern-Mondale pattern against helping freedom fighters.

Finally this administration must identify the good, decent patriotic folks of this House who are so confused that they always seek a compromise and they always seek a way to avoid clear choice. Those people cannot become the basis for a firm, consistent policy and there must be no effort made to find a compromise based on sand.

In short, my suggestion to this White House is simple: Hang tough, read what DANTE FASCELL, the Democratic chairman of the Committee on Foreign Affairs, said, read what CLAUDE PEPPER, the chairman of the Committee on Rules, said. This is the beginning of a long struggle. To those in the administration who grow weary of this long struggle, who grow impatient, read Ronald Reagan's words about George Washington, about Lafayette, about Churchill.

I can promise, having canvassed the Republicans on this floor tonight, we who fought so hard in favor of Ronald Reagan's request will oppose vehemently and vigorously any phony patched-up compromise that some timid souls in the White House or elsewhere might suggest.

Yes, this debate will go on, just as Churchill in the 1930's argued every day, because reality gave him no choice; just as Washington, Franklin, and Jefferson in the 1770's and 1780's argued every day because reality gave them no choice.

So long as freedom is threatened by communism in our hemisphere the argument will continue. As long as the Cuban colonial army can threaten Israel and Syria, to crush freedom in Angola, can endanger American security in Central America, the argument will continue because we have no choice. As long as the American left, patriotic but intellectually and psychologically scarred, refuses to learn from Lenin, refuses to learn from Stalin, refuses to learn from Eastern Europe over 40 years, refuses to learn from Vietnam, refuses to learn from the Grenada documents, refuses to learn from open literature and Soviet disinformation, refuses to learn from current reality, for that long the argument will go on. It will go on because those of us who believe in freedom, those of us who truly do fear the Soviet empire, have no choice. In a free society while patriots on both sides can disagree, it is just as important for the patriots who are afraid of the Soviet empire to talk out as it is for those who believe the Soviet empire is not a threat.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GIBBONS (at the request of Mr. WRIGHT), after 2:45 p.m. today, on account of a death in the family.

Mr. LEATH of Texas (at the request of Mr. WRIGHT), after 3:20 p.m. today and for March 21, on account of official business.

SPECIAL ORDERS GRANTED

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

Mr. HUGHES, for 5 minutes, today.

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

Mr. GINGRICH, for 60 minutes, today.

Mr. GINGRICH, for 60 minutes, March 21.

Mr. GEKAS, for 5 minutes, today.

Mr. BILIRAKIS, for 5 minutes, today.

Mrs. BENTLEY, for 5 minutes, April 8.

Mrs. BENTLEY, for 60 minutes, April 9.

Mrs. BENTLEY, for 30 minutes, April 10.

Mr. BEREUTER, for 60 minutes, today.

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

Mr. VOLKMER, for 5 minutes, today.

Mr. PEPPER, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. MAZZOLI, for 5 minutes, today.

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

Mr. BURTON of Indiana, for 30 minutes, today.

Mr. DAUB, for 60 minutes, March 21.

Mr. DAUB, for 60 minutes, March 25.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. CONTE, on House Joint Resolution 534, following the remarks of Mrs. SMITH of Nebraska.

Mr. REID, following the vote on H.R. 3128.

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

Mr. MCEWEN.
Mr. PORTER.
Mr. RITTER.
Mr. O'BRIEN.
Mr. MCCOLLUM.
Mr. CLINGER.
Mr. DUNCAN.
Mr. OXLEY.
Mr. CRANE.
Mr. SCHULZE.
Mr. STRANG.
Mr. ARMEY.
Mr. GALLO.
Mr. FAWELL.
Mr. WORTLEY.
Mr. DANNEMEYER in two instances.
Mr. GUNDERSON.
Mr. GREEN.
Mrs. BENTLEY.
Mr. GOODLING.
Mr. DAUB.
Mr. TAUKE.
Mr. MACK.
Mr. SENSENBRENNER.

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

Mr. MAZZOLI.
Mr. LEVINE of California.
Mr. YATRON.
Mr. LIPINSKI.
Mr. TALLON.
Mr. GARCIA in two instances.
Ms. OAKAR.
Mr. HAWKINS.
Mr. RAHALL.
Mr. EDGAR.
Mr. FLORIO.
Mr. LOWRY of Washington.
Mr. SAVAGE.
Mr. DYMALLY.
Mr. VENTO.
Mr. CHAPMAN.
Mr. OBERSTAR.

SENATE BILL REFERRED

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

S. 209. An act to amend chapter 37 of title 31, United States Code, to authorize contracts retaining private counsel to furnish legal services in the case of indebtedness owed the United States; to the Committe on the Judiciary.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2453. An act to amend the Older Americans Act of 1965 to increase the amounts authorized to be appropriated for fiscal years 1985, 1986, and 1987 for commodity distribution, and for other purposes; and

H.R. 4399. An act to designate the Federal building located in Jamaica, Queens, NY, as the "Joseph P. Addabbo Federal Building;"

H.J. Res. 534. Joint resolution making an urgent supplemental appropriation for the Department of Agriculture for the fiscal year ending September 30, 1986, and for other purposes; and

H.J. Res. 563. Joint resolution to provide for the temporary extension of certain programs relating to housing and community development, and for other purposes.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 272. Joint resolution to authorize and request the President to issue a proclamation designating March 21, 1986, as "Afghanistan Day", a day to commemorate the struggle of the people of Afghanistan against the occupation of their country by Soviet forces.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 39 minutes p.m.) the House adjourned until tomorrow, Friday, March 21, 1986, at 11 a.m.

CONTRACTUAL ACTIONS, CALENDAR YEAR 1985 TO FACILITATE NATIONAL DEFENSE

The Clerk of the House of Representatives submits the following report for printing in the CONGRESSIONAL RECORD pursuant to section 4(b) of Public Law 85-804:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION,
Washington, DC, March 17, 1986.

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

DEAR MR. SPEAKER: In accordance with section 4(a) of Public Law 85-804 (50 U.S.C. 1431-35 *et seq.*), I am herewith reporting to the United States House of Representatives on all CY 1985 actions taken by the National Aeronautics and Space Administration under authority of that Act which involve actual or potential cost to the United States in excess of $50,000.

During CY 1985, the NASA Contract Adjustment Board did not grant any request for extraordinary contractual relief under P.L. 85-804.

On January 19, 1983, the Administrator made a decision to provide indemnification to certain NASA Space Transportation System (STS) contractors for specified risks arising out of contract performance directly related to NASA space activities. The authority of that decision was extended on September 26, 1984, to include prime contracts which have an effective date before October 1, 1989. This decision was based upon consideration of the potential liabilities to which a contractor could be exposed in the event of a hardware or software malfunction or operator error in NASA's STS space activities leading to an accident; these liabilities could be in substantial excess of the insurance coverage that a NASA prime contractor would reasonably be expected to purchase and maintain considering the availability, cost, and terms and conditions of such insurance. A copy of the Administrator's Memoranda of Decision is enclosed.

During CY 1985, three NASA prime contractors, performing under four contracts, were indemnified under the Memorandum of Decision dated September 26, 1984, for

the risks set forth therein. A summary description of each contract is also enclosed.

Sincerely,

WILLIAM R. GRAHAM,
Acting Administrator.

Enclosures.

MEMORANDUM DECISION UNDER PUBLIC LAW 85-804

Authority for National Aeronautics and Space Administration Contracting Officers to idemnify certain NASA contractors and subcontractors involved in NASA space activities.

1. On July 4, 1982, the Space Transportation System (hereinafter STS) completed its design, development, test and evaluation phase and was declared an operational system of the United States for the transportation of payloads into and out of outer space for governmental and commercial purposes. With the commencement of these space operations, the STS has conducted and will continue to conduct launch, in orbit and landing activities on a repetitive basis and at an increasing frequency.

2. Scheduled STS operations at an increasing frequency has dictated a continuing examination of the risks in repetitive space activities of the STS and the present availability of adequate insurance at reasonable premiums to manufacturers and operators of the system. While NASA's STS space activities are designed to be safe, and have been proven to be safe, there exists the remote and low statistical probability that a malfunction of either hardware, software or operator error could occur resulting in an accident. This low probability of occurrence, albeit remote, cannot be totally removed. In the event that such a malfunction or operator error led to an accident, the potential liability arising from such an accident could be substantially in excess of the insurance coverage NASA contractors could reasonably be expected to acquire and maintain considering the availability, cost and potential terms and conditions of such insurance at the present time.

3. Pursuant to the authority of Public Law 85-804 and Executive Order 10789, as amended, and notwithstanding any other provisions of the contracts to which this determination may apply, I therefore authorize that certain NASA contractors, as further defined in paragraphs 4 and 5 below, be held harmless and indemnified against certain risks as specifically set forth herein. Accordingly, and subject to the limitations hereinafter stated, cognizant, NASA contracting Officers are authorized to include in prime contracts, described in paragraphs 4 and 5 below, contract provisions for the indemnification of the contractors and their subcontractors at any tier, against claims or losses, as defined in paragraph 1A of E.O. 10789, as amended, arising out of contract performance directly related to NASA's space activities.

4. This authorization is limited to prime contracts which have an effective date before October 1, 1989, by or for NASA for:

a. provision of Space Transportation System and cargo flight elements or components thereof;

b. provision of Space Transportation System and cargo ground support equipment or components thereof;

c. provision of Space Transportation System and cargo ground control facilities and services for their operation; and

d. repair, modification, overhaul support and services and other support and services directly relating to the Space Transportation System, its cargo and other elements used in NASA's space activities.

5. This authorization is further limited solely to claims or losses resulting from or arising out of the use of performance of the products or services described in paragraph 4 in NASA's space activities. For this purpose, the use of performance of such products or services in NASA's space activities begins solely when such products or services are provided to the U.S. Government at a U.S. Government installation for or in connection with one or more Space Transportation System launches and are actually used or performed in NASA's space activities.

6. The risks for which indemnification is authorized are the risks arising under the contracts described in paragraphs 4 and 5 causing personal injury or death, or loss of or damage to property, or loss of use of property. These risks are considered unusually hazardous risks solely in the sense that if, in the unlikely event, the Space Transportation System, its cargo or other elements or services used in the NASA's space activities malfunctioned causing an accident, the potential liability could be in excess of the insurance coverage that a NASA prime contractor would reasonably be expected to purchase and maintain, considering the availability, cost and terms and conditions of such insurance. In no other sense are the Space Transportation System, its cargo or other elements or services used in NASA's space activities unusually hazardous.

7. a. This authorization may be applied prospectively, without additional consideration, to existing prime contracts and subcontracts and in new prime contracts and subcontracts which otherwise meet the conditions of this memorandum.

b. Indemnification of prime contractors and subcontractors may be provided under this authorization only when the Government will receive the benefit of all cost savings, if any, to the prime contractor and its subcontractors at every tier.

8. All contract indemnification clauses shall comply with applicable provisions of Federal Acquisition Regulation 50.4 as modified by the NASA FAR Supplement 18-50.4.

9. This authorization is given upon condition that each prime contractor is approved by me and that such contractor maintains financial protection of such type and in such amounts as may be determined by me in writing to be appropriate under the circumstances. Each prime contractor shall provide a statement of applicable financial protection through the cognizant NASA contracting officer for my review and determination. In making this determination, I shall take into account such factors as the availability, cost and terms of private insurance, self-insurance and other proof of financial responsibility and workman's compensation insurance.

10. When indemnification provisions are included in a prime contract pursuant to the authority of this decision, the cognizant contracting officer shall immediately submit directly to the Contract Adjustment Board a report referencing this decision and containing the information required by NASA/FAR Supplement 18-50.403-70-Reporting and records requirements.

11. The actual or potential cost, if any, of the actions hereby authorized is impossible to estimate since it is contingent upon the remote possibility of an occurrence and extent of loss resulting from certain space activities which malfunction. Such an event may never occur, however, should a major incident occur, millions of dollars of damage could result.

12. I find that this action will facilitate the national defense. In the remote event that the Space Transportation System, its cargo or other elements or services used in NASA's space activities malfunctioned causing damage in excess of insurance maintained by contractors and subcontractors, the resulting excess liability could place the contractors and subcontractors continued existence in jeopardy, making those contractors and subcontractors unavailable to continue to support space activities and the Department of Defense. I note that for purposes of the Defense Production Act of 1950, the term national defense is defined as "programs for . . . space, and directly related activity." (50 U.S.C. App. 2152(d)).

JAMES M. BEGGS,
Administrator.

Date: September 26, 1984.

MEMORANDUM DECISION UNDER PUBLIC LAW 85-804

Authority for National Aeronautics and Space Administration Contracting Officers to indemnify certain NASA contractors and subcontractors involved in NASA space activities.

1. On July 4, 1982, the Space Transportation System (hereinafter STS) completed its design, development, test and evaluation phase and was declared an operational system of the United States for the transportation of payloads into and out of outer space for governmental and commercial purposes. With the commencement of these space operations, the STS will conduct launch, in orbit and landing activities on a repetitive basis and at an increasing frequency.

2. The initiation of scheduled STS operations at an increasing frequency has dictated a reexamination of the risks in repetitive space activities of the STS and the present availability of adequate insurance at reasonable premiums to manufacturers and operators of the system. While NASA's STS space activities are designed to be safe, and have been proven to be safe, there exists the remote and low statistical probability that a malfunction of either hardware, software or operator error could occur resulting in an accident. This low probability of occurrence, albeit remote, cannot be totally removed. In the event that such a malfunction or operator error led to an accident, the potential liability arising from such an accident could be substantially in excess of the insurance coverage NASA contractors could reasonably be expected to acquire and maintain considering the availability, cost and potential terms and conditions of such insurance at the present time.

3. Pursuant to the authority of Public Law 85-804 and Executive Order 10789, as amended, and notwithstanding any other provisions of the contracts to which this determination may apply, I therefore authorize that certain NASA contractors, as further defined in paragraphs 4 and 5 below, be held harmless and indemnified against certain risks as specifically set forth herein. Accordingly, and subject to the limitations hereinafter stated, cognizant NASA Contracting Officers are authorized to include in prime contracts, described in paragraphs 4 and 5 below, contract provisions for the indemnification of the contractors and their subcontractors at any tier, against claims or losses, as defined in paragraph 1A of E.O.

10789, as amended, arising out of contract performance directly related to NASA's space activities.

4. This authorization is limited to prime contracts, which have an effective date before October 1, 1984, by or for NASA for:

a. provision of Space Transportation System and cargo flight elements or components thereof;

b. provision of Space Transportation System and cargo ground support equipment or components thereof;

c. provision of Space Transportation System and cargo ground control facilities and services for their operation; and

d. repair, modification, overhaul support and services and other support and services directly relating to the Space Transportation System, its cargo and other elements used in NASA's space activities.

5. This authorization is further limited solely to claims or losses resulting from or arising out of the use or performance of the products or services described in paragraph 4 in NASA's space activities. For this purpose, the use or performance of such products or services in NASA's space activities begins solely when such products or services are provided to the U.S. Government at a U.S. Government installation for or in connection with one or more Shuttle launches and are actually used or performed in NASA's space activities.

6. The risks for which indemnification is authorized are the risks arising under the contracts described in paragraphs 4 and 5 causing personal injury or death, or loss of or damage to property, or loss of use of property. These risks are considered unusually hazardous risks solely in the sense that if, in the unlikely event, the Space Transportation System, its cargo or other elements or services used in NASA's space activities malfunctioned causing an accident, the potential liabilities could be in excess of the insurance coverage that a NASA prime contractor would reasonably be expected to purchase and maintain, considering the availability, cost and terms and conditions of such insurance. In no other sense are the Space Transportation System, its cargo or other elements or services used in NASA's space activities unusually hazardous.

7. a. This authorization may be applied prospectively without additional consideration to existing prime contracts and subcontracts and in new prime contracts and subcontracts which otherwise meet the conditions of this memorandum.

b. Indemnification of prime contractors and subcontractors may be provided under this authorization only when the Government will receive the benefit of all cost savings, if any, to the prime contractors and its subcontractors at every tier.

8. All contract indemnification clauses shall comply with applicable provisions of NASA PR Part 10. The applicable requirements of NASA PR, Part 17 shall be complied with.

9. This authorization is given upon condition that each prime contractor is approved by me and that such contractor maintains financial protection of such type and in such amounts as may be determined by me in writing to be appropriate under the circumstances. Each prime contractor shall provide a statement of applicable financial protection through the cognizant NASA contracting officer for my review and determination. In making this determination, I shall take into account such factors as the availability, cost and terms of private insurance, self-insurance and other proof of financial responsibility and workman's compensation insurance.

10. When indemnification provisions are included in a prime contract pursuant to the authority of this decision, the cognizant contracting officer shall immediately submit directly to the Contract Adjustment Board a report referencing this decision and containing the following information: (i) name and address of the contractor, (ii) cognizant NASA installation (iii) contract number and date, and (iv) a brief description of the supplies or services procured under the contract.

11. The actual or potential cost, if any, of the actions hereby authorized is impossible to estimate since it is contingent upon the remote possibility of an occurrence and extent of loss resulting from certain space activities which malfunction. Such an occurrence may never occur; in the event of a major incident, millions of dollars of damage could occur.

12. I find that this action will facilitate the national defense. In the remote event that the Space Transportation System, its cargo or other elements or services used in NASA's space activities malfunctioned causing damage in excess of insurance maintained by contractors and subcontractors, the resulting excess liability could place the contractors and subcontractors continued existence in jeopardy, making those contractors and subcontractors unavailable to continue to support space activities and the Department of Defense. I note that for purposes of the Defense Production Act of 1950, the term national defense is defined as "programs for . . . space, and directly related activity." (50 U.S.C. App. 2152(d)).

JAMES M. BEGGS,
Administrator.

Date: January 1, 1983.

[In millions of dollars]

Name of contractor	Memorandum decision date	Contractor financial protection plan requirement	
		Contractor property	3d party liability
Federal Express Corp.	Nov. 15, 1985	0	0
Activity: Against all risks regards ground handling of the orbiter "Enterprise" at Dulles International Airport, VA, on behalf of the Smithsonian Institution.			
Lockheed Space Operations Co.	Aug. 29, 1985	500	0
Affected Contract: NAS10-10900 for shuttle processing and launch services at the Kennedy Space Center, FL.			
Rockwell International Corp.	Aug. 12, 1985	500	0
Affected contracts: NAS8-40000: [1] Shuttle orbiter main engine effort. NAS8-36700: [1] Shuttle systems integration effort for Marshall Space Flight Center, AL.			

[1] Coverage is time limited, expires June 30, 1986.

EXECUTIVE COMMUNICATIONS, ETC.

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

3073. A letter from the Executive Associate Director, Office of Management and Budget, transmitting notification that the appropriations to the Internal Revenue Service have been reapportioned on a basis that indicates the necessity for a supplemental estimate of appropriation, pursuant to 31 U.S.C. 1515(b)(2); to the Committee on Appropriations.

3074. A letter from the Assistant Secretary of Defense for Acquisition and Logistics, transmitting the annual report of Independent Research and Development and Bid and Proposal costs, pursuant to 10 U.S.C. 2358 nt.; to the Committee on Armed Services.

3075. A letter from the Secretary of the Air Force, transmitting notification that the current procurement unit cost for the Peacekeeper ICBM has increased by 124 percent in fiscal year 1986, pursuant to 10 U.S.C. 139(b)(3)(A); to the Committee on Armed Services.

3076. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to authorize appropriations for the United States Mint for fiscal years 1987 and 1988; to the Committee on Banking, Finance and Urban Affairs.

3077. A letter from the Administrator, Environmental Protection Agency, transmitting the Toxic Substances Control Act report for Fiscal Year 1985, pursuant to Public Law 94-469, section 9(d) and 30; to the Committee on Energy and Commerce.

3078. A letter from the Under Secretary of State for Security Assistance, Science and Technology, transmitting the "Arms Sales Proposal" covering all sales and licensed commercial exports under the Arms Export Control Act of major weapons or weapons-related defense equipment which are considered eligible for approval during calendar year 1986, pursuant to 22 U.S.C. 2765(a); to the Committee on Foreign Affairs.

3079. A letter from the Associate Director, Office of Management and Budget, ACTION, transmitting the Freedom of Information Act report for calendar year 1985, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3080. A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting a report on the indemnification of certain contractors and subcontractors during calendar year 1985, pursuant to Public Law 85-804, section 4; to the Committee on Government Operations.

3081. A letter from the Deputy Associate Director for Royalty Management, Department of the Interior, transmitting a report on proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3082. A letter from the Secretary of Health and Human Services, transmitting a report entitled "Study of Home Respiratory Therapy", pursuant to 42 U.S.C. 139511 nt.; jointly, to the Committees on Ways and Means and Energy and Commerce.

3083. A letter from the Secretary of Health and Human Services, transmitting the annual report on the implementation of the Indian Health Care Improvement Act during fiscal year 1984, pursuant to 25 U.S.C. 1671; jointly, to the Committees on Interior and Insular Affairs, Energy and Commerce, and Ways and Means.

3084. A letter from the Acting Director, Central Intelligence Agency, transmitting a draft of proposed legislation to authorize appropriations for fiscal year 1987 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Staff, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; jointly, to the Committees on the Permanent Select Committee on Intelligence, Armed Services, and the Judiciary.

3085. A letter from the Acting Assistant Secretary of State for Legislative and Inter-Governmental Affairs, transmitting the annual report on the Panama Canal Treaties of 1977 for the period October 1, 1984, through September 30, 1985, pursuant to 22

U.S.C. 3871; jointly, to the Committees on Merchant Marine and Fisheries, Foreign Affairs, the Judiciary, and Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. S. 1684. A bill to declare that the United States holds certain Chilocco Indian School lands in trust for the Kaw, Otoe-Missouria, Pawnee, Ponca, and Tonkawa Indian Tribes of Oklahoma (Rept. 99-500). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 3212. A bill to declare that the United States holds certain lands in trust for the Reno Sparks Indian Colony; with amendments (Rept. 99-501). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. S. 1106. A bill to provide for the use and distribution of funds appropriated in satisfaction of judgments awarded to the Saginaw Chippewa Tribe of Michigan in dockets numbered 57, 59, and 13E of the Indian Claims Commission and docket numbered 13F of the U.S. Claims Court, and for other purposes; with an amendment (Rept. 99-502). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 4350. A bill to amend the Wild and Scenic Rivers Act, and for other purposes; with amendments (Rept. 99-503). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASPIN: Committee on Armed Services. House Joint Resolution 220. Joint resolution to recognize the vital role played by members of the National Guard and Reserve in the national defense; with amendments (Rept. 99-504). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ARMEY (for himself, Mr. RUDD, and Mr. CRANE):

H.R. 4459. A bill to amend the Fair Labor Standards Act of 1938 to repeal its minimum wage and overtime requirements; to the Committee on Education and Labor.

By Mr. DAUB:

H.R. 4460. A bill to establish limitations and procedures in certain civil cases arising under tort laws; to the Committee on the Judiciary.

By Mr. WYDEN (for himself, Mr. BRYANT, Mr. SIKORSKI, and Mrs. BOXER):

H.R. 4461. A bill to amend title 10, United States Code, to impose limitations on the obligation and expenditure of funds and the making of progress payments by the Department of Defense with respect to so-called underfinitized contractual actions; to the Committee on Armed Services.

By Mr. DASCHLE (for himself, Mr. BEDELL, Mr. STALLINGS, Mr. ENGLISH, Mr. DORGAN of North Dakota, Mr. JONES of Oklahoma, Mr. MCCURDY, and Mr. GLICKMAN):

H.R. 4462. A bill to change the basis for computation of emergency compensation whenever the Secretary of Agriculture adjusts the level of loans and purchases for the 1986 through 1990 crops of wheat and feed grains under the Agricultural Act of 1949; to the Committee on Agriculture.

By Mr. HAWKINS (for himself, Mr. GOODLING, Mr. FORD of Michigan, Mr. JEFFORDS, Mr. CLAY, Mr. GUNDERSON, Mr. BIAGGI, Mr. CHANDLER, Mr. MURPHY, Mr. TAUKE, Mr. KILDEE, Mr. FAWELL, Mr. MARTINEZ, Mr. OWENS, Mr. BOUCHER, Mr. HAYES, Mr. PERKINS, Mr. BRUCE, Mr. SOLARZ, Mr. DYMALLY, Mr. ECKART of Ohio, and Mr. ATKINS):

H.R. 4463. A bill to establish programs to promote effective schools and to encourage joint parent-child educational approaches, and for other purposes; to the Committee on Education and Labor.

By Mr. HOWARD:

H.R. 4464. A bill to amend the Federal Election Campaign Act of 1971 to change certain contribution limits for congressional elections and to amend the Communications Act of 1934 regarding the broadcasting of certain material regarding candidates for Federal elective office, and for other purposes; jointly, to the Committees on House Administration, and Energy and Commerce.

By Mr. LOWRY of Washington (for himself and Mr. MILLER of Washington):

H.R. 4465. A bill amending title 46, United States Code, to require inspection by the Coast Guard of fishing vessels, to require certain safety equipment to be aboard such vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MICA:

H.R. 4466. A bill to require the Secretary of Commerce to collect and disseminate certain information relating to international trade and to establish a trade information assistance program for U.S. businesses; to the Committee on Foreign Affairs.

By Mr. MILLER of California (for himself, Mrs. BOXER, Mrs. BURTON of California, Mr. EDWARDS of California, Mr. BROWN of California, Mr. DELLUMS, and Mr. STARK):

H.R. 4467. A bill to authorize the establishment of a Peace Garden on a site to be selected by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

By Mr. PACKARD (for himself, Mr. BATES, Mr. BERMAN, Mr. DANNEMEYER, Mr. DYMALLY, Mr. HUNTER, Mr. LEVINE of California, Mr. LOWERY of California, Mr. MOORHEAD, Mr. DORNAN of California, Mr. WAXMAN, Mr. MCCANDLESS, Mr. LUNGREN, Mr. DREIER of California, Mr. LAGOMARSINO, Mr. TORRES, Mr. BOSCO, Mr. RUDD, Mr. STRANG, Mr. NIELSON of Utah, and Mr. BADHAM):

H.R. 4468. A bill to provide for the settlement of water rights claims of the La Jolla, Rincon, San Pasqual, Pauma, and Pala Bands of Mission Indians in San Diego County, CA, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PEASE (for himself, Mr. CLINGER, Mr. LEVIN of Michigan, Mr. STARK, Ms. KAPTUR, AND Mr. SEIBERLING):

H.R. 4469. A bill to provide an improved program of extended unemployment compensation, and for other purposes; jointly, to the Committees on Ways and Means, and Education and Labor.

By Mr. SCHULZE:

H.R. 4470. A bill to amend the Internal Revenue Code of 1954 to provide that the revenues received under any Federal income tax amnesty program shall be used for payments to individuals who are audited but whose adjustments do not exceed certain amounts; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. FORD of Tennessee, Mr. MATSUI, Mrs. KENNELLY, and Mr. BARTLETT):

H.R. 4471. A bill to amend title XVI of the Social Security Act to make necessary improvements in the SSI Program with the objective of assuring that such program (including the work incentive provisions in section 1619 of such act) will more realistically and more equitably reflect the needs and circumstances of applicants and recipients thereunder; to the Committee on Ways and Means.

By Mr. STRANG (for himself, Mr. SCHAEFER, and Mr. KRAMER):

H.R. 4472. A bill to establish the Black Canyon of the Gunnison National Park complex; to amend the Wild and Scenic Rivers Act to designate a certain segment of the Gunnison River in Colorado as a component of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TAUKE (for himself, Mr. MADIGAN, Mr. BROYHILL, and Mr. WAXMAN):

H.R. 4473. A bill to amend the Public Health Service Act to revise the allotment formula for block grants for alcohol and drug abuse and mental health services; to the Committee on Energy and Commerce.

By Mr. DE LA GARZA (for himself and Mr. MADIGAN):

H.J. Res. 572. Joint resolution to proclaim the week of June 15, 1986, as "National Agricultural Export Week"; to the Committee on Post Office and Civil Service.

By Mr. BOLAND:

H.J. Res. 573. Joint resolution making a repayable advance to the hazardous substance response trust fund; considered and passed.

By Mr. DASCHLE (for himself, Mr. EVANS of Illinois, Mr. HORTON, Mr. RICHARDSON, Mr. KLECZKA, Mr. RINALDO, Mr. NICHOLS, Mr. DORNAN of California, Mr. GRAY of Pennsylvania, and Mr. DIXON):

H.J. Res. 574. Joint resolution to recognize and honor 350 years of service of the National Guard; to the Committee on Armed Services.

By Mr. KOLBE (for himself and Mr. NELSON of Florida):

H.J. Res. 575. Joint resolution commemorating January 28, 1987 as a National Day of Excellence in honor of the crew of the space shuttle *Challenger;* to the Committee on Post Office and Civil Service.

By Mr. DANNEMEYER (for himself, Mr. DENNY SMITH, and Mr. CRANE):

H. Con. Res. 302. Concurrent resolution setting forth the congressional budget for the U.S. Government for fiscal years 1987, 1988, and 1989; to the Committee on the Budget.

By Mr. GREGG (for himself and Mr. SMITH of New Hampshire):

H. Con. Res. 303. Concurrent resolution expressing the sense of the Congress with

respect to the administration of the Nuclear Waste Policy Act of 1982 by the Secretary of Energy; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

By Mr. FOLEY:

H. Con. Res. 304. Concurrent resolution providing for a conditional adjournment of the House from March 25 to April 8, and a conditional adjournment of the Senate from March 26 or March 27 to April 8, 1986, considered and agreed to.

By Mr. HAYES:

H. Con. Res. 305. Concurrent resolution to make technical corrections in the enrollment of the bill H.R. 3128; considered and agreed to.

By Mr. DASCHLE (for himself and Mr. WHITTAKER):

H. Res. 405. Resolution to express the sense of the House of Representatives opposing the elimination of the Rural Electrification Administration loan programs and restrictive lending criteria; and that it will work to preserve them in order that the rural electric cooperatives can adequately serve their member-consumers; to the Committee on Agriculture.

By Mr. DASCHLE (for himself and Mr. WHITTAKER):

H. Res. 406. Resolution to express the sense of the House of Representatives that it supports continued Federal ownership and operation of the power marketing agencies, opposes their sale, and supports the continuation of existing Federal power marketing policies; jointly, to the Committees on Interior and Insular Affairs, Energy and Commerce, and Public Works and Transportation.

PRIVATE BILLS AND RESOLUTIONS

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

By Mrs. BYRON:

H.R. 4474. A bill for the relief of Thomas E. Butt; to the Committee on Armed Services.

By Mr. FOLEY:

H.R. 4475. A bill for the relief of Alphonsus Ngai; 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. 471: Mr. MACK, Mr. BROYHILL, and Mr. LEATH of Texas.

H.R. 893: Mr. TOWNS, Mr. FUSTER, Mr. HAWKINS, Ms. OAKAR, Mr. WORTLEY, Mr. SCHEUER, Mrs. BENTLEY, Mr. HORTON, Mr. KANJORSKI, Mr. ROE, Mr. REID, Mr. HAYES, Mr. MORRISON of Connecticut, and Mr. KASTENMEIER.

H.R. 1309: Mr. NOWAK, Mr. VISCLOSKY, and Mr. MCCLOSKEY.

H.R. 1436: Mr. DYMALLY, Mr. BENNETT, Mr. WOLF, Mr. HUTTO, and Mr. EVANS of Illinois.

H.R. 1490: Mr. HOWARD.

H.R. 1769: Mr. RAHALL and Mr. PURSELL.

H.R. 1780: Mr. ROYBAL, Mr. YATES, Mr. FUSTER, Mr. BOLAND, Mr. HORTON, Mr. WORTLEY, Mr. CROCKETT, Mr. NELSON of Florida, Mr. MITCHELL, and Mr. AKAKA.

H.R. 1840: Mr. RAHALL, Mr. PEASE, and Mr. MCCURDY.

H.R. 1875: Mr. LENT, Mr. PEPPER, Mr. RALPH M. HALL, Mr. ENGLISH, Mr. CLAY, Mr. GALLO, Mr. FLORIO, Mr. APPLEGATE, and Mr. SCHUETTE.

H.R. 1917: Mr. MARTINEZ, Mr. NIELSON of Utah, and Mr. GRAY of Illinois.

H.R. 2364: Mr. FUSTER, Mr. FRANK, Mr. MINETA, Mr. HEFTEL of Hawaii, Mr. WEAVER, Mr. MARTINEZ, Mr. MITCHELL, and Ms. KAPTUR.

H.R. 2504: Mrs. SMITH of Nebraska and Ms. MIKULSKI.

H.R. 2691: Mrs. SCHNEIDER.

H.R. 3024: Mr. VOLKMER, Mrs. KENNELLY, Mr. ARCHER, and Mr. ARMEY.

H.R. 3062: Mr. SMITH of Florida, Mr. ROE, Mr. MITCHELL, and Ms. KAPTUR.

H.R. 3263: Mr. BERMAN.

H.R. 3397: Mr. THOMAS of California and Mr. VANDER JAGT.

H.R. 3436: Mr. WIRTH.

H.R. 3465: Mr. YOUNG of Missouri, Mr. TALLON, Mr. MARTINEZ, Mr. ROE, Mr. SEIBERLING, Mr. HALL of Ohio, and Mr. OLIN.

H.R. 3600: Mr. ARMEY, Mr. BARTON of Texas, Mr. KEMP, MR. LOTT, Mr. MACK, Mr. LUNGREN, Mr. SMITH of New Jersey, and Mr. COATS.

H.R. 3634: Mr. MCCLOSKEY.

H.R. 3736: Mr. WEAVER.

H.R. 3799: Mr. KLECZKA.

H.R. 3854: Mr. YATES, Mr. SCHEUER, Mr. SAVAGE, Mr. OWENS, Mr. DYMALLY, Mr. LUKEN, Mr. MORRISON of Connecticut, Mr. DWYER of New Jersey, Mr. RAHALL, Mr. LELAND, Mrs. KENNELLY, Mr. CONYERS, Mr. SMITH of Florida, Mr. VENTO, Mr. SEIBERLING, Mr. FAZIO, Mr. TOWNS, and Mr. MARTINEZ.

H.R. 3995: Mr. MCCURDY, Mr. EDWARDS of Oklahoma, Mr. STUMP, Mr. BARTON of Texas, Mr. DIOGUARDI, Mr. MORRISON of Washington, and Mr. RINALDO.

H.R. 4029: Mr. ROYBAL, Mr. MORRISON of Connecticut, and Mr. HOYER.

H.R. 4051: Mr. ASPIN.

H.R. 4054: Mrs. KENNELLY and Mr. GRAY of Pennsylvania.

H.R. 4060: Mr. PEASE, Mr. GUARINI, Mr. SCHEUER, Mr. MCCURDY, Mr. JEFFORDS, Mr. NEAL, Mr. ANNUNZIO, Mr. SHELBY, Mr. MCCAIN, Mr. STARK, Mr. GRAY of Illinois, Mr. WEISS, Mr. WHITEHURST, and Mr. DE LA GARZA.

H.R. 4103: Mrs. BENTLEY.

H.R. 4104: Mrs. BENTLEY.

H.R. 4128: Mr. REID, Mr. MATSUI, and Mr. WALGREN.

H.R. 4141: Mr. LOEFFLER, Mr. SMITH of New Hampshire, and Mr. KASICH.

H.R. 4157: Mrs. BENTLEY, Mr. ROE, Mr. FROST, Mr. WHITEHURST, Mr. TORRICELLI, and Mr. DAUB.

H.R. 4160: Mr. RAHALL.

H.R. 4186: Mr. CARPER, Mr. ECKART of Ohio, and Mr. LEVIN of Michigan.

H.R. 4187: Mr. COBLE.

H.R. 4189: Mr. FISH and Mr. BLILEY.

H.R. 4205: Mr. OWENS, Mr. BRUCE, Mr. BOUCHER, Mr. WEAVER, Mr. FAZIO, and Mr. PEASE.

H.R. 4223: Mr. DOWNEY of New York, Mr. RUSSO, Mr. TRAFICANT, Mr. ACKERMAN, Mr. OWENS, and Mr. LEVIN of Michigan.

H.R. 4323: Mr. MITCHELL, Mr. LEVIN of Michigan, Mr. FAZIO, Mr. OWENS, Mr. WEAVER, Mr. CONYERS, and Mr. VENTO.

H.R. 4338: Mr. LELAND, Mr. ROBINSON, and Mr. MARKEY.

H.R. 4397: Mr. BROWN of California, Mr. COLEMAN of Texas, and Mr. RALPH M. HALL.

H.R. 4430: Mr. WILLIAMS.

H.R. 4439: Mr. OXLEY, Mr. WORTLEY, Mr. DANIEL, Mr. OLIN, Mr. MOORHEAD, Mr. LENT, Mr. WHITTAKER, Mr. MCMILLAN, and Mr. MONSON.

H.R. 4445: Mr. MCCAIN.

H.J. Res. 10: Mrs. BYRON, Mr. GUARINI, Mr. LEWIS of Florida, Mr. LOWERY of California, and Mr. STRATTON.

H.J. Res. 220: Mr. ASPIN, Mr. PRICE, Mr. BENNETT, Mr. STRATTON, Mr. NICHOLS, Mr. DANIEL, Mr. DELLUMS, Mrs. SCHROEDER, Mr. HUTTO, Mr. SKELTON, Mr. LEATH of Texas, Mr. MCCURDY, Mrs. LLOYD, Mr. SISISKY, Mr. RAY, Mr. SPRATT, Mr. ORTIZ, Mr. ROBINSON, Mr. BUSTAMANTE, Mr. MCCLOSKEY, Mr. DICKINSON, Mr. WHITEHURST, Mrs. HOLT, Mr. HILLIS, Mr. STUMP, Mr. COURTER, Mr. DAVIS, Mr. HUNTER, Mrs. MARTIN of Illinois, Mr. BATEMAN, Mr. BLAZ, Mrs. BYRON, Mr. FOGLIETTA, Mr. DYSON, Mr. HARTNETT, Mr. CARNEY, Mr. KRAMER, and Mr. KASICH.

H.J. Res. 381: Mr. BATEMAN, Mr. FAUNTROY, Mr. QUILLEN, Mr. LUNGREN, Mrs. KENNELLY, Mr. WORTLEY, Mr. SCHULZE, Mrs. LLOYD, Mr. HOWARD, Mr. HATCHER, Mr. GALLO, Mr. KLECZKA, Mr. VANDER JAGT, Mr. PERKINS, Mr. HEFNER, Mr. HAMILTON, Mr. BRYANT, Mr. LEHMAN of Florida, Mr. TRAFICANT, Mr. FEIGHAN, Mr. HENRY, Mr. DAUB, Mr. HOYER, Mr. HUNTER, Mr. ALEXANDER, Mr. CLAY, Mr. BROWN of Colorado, Mrs. JOHNSON, Mr. GEKAS, and Mr. MCKINNEY.

H.J. Res. 426: Mr. SMITH of New Jersey, Mr. LOWERY of California, Mr. DAUB, Mr. TAUKE, Mr. JEFFORDS, Mr. GREEN, Mr. HANSEN, Mr. BONER of Tennessee, Mr. HUTTO, Mr. BLAZ, Mr. AKAKA, Mr. PEPPER, Mr. DANNEMEYER, Mr. DONNELLY, Mr. LUKEN, Mr. KLECZKA, Mr. JENKINS, Mr. BLILEY, Mr. LAGOMARSINO, and Mr. CLAY.

H.J. Res. 427: Mr. QUILLEN, Mr. LUKEN, Mr. ORTIZ, Mr. JONES of North Carolina, Mr. MILLER of Ohio, Mr. BEDELL, Mr. YOUNG of Florida, Mr. NOWAK, Mr. MOLLOHAN, Mr. COUGHLIN, Mr. EVANS of Iowa, Mr. CARR, Mr. SKELTON, Mr. PORTER, Mr. WYDEN, Mr. DEWINE, Mr. DIOGUARDI, Mr. DONNELLY, Mr. CAMPBELL, Mr. DYSON, Mr. FLIPPO, Mr. GEPHARDT, Mr. PACKARD, Mr. FRANK, Mr. SUNDQUIST, Mr. YATES, Mr. EARLY, Mr. LOEFFLER, Mr. DOWDY of Mississippi, Mr. JONES of Tennessee, Ms. KAPTUR, Mr. SHUMWAY, Mr. BLAZ, Mrs. BOXER, Mr. LEVIN of Michigan, Mr. ROSE, Mr. PURSELL, and Mr. PRICE.

H.J. Res. 433: Mr. PURSELL.

H.J. Res. 508: Mr. HALL of Ohio, Mr. EDWARDS of Oklahoma, and Mr. PARRIS.

H.J. Res. 513: Mr. COLEMAN of Texas.

H.J. Res. 539: Mr. BONER of Tennessee, Mr. RICHARDSON, Mr. VENTO, Mr. BORSKI, Mr. ERDREICH, Mr. WAXMAN, and Mr. BERMAN.

H.J. Res. 548: Mr. FAZIO, Mr. OWENS, Mr. HOYER, Mr. SHUMWAY, Mr. WOLF, Mrs. BOXER, Mr. REID, Mr. FROST, Mr. HUCKABY, Mr. LUNGREN, Mr. EARLY, and Mr. BONER of Tennessee.

H.J. Res. 556: Mr. VENTO.

H.J. Res. 561: Mr. OWENS, Mr. SCHAEFER, Mr. BATEMAN, Mr. GEPHARDT, Mr. KASICH, Mr. YOUNG of Missouri, and Mr. RODINO.

H.J. Res. 567: Mr. COLEMAN of Texas, Mrs. HOLT, Mr. KINDNESS, Mr. LEVIN of Michigan, Mr. LIPINSKI, Mr. ROBINSON, Mr. ROE, Mr. VALENTINE, and Mr. YOUNG of Missouri.

H. Con. Res. 26: Mr. HAMILTON.

H. Con. Res. 129: Mrs. SCHNEIDER.

H. Con. Res. 233: Mr. BONKER.

H. Con. Res. 237: Mr. SEIBERLING, Mr. SAXTON, Mr. LEVINE of California, Mr. EDWARDS of California, Mr. BROWN of California, Mr. VENTO, Mr. STRANG, Mr. BONIOR of Michigan, Mrs. MARTIN of Illinois, Mr. AUCOIN, Mrs. BENTLEY, Mr. PURSELL, Mr. MATSUI, Mr. MARTINEZ, and Mr. WALGREN.

H. Con. Res. 241: Mr. DAVIS, Mr. FRANK, and Mr. ROE.

H. Con. Res. 295: Mr. PENNY, Mr. WYLIE, and Mr. MONSON.

H. Res. 404: Mr. BRYANT, Mr. FROST, Mr. WHITLEY, Mr. BROOKS, Mr. DE LA GARZA, Mr. DARDEN, Mr. RALPH M. HALL, Mr. STENHOLM, and Mr. RANGEL.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 3800: Mr. BATES.

PETITIONS, ETC.

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

292. By the SPEAKER: Petition of the city council of Laredo, TX, relative to the Laredo Job Corps Center; to the Committee on Education and Labor.

293. Also, petition of the Charge d'Affaires, Embassy of the Union of Soviet Socialist Republics, relative to nuclear weapon tests; to the Committee on Foreign Affairs.

294. Also, petition of Depute de Loire-Atlantique, National Assembly, Republic of France, relative to Nicaragua; to the Committee on Foreign Affairs.

AMENDMENTS

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

[Omitted from the Record, Mar. 19, 1986]

H.R. 4332

By Mr. SMITH of Florida:

—Page 18, strike out line 4 and all that follows through line 16 on page 19 and insert in lieu thereof the following:

SEC. 15. WAITING PERIOD FOR PURCHASE OF HANDGUNS.

(a) DEFINITION.—Section 921(a) of title 18, United States Code, is amended by adding after the paragraph added by section 11(b) the following:

"(21) The term 'handgun' means a firearm which has a short stock and is designed to be held and fired by the use of a single hand.".

(b) PROHIBITION.—Section 922(d) of title 18, United States Code, is amended to read as follows:

"(d)(1) It shall be unlawful for a licensed importer, licensed manufacturer, or licensed dealer to sell, deliver, or otherwise transfer a handgun to an individual who is not licensed under section 923 unless—

"(A) such importer, manufacturer, or dealer has, before delivery of the handgun, sent by registered or certified mail (return receipt requested), a copy of a sworn statement by the transferee, in a form prescribed by the Secretary—

"(i) to the chief law enforcement officer of the place of residence of the transferee notifying such officer of the proposed transaction, and requesting such officer to confirm the residence of the transferee, and to examine State and local official records of criminal convictions and adjudications of mental incompetency, readily available to that officer, and report to such importer, manufacturer, or dealer whether any such records show any such conviction or adjudication for the transferee; and

"(ii) to the Federal Bureau of Investigation which shall examine Federal official records which may reveal any circumstance making illegal the receipt or possession of a handgun by the transferee and report to the importer, manufacturer, or dealer whether any such records show any such circumstance;

"(B)(i) such importer, manufacturer, or dealer has received such reports from the chief law enforcement officer of the place of residence of the transferee and the Federal Bureau of Investigation; or

"(ii) 7 days have elapsed from the sending of the sworn statement; and

"(C) such importer, manufacturer, or dealer has not received information from the chief law enforcement officer or the Federal Bureau of Investigation that receipt or possession of the handgun by the transferee would be in violation of Federal law or of a State or local law of the residence of the transferee.

"(2) An importer, manufacturer, or dealer who receives a report from the chief law enforcement officer or the Federal Bureau of Investigation after a transfer has taken place shall, if the report contains information that receipt of possession of the handgun by the transferee would be in violation of Federal law or of State or local law of the residence of the transferee, immediately communicate all information such importer, manufacturer, or dealer has about the transfer and such transferee to—

"(A) the chief law enforcement officer of the place of business of the importer, manufacturer, or dealer;

"(B) the chief law enforcement officer of the place of residence of the transferee;

"(C) the Federal Bureau of Investigation; and

"(D) the Secretary.

"(3) An importer, manufacturer, or dealer who receives information, not otherwise, available to the public, in a report under this subsection shall not disclose that information except incident to the proposed transfer.".

SEC. 16. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this Act shall take effect on the date of the enactment of this Act.

(b) EXCEPTION.—Section 15 shall take effect 90 days after the date of the enactment of this Act.

[Submitted Mar. 20, 1986]

By Mr. CRAIG:

(Amendment to the Volkmer amendment in the nature of a substitute.)

—On page 7, strike line 22 and all that follows through page 8, line 2 and insert in lieu thereof the following: "accomplish the transfer or to negotiate the transfer,";

Amendment to the Volkmer amendment in the nature of a substitute.)

—On page 19, line 2, insert "subsection (b) and (c) of" following the words "provided in".

(Amendment to the Volkmer amendment in the nature of a substitute)

—On page 27, beginning in line 23, strike out "part" and all that follows through "exclusively" in line 1 on page 28 and insert in lieu thereof "part designed and intended solely and exclusively, or combination of parts designed and intended."

By Mr. McCOLLUM:

(Amendment to the Volkmer amendment in the nature of a substitute.)

—Page 10, strike out line 5 and insert in lieu thereof the following:

(7) so that subsection (h) reads as follows:

"(h) It shall be unlawful for any individual, who to that individual's knowledge and while being employed for any person described in any paragraph of subsection (g) of this section, in the course of such employment to receive, possess, or transport any firearm in interstate or foreign commerce."; and