SENATE—*Tuesday, April 22, 1986*

(Legislative day of Monday, April 21, 1986)

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Let us pray.

God of all comfort, we want to express our gratitude for the successful surgery for Senator HAWKINS and Senator GOLDWATER. Help them to be patient in their recuperation and may recovery be rapid and total. We thank You for their faithful staffs who cared for office routine and constituent needs as they monitored the progress of the Senators.

Father in Heaven, as folk gather for the memorial service for Sally Heet, we pray Your grace, comfort, and encouragement upon family and friends. In this large Senate family, it is possible for some to be hurting unknowingly by others. Aware of this possibility, help us to love one another and serve one another. In Your loving compassion, we ask You to touch with grace any person or family who suffers today. In His name Who is love incarnate. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The distinguished assistant majority leader is recognized.

THE WORDS OF OUR CHAPLAIN

Mr. SIMPSON. Mr. President, as always, we again admire and appreciate the words of our Chaplain and the way he addresses our needs, our interests, and our concerns. He shares one special concern: We all wish full healing and restoration to Senator GOLDWATER and to Senator HAWKINS. They are indispensable and delightful Members of our body. We wish them well. And, again, our sympathies to the family of Sally Heet.

SCHEDULE

Mr. SIMPSON. Mr. President, with the convening of the Senate, we will have the two leaders under the standing order for 10 minutes each, special orders in favor of the following Senators for not to exceed 5 minutes each: Senator HAWKINS, which I will display in the RECORD, Senator CRANSTON, Senator LEVIN, Senator RIEGLE, and Senator PROXMIRE; and routine morning business not to extend beyond 12 noon with Senators permitted to speak therein for not more than 5 minutes each.

The Senate then will stand in recess between the hours of 12 noon and 2 p.m. in order for the weekly party caucuses to meet. At 2 p.m. the Senate will resume consideration of Senate Concurrent Resolution 120, the budget resolution. It will also be the intention of the majority leader to consider the nomination of Donald Newman to be Under Secretary of Health and Human Services sometime during today's session. Also, the Senate may consider the House message to accompany S. 49, which is the gun bill. Rollcall votes can be expected throughout the day today.

SENATOR HAWKINS' SPECIAL ORDER

Mr. SIMPSON. Mr. President, in using a portion of the leader's time, let me again speak for the entire Senate when we extend to Senator HAWKINS our heartfelt wishes for a very speedy recovery and continued good progress in her recuperation. We look forward to her return.

I will at this time enter into the RECORD a statement by Senator PAULA HAWKINS under the special order previously announced.

YET ANOTHER SOUTH AMERICAN DRUG CONNECTION

Mrs. HAWKINS. Mr. President, recently another drug trafficking scheme, involving high officials of a leftist military junta in South America, has surfaced in my home State of Florida. This time, it involved the country of Surinam. News accounts described the arrest in Miami late last month of Capt. Etienne Boerenveen, one of the top five leaders of Surinam's military, on charges of offering safe passage and military protection to drug smugglers bound for Florida for $1 million a trip.

Captain Boerenveen has been held without bond because of his membership in the leading circle of Surinam's authorities. It is apparently feared that these authorities would never agree to extradite him to the United States, when requested to do so.

Their arrest was arranged by an undercover agent of our Drug Enforcement Agency, who posed as an importer and distributor of cocaine. This incident reminds us of the courageous and valuable work being done every day, in the trenches of our society's war on drugs, by agents of the DEA. They routinely risk their lives, that our society might rid itself of this insidious drug menace.

Captain Boerenveen was arrested with two other Surinamese, Ricardo Heymans, the Miami sales manager for Surinam Airways, and his father, Cilvion Heymans. According to an Associated Press account, the Surinamese Foreign Ministry in Paramaribo issued a warning that these arrests could "seriously impair" relations between Surinam and the United States, and talks of "an attempt by the United States Government to destabilize the regime in Surinam and isolate it internationally."

This outrageous statement was later repudiated by the Surinamese Government. But I dare say that if the charges against Captain Boerenveen are proven to be true, it would appear more like the Surinamese were attempting to destabilize our society through the very effective means of aiding and abetting the flow of illegal drugs to the United States.

While Captain Boerenveen has claimed diplomatic immunity, this claim must be evaluted in the light of the Vienna Convention concerning this subject. According to the Vienna Convention, immunity is granted to accredited diplomats to the country of arrest, to accredited diplomats to some other country who were in transit, or, as a courtesy, to the highest officials of a foreign government, which Captain Boerenveen does not appear to be.

The surprise appearance of a new country, Surinam, on the list of South American drug connections reminds us once again of how difficult it is to staunch the flow of drugs into the United States. If the authorities crack down in one producing area, like Colombia, production picks up elsewhere. If a transiting network in the Bahamas is unearthed, another pops up in Surinam.

This is not at all to argue for the futility of our efforts against the flow of illegal drugs. We must continue to fight on all fronts against not only the supply but also the domestic demand for drugs. That is where promising new initiatives like drug testing in the workplace can be of special help.

Once we are able to cut the huge market for illegal drugs in the United States down to manageable size, the Surinams of the world will no longer hold their attraction as a yet unthought of transit area for drug traffickers.

Mr. SIMPSON. Mr. President, I will reserve the remainder of the leader's time and yield to my friend from California, the Democratic whip.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER. (Mr. STAFFORD). The Chair recognizes the acting minority leader.

Mr. CRANSTON. Mr. President, I reserve the time of the minority leader. I will speak in a moment on my own order but I suggest the absence of

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

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a quorum for a moment so I can confer with the acting majority leader.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

HUMAN RIGHTS IN MOROCCO

Mr. CRANSTON. Mr. President, of all the values that America stands for, respect for the rights of the individual is one of the most significant. U.S. foreign policy cannot disassociate itself from the values we as a nation uphold. We must continue to reaffirm this most basic American value and make it a cornerstone of our foreign policy.

In 1975, I joined with the late Senator Hubert Humphrey to author and gain enactment of legislation that linked continued U.S. military and economic assistance to a foreign government's human rights record. Since 1975, Congress has taken many important initiatives in the area of human rights which have improved countless lives abroad. We should continue our efforts on behalf of individuals who are denied these basic rights.

Most fundamental among these basic human rights is freedom from the cruel, inhuman, and degrading practice of torture. This year, Amnesty International USA has chosen Morocco as the focus of its campaign to abolish torture. Since the 1970's, Amnesty International has received widespread reports about the systematic use of torture by Moroccan authorities to extract information and forced confessions from prisoners. These reports come from former political prisoners and their relatives and human rights organizations.

One such case is that of Mohammed Amin Mechbal. Mr. Mechbal was arrested in 1975 or 1976—the time is unclear because he was held in incommunicado detention for an indefinite period. According to the Moroccan Code of Criminal Procedure, detainees can be held for limited periods of incommunicado detention following arrest. In reality, this pretrial period is often repeatedly extended without legal justification or hearing, and it is during this period that most instances of torture reportedly have taken place. The police have sole custody of citizens held in incommunicado detention, and no authority monitors the behavior of the police.

In 1977 Mr. Mechbal was tried with 100 other Moroccans for antistate activities for his involvement in a leftist student organization. The proceedings were marred by many irregularities—the defense counsel received death threats, files were stolen, and testimony in Mr. Mechbal's defense was suppressed. Mechbal was sentenced to 20 years in prison. He was 21 at the time.

During the past 9 years Mr. Mechbal has been incarcerated in Kenitra Prison—a prison known for its overcrowding and harsh conditions. Amnesty International reports that he has been physically mistreated and tortured by police and security guards, both in the pretrial period and since he was sentenced.

Despite these hardships, Mr. Mechbal has managed to earn a degree in sociology while in prison, and has taught himself English and Spanish. Subsequently, the authorities have revoked his correspondance course study privileges.

Father Timothy S. Healy, president of Georgetown University, has informed the Moroccan Ambassador that Mr. Mechbal would be granted a full scholarship at Georgetown if released from prison. Father Healy has repeated his appeal directly to Moroccan authorities and through State Department contacts. There has been no response from the Moroccan Government.

There have been other documented cases of abuse. Many detainees have died as a result of torture and mistreatment. In November 1985, Tahane Amine, a 29-year-old engineer, died of heart failure after suffering torture during incommunicado detention. A number of the 36 other people who were arrested by the Moroccan Government along with Tahane alleged that they had been tortured during the pretrial period. The charges levied against Tahane and his codefendants by the public prosecutor were membership in an illegal organization, threatening public order, and distribution of illegal tracts.

In another instance, over 2,000 people were arrested in late 1983 and 1984 during a series of strikes and demonstrations. Many claimed they were subjected to torture. These numerous allegations of torture have apparently never been investigated by Moroccan courts. Moroccan Government officials have also failed to respond adequately to questioning by the U.N. Human Rights Committee and Amnesty International about specific reports of torture.

The United States and Morocco share a long history. In 1777, Morocco became the first nation to recognize the independence of the United States, and our two nations have enjoyed friendly relations over the intervening decades. Despite this long friendship, however, we cannot ignore and must protest the consistent reports of human rights abuses in that country.

Last month marked the 25th anniversary of the enthronement of King Hassan II in Morocco. The United States has extended its help and support throughout the King's reign and the Moroccan-American relationship in these years has been marked by cooperation and friendship. His Majesty's support in investigating these reports of abuse and torture, and his assistance in resolving the case of Mohammed Mechbal would be a most welcome step in reaffirming Morocco's commitment to our common goals of justice, democracy, and human rights.

Mr. President, I hope that the United States Government will do what it can to cope with these very unfortunate events in Morocco, and I hope that Morocco will respond with recognition of human rights and what they truly mean.

RECOGNITION OF SENATOR LEVIN

The PRESIDING OFFICER. The Senator from Michigan [Mr. LEVIN] is recognized for not to exceed 5 minutes.

COMMEMORATION OF ARMENIAN MARTYRS' DAY

Mr. LEVIN. Mr. President, I am pleased to once again participate in the Senate's commemoration of Armenian Martyrs' Day.

Every April 24, Armenians all over the world pause to honor the memory of the 1.5 million Armenians massacred between 1915 and 1923 in the Turkish Ottoman Empire. This tragic event is recorded by eyewitness accounts in historical archives throughout the world. The historical record documents the crime perpetrated against the Armenian nation and people by the Ottoman Government as the first genocide of the 20th century.

This year's commemoration of the Armenian genocide is particularly significant in light of the Senate's ratification earlier this year of the International Convention on the Prevention and Punishment of the Crime of Genocide. The Armenian-American community strongly supported U.S. ratification of the Genocide Convention as a statement of purpose—a statement of our country's commitment to combat genocide directed against any people. Armenians realize that future genocides can only be prevented if we recognize that genocide is a crime against all of humanity, not just against the national, ethnic, racial, or religious group directly affected. And Armenians also realize that the prevention of future genocides will only be possible if we remember the genocides of the past. Adolf Hitler recognized this fact when, on the eve of his invasion of Poland, as he plotted the destruction of what he called the "subhuman" peoples of Europe, he remarked, "Who, after all,

speaks today of the annihilation of the Armenians?"

Sadly, the world did not learn a lesson from the Armenian genocide. By honoring the memory of the victims of that genocide, we can try to prevent history from again repeating itself.

Mr. President, I want to take this opportunity to once again express my profound disappointment at the continuing effort by the Government of Turkey to rewrite history by denying that the Armenian genocide ever took place. A similar effort has been made in recent years by those who would deny the attempted destruction of European Jewry during World War II. They speak of "the hoax of the 6 million," and claim that documentary evidence of the Holocaust was doctored or fabricated. These historical revisionists claim that Jews have exaggerated the extent of their suffering in order to gain the world's sympathy.

I am afraid that I hear echoes of these arguments in the campaign of denial being waged by the Turkish Government. They, too, claim that the historical record is ambiguous, that the Armenians were not singled out for persecution, that the extent of Armenian suffering has been exaggerated, and that the Armenian people was merely one of many peoples who suffered as a result of wartime conditions.

The difference between the two campaigns of denial is that those who deny the Jewish genocide are widely viewed as part of the lunatic fringe—charlatans from the academic world or members of political groups on the extreme edges of the political spectrum. The campaign to deny the Armenian genocide, on the other hand, is encouraged and actively participated in by the government of a sovereign state and one of our NATO allies, the Government of Turkey. Unfortunately, this unprecedented situation has made it difficult for Congress to consider this issue, even in the context of resolutions recognizing the victims of all genocides.

The current Turkish Government should acknowledge the role of its predecessor government—the Ottoman Turkish Government—in the Armenian genocide, just as the present West German Government has acknowledged the crimes perpetrated by the Nazis. Has the West German Government's acknowledgment of the Holocaust strained its relations with the United States or diminished West Germany's role as a vital strategic ally? To the contrary, our country's relationship with the Germans remains warm and close, and West Germany remains an integral part of our NATO alliance. The argument that recognizing and commemorating the Armenian genocide endangers our strategic interests is a specious one, and should be rejected by this body.

The historical evidence that the Armenian people were the victims of a genocide is unambiguous. Indeed, the founder of modern Turkey, Kemal Ataturk, recognized the crimes committed by his predecessor regime, the Ottoman Empire. In a 1926 interview, he stated that his party "should have been made to account for the lives of millions of our Christian subjects who were ruthlessly driven en masse from their homes and massacred."

Let those who deny this genocide tell the men and women who survived—people in their seventies, eighties, nineties, and even one-hundreds—that there was no genocide. The survivors should not have to respond to such a charge and to such a shameful campaign of denial.

We owe it to the victims of the Armenian genocide to perpetuate the story of what happened to them and to share its lessons with all the people of the world. Only in that way can some of the suffering of the genocide be redeemed, and future genocides avoided.

Mr. President, I ask unamimous consent to have printed in the RECORD a fact sheet regarding the recognition of the Armenian genocide by various U.S. Presidents and by the Congress. This fact sheet was prepared by the Armenian Assembly, a national nonprofit organization representing the Armenian-American community.

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

[Fact Sheet No. 2—Armenian Assembly of America]

U.S. RECOGNITION OF THE ARMENIAN GENOCIDE

During the second half of the nineteenth century, the Armenian population of the Ottoman Turkish Empire became the target of heightened persecution by the Ottoman government. These persecutions culminated in a three-decade period during which the Armenians were systematically uprooted from their homeland of 3,000 years and eliminated through massacres or exile.

Few events have evoked American sympathy and concern as did the Armenian Genocide in Ottoman Turkey. Eight U.S. Presidents spoke out against the treatment of the Armenians, and the 54th and 66th Congresses adopted resolutions deploring the massacres. In recent years, President Reagan, President Carter, the House of Representatives, and other officials reaffirmed American recognition of this tragedy.

U.S. REAFFIRMATION

President Ronald Reagan:

Days of Remembrance of Victims of the Holocaust;

Proclamation 4838;

April 22, 1981: "Like the Genocide of the Armenians before it, and the genocide of the Cambodians which followed it—and like too many other such persecutions of too many other peoples—the lessons of the Holocaust must never be forgotten."

President Jimmy Carter:

White House Ceremony;

May 16, 1987: ". . . it is generally not known in the world that in the years preceding 1916, there was a concerted effort made to eliminate all the Armenian people, probably one of the greatest tragedies that ever befell any group. And there weren't Nuremberg trials."

President Herbert Hoover:

The Memoirs of Herbert Hoover, 1952: "The association of Mount Ararat and Noah, the staunch Christians who were massacred periodically by the Mohammedan Turks, and the Sunday collections over fifty years for alleviating their miseries—all cumulate to impress the name Armenia on the front of the American mind."

President Warren G. Harding:

Letter to Secretary of State Charles Evans Hughes;

November 22, 1921:

"If it is believed that a warship can be sent to an Armenian port on the Mediterranean I should have very little hesitancy in making such a suggestion on behalf of these stricken people. Surely there must be some way in which to utter the admonition of the five great powers to restrain the hands of assassins in that unfortunate land."

President Woodrow Wilson:

Letter to Acting Secretary of State William Phillips;

September 18, 1919: ". . . get into communication with . . . the appropriate committees of Congress with regard to our being authorized to send troops to Armenia. I am heartily in favor of such a course if the Congress will authorize it . . ."

President William Howard Taft:

Taft Papers on the League of Nations, 1920: "On the whole, it is not too much to say that the people of the Jewish race have suffered more in this war, as noncombatants, than any other people, unless it be the Serbians and the Armenians."

President Theodore Roosevelt:

Letter to Cleveland Hoadley Dodge;

May 11, 1918: ". . . the Armenian massacre was the greatest crime of the war, and failure to act against Turkey is to condone it . . . the failure to deal radically with the Turkish horror means that all talk of guaranteeing the future peace of the world is mischievous nonsense . . . "

Annual Message of the President:

December 6, 1904: ". . . it is inevitable that [the United States] should desire eagerly to give expression to its horror on an occasion like . . . such systematic and long-extended cruelty and oppression as the cruelty and oppression of which the Armenians have been the victims, and which have won for them the indignant pity of the civilized world."

President William McKinley:

Annual Message of the President;

December 5, 1898: ". . . press for a just settlement of our claims . . . during the Armenian troubles of 1895 . . ."

President Grover Cleveland:

Annual Message of the President;

December 7, 1896: ". . . it would afford me satisfaction if I could assure the Congress that the disturbed condition in Asiatic Turkey had during the past year assumed a less hideous and bloody aspect and that . . . as a consequence of the awakening of the Turkish Government to the demands of humane civilization . . . the shocking features of the situation had been mitigated. Instead, however . . . we have been inflicted by continued and not unfrequent reports of the wanton destruction of homes and the bloody butchery of men, women, and chil-

dren, made martyrs to their profession of Christian faith."

Annual Message of the President:

December 2, 1895: "Occurrences in Turkey have continued to excite concern. The reported massacres of Christians in Armenia and the development there and in other districts of a spirit of fanatic hostility to Christian influences naturally excited apprehension. . . ."

President Benjamin Harrison:

Letter to Robert J. Thompson, Esquire;

December 14, 1894: "My indignation and sympathy have been greatly roused by the press reports of the fearful outrages practised on the Armenians."

House Joint Resolution 247:

September 10, 1984: ". . . April 24, 1985 is hereby designated as 'National Day of Remembrance of Man's Inhumanity to Man' . . . for all victims of genocide, especially the one and one-half million people of Armenian ancestry who were victims of the genocide perpetrated in Turkey between 1915 and 1923 . . ."

House Resolution 148:

April 8, 1975: ". . . April 24, 1975 is hereby designated as 'National Day of Remembrance of Man's Inhumanity to Man' . . . for all victims of genocide, especially the one and one-half million people of Armenian ancestry who succumbed to the genocide perpetrated in 1915 . . ."

Senate Resolution 359:

May 13, 1920: ". . . the testimony adduced at the hearings conducted by the subcommittee of the Senate Committee on Foreign Relations have clearly established the truth of the reported massacres and other atrocities from which the Armenian people have suffered."

Concurrent Resolution of Congress: "Armenian Outrages":

January 27, 1896: "Whereas the American people, in common with all Christian people everywhere, have beheld with horror the recent appalling outrages and massacres of which the Christian population of Turkey have been made the victims . . ."

U.S. Holocaust Memorial Council Chairman Elie Wiesel:

Days of Remembrance Commemoration, Capitol Rotunda;

April 30, 1981: "Before the planning of the final solution, Hitler asked, 'Who remembered the Armenians?' He was right. No one remembered them, as no one remembers the Jews. Rejected by everyone, they felt expelled from history."

U.S. Ambassador to the Ottoman Empire Henry Morgenthau:

Telegram to the Secretary of State;

July 16, 1915: "Deportation of and excesses against peaceful Armenians is increasing and from harrowing reports of eye witnesses it appears that a campaign of race extermination is in progress under a pretext of reprisal against rebellion."

ARMENIAN MARTYRS DAY

Mr. WILSON. Mr. President, I stand before this body to give recognition to April 24 as Armenian Martyrs Day.

April 24 is a significant day for all Armenians and those of Armenian descent. Each year, this community remembers and mourns the loss of more than 1.5 million men, women, and children slaughtered by the Ottoman Turks in the early 1900's. You will not meet an Armenian today who has not lost at least one close relative in this genocide. In addition, Armenians throughout the world also remember the half million survivors, many of whom came to this country to seek refuge and to build a better life. Yet it is through these people that this significant act of history is remembered. We are fortunate that there are still survivors of this ordeal living today and it is through their personal experiences that this event is remembered and preserved.

While the magnitude of the pain and suffering that occurred is real, what has been equally as disturbing are the attempts to simply rewrite this history. Even though this was the first mass organized slaughter in this century, this atrocity has been largely ignored in history books. This is a great danger and we must make every effort to ensure that we learn and remember the Armenian massacre.

This year, the United States has made a great stride by ratifying the Genocide Convention. This action puts the United States on record as opposing genocide and ensures that this country will take the necessary steps to ensure that all acts of genocide will be remembered. For many years, the United States refused to ratify this convention due to the legal ambiguities that are encompassed in such a treaty. However, after clarifying the intentions of the convention, I, along with 84 of my colleagues, voted to ratify the convention. This is a demonstration of United States resolve to learn from the past to ensure that such actions will never happen again.

Mr. President, Armenians today have set aside April 24 as a day of remembrance. The world would do well to follow the example of their devotion. We must pledge the United States to remembrance of the Armenian genocide. We must do this for the sake of their victims and survivors; for their counterparts in Nazi Germany, Southeast Asia, and elsewhere. And for ourselves.

ARMENIAN GENOCIDE DAY

Mr. SIMON. Mr. President, on April 3, we celebrated Armenian Appreciation Day, a day to commemorate the Armenian people who have struggled for freedom throughout their history. Today, April 22, we pay tribute to the estimated 1.5 million Armenians who were massacred at the hands of the Ottoman Turkish troops. The Armenian people were virtually eliminated from their homeland as a result of a carefully planned act of genocide by the Ottoman Turks.

Today, on this 71st anniversary of this tragedy, it is important to call this massacre what it was—genocide. By publicly acknowledging this, we Americans can hope to prevent any future attempts of annihilation of a people on the basis of their race or beliefs.

In February, the Senate ratified the Genocide Treaty, a vote that was long overdue. With passage of the treaty, I believe we have demonstrated our desire to prevent any further acts of genocide upon an innocent group of people. The Armenians have suffered greatly because of this brutal series of massacres.

The sons and daughters and grandchildren of the victims of this genocide have gone on to contribute much to those societies in which they now live, including our own country. We can only hope that the international community has learned from this experience and will come together to prevent such tragedies from ever happening again.

ARMENIAN GENOCIDE

Mr. BRADLEY. Mr. President, I join my colleagues in honoring Armenian-Americans as they mourn the genocide of their ancestors. Between 1915 and 1923, over 1.5 million Armenians were slaughtered by the Turkish Ottoman Empire and 500,000 survivors were forced from their homeland. There are some who ignore extensive historical documentation and insist that these events never occurred. Others argue that tragedies are best forgotten. I disagree. We need to remember these events so that history does not repeat itself.

There is a great need to educate Americans and the rest of the world about the horrors of genocide. During this century alone we have witnessed the massacre of the Armenians, the Holocaust of the Jewish people in World War II, and the mass murders in Cambodia. Even today, Soviet forces in Afghanistan are attempting to systematically annihilate the Afghan people and their culture.

Today, as we acknowledge the 70th anniversary of the Armenian genocide, many Armenian-Americans are haunted by the memory of their own experiences or the suffering inflicted upon their families. At this time of sorrow we can all be proud that the U.S. Senate recently ended nearly four decades of delay and ratified the U.N. Genocide Convention. I was pleased to vote for ratification. Our action sends a clear message to all nations of the world that the United States is willing to take action on the matter of genocide.

Americans must never forget the Armenian martyrs. I am pleased to join my colleagues today to pay tribute to those who died and those who survived this tragic event.

Mr. RIEGLE. Mr. President, I am pleased today to join with my colleague from Michigan [Mr. LEVIN] in paying tribute to the 1.5 million Armenian men, women, and children who were the victims of the first genocide of the 20th century.

Just 2 months ago, the Senate voted overwhelmingly to ratify the Genocide Treaty, thus ending a 38-year effort to place the United States on record with

96 other nations of the world in declaring the use of genocide as an instrument of national policy—against any people, by any nation, at any time—a crime against all of humanity.

Despite the Senate's condemnation of the crime of genocide, and the specific citing, during Senate floor debate, of the Armenian tragedy, the world has still not fully acknowledged the suffering inflicted on the Armenians by the Turkish Ottoman Empire 71 years ago.

And so, we are here today to retell the story and to recount the facts relating to the Armenian genocide. We do so in order to make the historical record clear and to challenge the claim that this genocide never occurred.

The Government of the Republic of Turkey today continues to deny the facts in this case. In a letter to me dated February 28, 1986, the Turkish Ambassador to the United States stated that "no reliable evidence exists to justify the allegation that the Ottoman Empire either planned or carried out a systematic massacre of its Armenian population."

Our own Government has recently cautioned the Congress against making too big an issue out of the fact that millions of Armenians were murdered or forced to leave their homeland because of the brutal policies of the Turkish Ottoman Empire. To do so, it is argued, risks harming U.S. relations with an important ally, Turkey.

What we are being asked to do, it seems to me, is close our eyes to a genocide because of other policy considerations; to, basically, set new conditions which tell us when it is acceptable to acknowledge that a genocide occurred and when it is not.

This is intolerable. Not to fully acknowledge the full extent of the suffering of the Armenian people is an offense not only to the victims of that genocide, but also to those who survived and the generations of Armenians that follow.

It also raises a question as to how committed our Nation is to fulfilling the mandate of the recently approved Genocide Treaty, to tell the story of man's inhumanity to man so that future generations might learn from past mistakes.

And so we must restate the facts as we know them.

First, we know that 1.5 million Armenians perished following systematic persecution and massacre by the Ottoman Turkish Government during 1915-23.

The full horror of the massacres began on the night of April 14, 1915, when the Turkish police rounded up all of the Armenian intellectuals from their homes in Constantinople, effectively silencing the voice of a generation. In the villages, Turkish soldiers gathered the unarmed Armenian men into the village square, and executed them.

The approximately 250,000 Armenians serving in the Ottoman Army during World War I were disarmed and placed in forced labor battalions where they were either starved or executed. The Armenian people, deprived of their leadership and young able-bodied men, were disarmed under threat of severe punishment, and then deported from every city, town and village of Asia minor and Turkish minor. The majority of the deportees died on the marches from starvation, disease, and massacre. Some 500,000 refugees escaped to the north across the Russian border, south into Arab countries, or to Europe and the United States.

Second, we know that our own State Department and the United States Ambassador to Ottoman, Turkey, Henry Morgenthau, led the outcry against the atrocities at the time.

For years, Morgenthau tried to alert our Government to the tragedy. In one message he wrote:

> When the Turkish authorities gave the orders for these deportations they were merely giving the death warrant to a whole race.
>
> I have by no means told the most terrible details, for a complete narration of the sadistic orgies of which these Armenian men and women were the victims can never be printed in an American publication . . . I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915.

On several other occasions, Ambassador Morgenthau wired the U.S. State Department with the facts. In a "confidential" telegram of July 16, 1915, he stated:

> Deportation of and excesses against peaceful Armenians is increasing and from harrowing reports of eye witnesses it appears that a campaign of race extermination is in progress under a pretext of reprisal against rebellion. . . . Protests as well as threats are unavailing . . .

Morgenthau, in his published memoirs, tells of these confrontations with Talaat Pasha, the Ottoman Minister of the Interior. One was as follows:

> Americans are outraged by your persecutions of the Armenians. You must base your principles on humanitarianism, not on racial discrimination, or the United States will not regard you as a friend and an equal. You say that, if victorious, you can defy the world, but you are wrong. You will have to meet public opinion everywhere, especially in the United States. Our people will never forget these massacres.

Third, we know that Kemal Ataturk, founder of modern Turkey, condemned the genocide. In a 1926 article, he wrote of those turkish rulers "Who should have been made to account for the lives of millions of our Christian subjects who were ruthlessly driven en masse from their homes and massacred."

Fourth, we know that American newspapers printed hundreds of articles about the massacres. Stories of the suffering of the Armenians appeared in the New York Times, the Christian Science Monitor and dozens of American newspapers. The American public was alerted to the tragedy through coverage provided in literary journals and magazines, and through sermons which were delivered in Protestant and Catholic churches as well as Jewish synagogues at the time.

The terrible suffering of the Armenians during the period 1915-23 must not be denied.

To believe the Turkish claim that the world is misinformed and that the genocide never really occurred flies in the face of the facts as recounted by American missionaries, the American consular officials, the American Ambassador, past American Presidents, and the American people.

Beyond all of the Turkish and foreign witnesses to the Armenians' genocide—which include Americans, Russians, Germans, Austrians, Frenchmen, Englishmen, Italians, Greeks, and Arabs—we have the testimony of the Armenian eyewitnesses survivors themselves. The facts, as recounted by the survivors, provide the most compelling evidence of the tragedy which occurred.

To the Armenians who survived and their families, the facts are indisputable. For they still carry with them the painful memories of this tragedy. Indeed, every Armenian family has been scarred by the events of the past about which we speak today.

The few survivors and their descendants have been struggling with this memory for too long. The world has refused to recognize the Ottoman action as genocide. Turkey has orchestrated a vocal, bitter campaign to deny these million and a half murders, and has gone to great lengths to muzzle any recognition or criticism of the Armenian genocide in this country.

We owe it to every victim of genocide to remember the horrible events of the past, to better understand and appreciate the magnitude of suffering involved, and to educate our children so that these terrible acts will not be repeated.

The Armenian-American community is recognizing the importance of public education to their struggle to achieve world recognition of the atrocities that befell 1.5 million of their people.

With the hope that a better understanding of the Armenians will ultimately result in a more positive, sympathetic acceptance of the Armenian tragedy, efforts to share the riches of the Armenian civilization and the tragedies of the Armenian experience are moving ahead.

The opening of the Armenian Research Center at the University of

Michigan-Dearborn next month will facilitate important research and study into the Armenian question and the history of the Armenian people.

Central to the operation of the research center is the establishment of a computer data base which will enable the center to store in the computer all the relevant information contained in print on Armenian history and culture as well as the Armenian genocide. The center can then be a major resource center for schools, colleges, and organizations interested in the story of the Armenians. It can also help to balance, with objective scholarship, the efforts of those who seek to alter history by denying the significance of the Armenian genocide.

Another critically important project undertaken in conjunction with the center for Armenian research at the University of Michigan-Dearborn, is the production of the film "The Witnesses." This film, which records the accounts of 28 eyewitness survivors of the Armenian genocide provides important insights into this chapter of history.

Mr. President, nothing so clearly threatens our future than the refusal to recognize the mistakes of the past. The stories of the survivors can help us come to terms with those facts, and, in so doing, bring justice to the Armenian people.

We still do not have justice. We still have a situation in which an accounting has not been made, and we must maintain the pressure until it is made.

Until justice is done, neither the victims of genocide nor the conscience of our Nation can rest.

When it was suggested to Hitler that world public opinion would be hostile if he proceeded with his so-called final solution of the Jewish problem, he retorted: "Who remembers the Armenians?"

Perhaps he thought no one would remember his crimes. We must show that we do remember, and that we do care. For ignorance of history is an invitation to repeat it.

And so today we pledge to work with Armenian-Americans and other concerned citizens to illuminate this issue, to remind ourselves about it, to dedicate ourselves to making sure not only that history is clear about what has happened, but also to put ourselves in a stronger position to resist the evil forces that bring about events such as this.

Mr. DECONCINI. Mr. President, today we commemorate the 71st anniversary of the beginning of the Armenian genocide in the Ottoman empire. It is a day set aside for remembrance of the victims of all genocides, but especially for those 1.5 million Armenians who were brutally persecuted from 1915 to 1923. The senseless persecution and slaughter of Armenians during the outbreak of World War I resulted in the banishment of Armenians into a fragmented and scattered people.

The displacement and death that resulted from this persecution have left thousands without a homeland. It is the responsibility of everyone in the world community never to forget these horrible atrocities. This genocide was the first of a long line of sadistic attempts to annihilate an entire race due to prejudice and unfounded hatred.

As Americans, it is important to recognize the moral obligation we have to aid any group of peoples who are being persecuted and to defend them against any further attempt of genocide. We have learned that evil does not stop its terrible yet persistent spread when ignored, and that its reassuring lies are able to lull nations into ignoring the plights of unprotected peoples. We can only look back now at the undeniable truth of the attempted genocides of other peoples: Jews, Russians, and Cambodians. To remember these victims is to ensure that history will not repeat itself and that men will never again stand idly by to watch the decimation of fellow humans.

The approval of the Genocide Convention this year by this esteemed body represents the commitment Americans have to recognizing and ending past and present genocides. While I commend and applaud this success, I am concerned with the future. We must periodicially pause and reflect to move toward a better future for the generations to come. We recognize Armenian Martyrs' Day in somber salute to persecuted peoples everywhere. And, to answer Hitler when he asked, "Who remembers the Armenians?" Today, we remember them. I pledge that we will never forget.

THE ARMENIAN GENOCIDE

Mr. LAUTENBERG. Mr. President, on this 71st anniversary of the Armenian genocide, we recall with sorrow the 1.5 million men, women, and children who died in the first genocide of the 20th century.

Between 1915 and 1918, over 1½ million Armenians perished of starvation and butchery at the hands of the Ottoman Turks. The genocide involved not only the killing of innocents but their forcible deportation across Asia Minor. They were persecuted, banished, and slaughtered while much of Europe was engaged in World War I.

Acknowledgment of the Armenian genocide is particularly fitting since this year the Senate at long last has ratified the Genocide Treaty. It was Prof. Raphael Lemkin, a lawyer who escaped Poland during the Nazi invasion of 1939, who first coined the world genocide in 1944. After designating the term "genocide" to describe the deliberate destruction of a people, Lemkin became the first person to characterize the atrocities of 1915-23 as the "Armenian genocide." In his tireless work for the ratification of the Genocide Convention, he repeatedly referred to the Armenian genocide, together with Holocaust, as a prototype of the crime of genocide.

We must be ever vigilant against those who would deny the truth or downgrade the horror of the Armenian genocide. It is our responsibility to help keep its memory alive for future generations. So, for the past 16 years, on or around April 22, Members of Congress have set aside a day to commemorate and reflect upon this timeless tragedy.

Remembering is a way to serve notice on those who would perpetrate future genocides that we will not forget, nor permit it to happen again. Who still talks nowadays of the extermination of the Armenians? Hitler asked his top commanders on August 22, 1939, as they prepared for the invasion of Poland. Let us make sure he would not ask such a question today.

THE 71ST ANNIVERSARY OF THE ARMENIAN GENOCIDE

Mr. MOYNIHAN. Mr. President, the passing of seven decades has not lessened the tragedy of the Armenian genocide. The death of over 1½ million Armenians at the hands of the Ottoman empire is a crime of such magnitude, and of such profound historical significance, that the commemoration of this event is essential. Genocide was unheard of until the suffering of the Armenian people helped force the coining of that term. To remain vigilant against the recurrence of such a crime, we must never lose sight of the events 71 years past.

THE 71ST ANNIVERSARY OF THE GENOCIDE AGAINST THE ARMENIAN PEOPLE

Mr. DODD. Mr. President, I rise to join my colleagues in this special order to commemorate one of the darkest events in 20th century history, the genocide against the Armenian people that started 71 years ago.

The fact that after 37 years of unnecessary delay the Senate in February gave its advice and consent to the ratification of the Genocide Convention gives a particular poignancy to this commemoration. Many of us, who consistently supported the convention throughout the years had used the example of the Armenian genocide over and over to warn about the consequences of indifference to and ignorance about such horrible crimes against humanity.

Remembering the Armenian genocide does not mean engaging in pointless recriminations or rekindling ancient hatreds. It means setting the historical record straight and learning from that record. The massacre of the Armenians was followed by the Nazi Holocaust against the Jewish people.

More recently genocide was arguably committed in Cambodia and is being committed in Iran against the adherents of the Baha'i faith. The historical lesson of the Armenian genocide, if recognized and utilized in time, could have prevented or at least mitigated these later tragedies. As it were, the lesson was ignored the world remained indifferent and silent to the plight of the Armenians and, as a consequence, other millions paid with their lives.

Today, when we remember the 1.5 million Armenian victims, we have to rededicate ourselves to assuring that genocide will disappear as a tool of statecraft even for the most extreme regimes. Let us remember, for instance, that our responsibility with respect to the Genocide Convention has not been discharged yet. The enacting of the implementing legislation is still ahead of us. To go ahead speedily with that task would pay a more meaningful tribute to the memory of the victims of past genocides than the most eloquent speeches we may deliver here today.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF SENATOR PROXMIRE

The PRESIDING OFFICER. Under the previous order, the Senator from Wisconsin [Mr. PROXMIRE] is recognized for not to exceed 5 minutes.

WHY THE COST OF BUILDING STAR WARS WILL EXCEED A TRILLION—TOTAL COST TWO TRILLION, PLUS

Mr. PROXMIRE. Mr. President, what will it cost the United States to build the strategic defense initiative [SDI] or star wars? Now, notice Mr. President, I do not ask how much this country must spend to transport this hardware into space. I do not include in this speech the cost of maintaining the star wars system once we have it fully deployed. In this speech I include nothing for modernizing star wars to keep it ahead of the inevitable advance of Soviet offensive nuclear weapons. I include nothing for the cost of research on star wars.

That research is just beginning. It is expanding very rapidly. It has, in fact, tripled in the last 3 years. It will quadruple in 1987 if the administration has its way. It is expected to reach $50 billion before deployment gets underway. And, of course, it must go on, probably at an increasing pace even after the system is deployed, if we are to keep star wars modernized and effective. But for the purposes of this speech I am ignoring the cost of research, the cost of transporting the hardware into space, the cost of maintenance of the system in space, and the cost of modernizing and constantly improving the star wars deployment. For purposes of this speech I am talking only and exclusively about the cost of building the hardware.

In this speech, of course, I am not using classified material. My estimates are strictly estimates, not official data. They are based on common sense, educated guesses. I have discussed these costs with highly competent and informed persons. These persons disagree among themselves about the precise cost of each of these weapons or sensors. In each case I have tried to arrive at reasonable estimates by approximating a median or consensus among the differing experts. The estimates are strictly unofficial, and unclassified. They are probably at least as accurate as classified estimates because they come from independent scientists who have no ax to grind, and no special contract interest to serve.

Of all the weapons we need for star wars, the space-based kinetic kill vehicle will be the most costly. These vehicles provide the firepower heart of the antimissile defense. They are not uniform. They vary in size and capability. They also vary in cost. In general the cost would average about $500 million more or less per vehicle; that is, for each of them. How many do we need? Probably thousands. Two thousand would cost $1 trillion. Why do we need so many. We need them because each vehicle can only fire during a very limited fraction of its Earth orbit. That orbit must be relatively low so that it can be near enough to its target to initiate an effective strike. Because each vehicle has such a limited effective firing period and because the system must maintain the capacity to strike the adversary targets at all times we will need 2,000, 3,000, or 4,000. Why the huge cost? Because each must be hardened—able to stand a hit from the adversary. They must be maneuverable to avoid hostile fire. They should be capable of firing back to fend off concentrated attack.

While the space-based kinetic kill vehicle is the fundamental crux of the system, it cannot function effectively without the following supplementary weapons or sensors: First, ground-based lasers; cost per sensor, $2.5 billion; estimated number required, 15; aggregate cost, $37.5 billion. Second, boost surveillance and tracking systems; cost per sensor, $750 million; number required, 10; aggregate cost, $7.5 billion. Third, interactive discrimination lasers or particle beams; cost per weapon, $1 billion; number required, 10; aggregate cost, $10 billion. Fourth, space surveillance and tracking system; cost per sensor, $750 million; aggregate cost, $56¼ billion. Fifth, endo- and exo-atmospheric interceptor missiles; cost per weapon, $5 million; number required, 7,500; aggregate cost, $37.5 billion. Sixth, ground-based terminal imaging radar; cost per sensor, $250 million; number needed, 12; aggregate cost, $3 billion. Seventh, airborne optical adjunct planes; cost per weapon, $200 million; number needed, 12; aggregate cost, $2.5 billion. Eighth, battle management center, $1 billion; number needed, three; aggregate cost, $3 billion.

Mr. President, that means the total cost of building the hardware excluding, omitting, leaving out research cost, transportation into space cost, maintenance cost and modernization cost will very likely exceed $1 trillion. The space-based kinetic kill vehicle alone will cost a trillion or more by itself. Additional essential weapons would add, on the basis of the calculations I have made in this speech, an additional $156.75 billion.

Physics Today has estimated the cost of star wars at roughly $2 trillion. As I have indicated in other speeches, because of the grossly underestimated cost of transporting this hardware into space and of maintaining and modernizing it, this $2 trillion estimate is more likely to be an underestimate rather than an overestimate.

Maintaining and modernizing the star wars system once it is in space will, in my judgment, cost between $200 billion and $300 billion a year. In other words, it will come close to doubling the cost of our defense.

TRIBUTE TO ARMENIAN GENOCIDE VICTIMS

Mr. PROXMIRE. Mr. President today we pay tribute to the 1.5 million Armenians who perished after a systematic persecution and massacre during the period of 1915-23. This year being the 71st anniversary of the Armenian genocide, we recognize this tragedy as one of the darkest episodes in recorded history.

The Armenian persecution began in 1894, when, in the 2-year period leading up to 1896, 300,000 were killed under the reign of the Ottoman Sultan Abdul Hamid II. Thirteen years later, another 21,000 Armenians were massacred in Cilicia, Turkey.

While the preceding events seemed horrendous in themselves, the most brutal physical destruction of Armenians began in 1915.

Many of the victims were put into labor camps and worked to their death during the Turkish preparation for World War I. The majority, however, died while marching across the Syrian

Desert after being denied food and water for days at a time.

Apart from the 1.5 million who perished between 1915 and 1923, another 500,000 refugees escaped north to Russia or fled elsewhere in Europe, the United States, and the Arab countries. The Armenians were, therefore, essentially eliminated from their native homeland.

Many would like to forget that such atrocities ever occurred. We must, however, remember them to deter men such as Hitler, who scoffed at the idea that the extermination of the Armenians would be remembered for what it was—a mass annihilation of innocent people. We can thankfully now hold our heads higher knowing that acts such as these will never be accepted nor forgotten while observing our recent ratification of the Genocide Convention.

Mr. President, although I condemn the atrocities that were perpetrated on the Armenian people, I do not endorse or condone any terrorist action against Turkish nationals by Armenian terrorists. Such acts of violence are unacceptable and do nothing to help the cause of the Armenian people.

MYTH OF THE DAY: TERRORISM IS NOT A THREAT TO EUROPE

Mr. PROXMIRE. Mr. President, the myth of the day, and this one comes from overseas with many of our allies, is that terrorism is not a threat that warrants military action like what the United States just took against Libya.

Now the European governments, Mr. President, have given us enough excuses to fill up the Mediterranean on why they will not act against Colonal Qadhafi. And when I speak of European governments, I am exempting Prime Minister Thatcher's government in Great Britain, which stood tall with us in fighting Qadhafi.

As I said, Mr. President, the European excuses run all over the map for not striking back at Qadhafi's terrorism. There is the excuse that we have to solve the underlying causes of Middle East discord before we attack terrorism. There is the excuse that fighting the terrorism only breeds more terrorism. There is the excuse that innocent civilians get hurt when you attack terrorists.

Now there is some merit to these excuses and the countless others the Europeans have offered for not striking back at terrorism.

But let us lay it on the line, Mr. President. The real reason European nations like France, Italy, and Germany have so far refused to take military action against Libya and other states that sponsor terrorism is that they do not see this terrorism as being a significant threat to them yet.

Sure, the Italian Government does not like to see passengers in its Rome airport attacked. Sure, the West German Government is not thrilled about Berlin discotheques being blown to bits. And, sure, the French Government is upset over all the car bombings in Paris.

But these governments still do not perceive the terrorist attacks as a significant threat to their security. In other words, it is not a problem as bad as the problem they see in a cutoff of Libyan oil to them or a break in the trade they conduct with Libya. That is the bottom line, Mr. President. The terrorist attacks are not considered enough of a threat to warrant breaking off lucrative economic ties with Libya.

But that bottom line, Mr. President, is a myth.

Terrorism has now become a significant military threat to Europe, and it is time for the European governments to stop operating under the myth that it is not.

It is time for them to realize that any cutoff in Libyan oil would cripple Qadhafi more than it would hurt Europe.

It is time for them to realize that the loss in trade with Libya may well be far outweighed by the loss in tourism to their countries. Just call up any travel agent and you will find out how popular a European vacation or a Mediterranean cruise is at the moment.

It is time for them to realize that the terrorism nations like Libya, Syria, and Iran sponsor does not represent an airport security problem for them. It is not an Interpol problem. It is not an intelligence problem.

It is a military threat. It is a threat to their national security.

And it is a myth to believe otherwise.

NUCLEAR WASTE POLICY ACT AMENDMENTS

Mr. PROXMIRE. Mr. President, I am pleased to join with Senator MITCHELL in introducing amendments to the Nuclear Waste Policy Act, terminating the search for a second nuclear waste repository.

Why are we offering this bill? The answer is simple. We do not need a second repository and we never did. No scientific or technical reasons compel the current repository site limit of 70,000 metric tons. Congress enacted this capacity requirement solely for political reasons in order to speed passage of the Nuclear Waste Policy Act in 1982.

The Department of Energy's own most recent projections of the total volume of nuclear waste needing disposal show a steady decline since 1979. Instead of their 1979 projections of 220,000 metric tons of civilian waste by 2020, by 1985, this figure had declined to just 75,000 metric tons using DOE's own "no new orders" option. Defense waste adds just another 10,000 metric tons to the total. This reduction in waste is due to cancellation of large numbers of nuclear powerplants after the accident at Three Mile Island.

Limitations on site capacity are based on the thermal loading qualities of each site. What this means in laymens terms is that the cooler the waste, the more that can be placed underground in a given area. Heat content of nuclear waste declines rapidly over time so that 10-year-old spent fuel has lost 80 to 90 percent of its heat, with a loss of 30 percent more in the following 30 years. Therefore, any method which allows further cooling increases the capacity of the storage facility.

The Department of Energy has produced no evidence that any of the sites nominated as potential first repositories cannot safely accommodate at least 100,000 metric tons of nuclear waste.

Equally important, techniques now exist which can significantly reduce the amount of existing nuclear waste. Even if large numbers of new reactors come into service in the next 20 years, these new techniques would still eliminate the need for a second site.

For example, extended burnup of spent fuel, which increases the efficiency of reactor fuel use, can mean waste reductions of between 15 percent and 40 percent depending on the type of nuclear reactor.

Increasing utilities on-site storage facilities through reracking, dry cask storage or building new facilities would reduce storage demands still more.

Unfortunately, under current law, there is no incentive for utilities to spend money on waste reduction. But if we allow DOE to spend its waste funds on demonstrations of new waste-reduction technology, the waste program will save money in the long run by eliminating the second site.

Utilities should also be offered incentives to reduce waste on their own.

Monitored retrievable storage facilities, already authorized under the Nuclear Waste Policy Act, should be used to buy time, extending the life of the first waste facility even further.

Mr. President, obviously if the DOE implements all or even some of these techniques there will be no need for a second site. With cost estimates pegged at $10 billion and counting, there is no reason to squander further billions on an unnecessary search for an unneeded second site.

DEDICATION OF THE NATIONAL FITNESS AND JOGGING CENTER

Mr. PROXMIRE. Mr. President, I would like to call your attention to the National Fitness and Jogging Center

at Fourth Street and Independence Avenue, SW., which is to be dedicated tomorrow at 11 a.m.

This new facility was donated to the people of the United States by Joseph H. Kanter, a Florida-based banker and jogging enthusiast. On a recent visit to the Capital, Mr. Kanter noticed all the Government workers and visitors jogging on the Mall and wanted to provide a public facility for warm-up, strengthening, and cool-down exercises.

The result is a fully accessible fitness course with twenty pieces of "Parcourse" fitness equipment for stretching, leg lifts, vaulting, et cetera. It will be a welcome addition for Members, staff, and all the others who jog or walk on the Mall each day.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business for not to extend beyond the hour of 12 noon with statements limited therein to 5 minutes each.

SENATOR QUENTIN BURDICK

Mr. BYRD. Mr. President, I have recently read a fascinating article about our distinguished colleague, the senior Senator from North Dakota, QUENTIN BURDICK. Published in the February 17 edition of the Bismarck Tribune, the article accurately portrays QUENTIN BURDICK as we all know him. He is a man of singular ability. He is a resolute, independent-thinking, determined Senator. No one pushes him around. He knows his own beliefs on every issue, and he is fully attuned to the needs and desires of his constituents.

And, Mr. President, I do not know anyone who does not like QUENTIN BURDICK. He is not given to overblown rhetoric or windy speeches that do not say very much; to the contrary, he is self-effacing with a dry wit that wins him friends and allies in every pursuit. He is a stalwart and a workhorse in this Chamber who has capably served the people of North Dakota and our Nation as a whole.

I ask unanimous consent that the article I have referenced be printed in the RECORD.

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

[From the Bismarck Tribune, Feb. 17, 1986]

BURDICK: I'M FIT IN POLITICS AND GYM

GRAND FORKS (AP)—Although Sen. Quentin Burdick concedes his age will be an issue in the 1988 elections, he said he felt more than vigorous enough for a run at another six-year term.

And, Burdick said Sunday, he will not suffer gladly any opposition gibes about his fitness.

"I'm willing to challenge any (political opponent) in a gym who thinks I'm not fit," the 77-year-old senator said. "I've taken good care of myself . . . I've had a pretty active life."

Burdick will be 80 on June 18, the year his current six-year Senate term expires. Talk of a possible primary challenge for his seat from Rep. Byron Dorgan, D-N.D., does not deter him in his determination to make the race.

"If I'm able to stagger around from town to town, I'm running (and) I'm not going to be staggering," Burdick said. "I'll run if I don't have a vote."

He intends to run even if he fails to win the endorsement of state Democrats in the primary, the senator said.

Burdick was elected to the Senate in 1960, after the death of William Langer, one of the most colorful figures in North Dakota political history. He stands to reap significant gains from his seniority if the Democrats regain Senate control, Burdick said.

For example, he will be entitled to be chairman of a Senate committee on public works and a subcommittee on appropriations for agriculture if the Democrats wrest Senate control from the Republicans.

Even if the Senate remains in Republican hands, he stands to be the ranking Democrat in that chamber, Burdick said.

"I'll be in a position of importance. I'll be in a position of power after all these years, and I'm not going to give it up," he said.

Dorgan, who is running for re-election to his U.S. House seat, has declined to speculate on his plans for 1988. Burdick said, however, that he looks upon Dorgan as a potential opponent.

"I'll be able to do more for the state in my position than (Dorgan will) be able to do in 15 or 20 years," Burdick said.

His age will be an issue in the campaign, Burdick said. The senator is a karate enthusiast who prides himself on his physical fitness, and he said he was ready to "take a crack" at any political challenger who disputes his ability to serve.

"It'll be a factor," Burdick said of his age. "It could be the only factor."

But he dismissed concerns that he is too old to serve, saying that he was only two years older than President Ronald Reagan, who turned 75 on February 6. Burdick will be 78 on June 18.

"I feel I'd be a deserter if I didn't run," he said.

CANADIAN RELATIVES

Mr. HATCH. Mr. President, it is of vital importance that we continue to have close, friendly relations with the people and government of our northern neighbor, Canada. In so many areas our interests overlap, and we can truly say our fates are inextricably linked. On national security issues, business and economic issues, environmental issues, natural resource issues, water rights issues, and more, we must continue to work together in a spirit of dialog and compromise to insure that Americans and Canadians are able to carry on our partnership well into the future.

Six years ago, Mr. President, I had printed in the RECORD a paper written by Mr. J. Duncan Edmonds which outlined the many benefits which would accrue to Americans and Canadians by the passage of a Treaty of North America. Mr. Edmonds' insightful comments were, and still are, I believe, worthy of consideration. Recently, Edmonds spoke before a roundtable urging that the United States and Canada sign a trade agreement in order to boost the economies of both nations. Mr. Edmonds is now director of several Canadian companies and a former member of the Mulroney government, and operates his own international public affairs consulting firm with offices in Ottawa and Boca Raton, FL.

I commend his remarks to my colleagues, and ask unanimous consent that they be printed in the RECORD.

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

THE CANADA/UNITED STATES RELATIONSHIP TODAY: A CRUCIAL MOMENT OF OPPORTUNITY

ANNUAL VISITING ASSOCIATE'S LECTURE TO THE AMERICAS SOCIETY

(J. Duncan Edmonds)

These are interesting times for those of us involved in the study of Canada-United States relations. Sometime in the next few months formal negotiations between Canada and the United States will commence with the objective of concluding a signficant new comprehensive trading agreement. Whatever the outcome of the talks and whatever the nature and scope of the actual agreement negotiated, historians in the future will undoubtedly focus on this period as a "crucial moment of opportunity" [1] in the long evolution of this unique relationship between these two North American allies and friends who already share the world's largest and richest bilateral trade relationship, which will exceed 120 billion dollars this year. What may be described in a rather low key manner by some Canadian politicians as merely a possible trade deal concerned with defining and negotiating a number of complicated details regarding tariff and non tariff barriers in order to strengthen the Canadian economy may, in truth, be something much more.

If the talks are successful the agreement will signal the beginning of another, and perhaps even the final, stage in the process of economic integration which has been steadily evolving between Canada and the U.S. over many decades. This reality will raise fundamental historic political issues in Canada related to sovereignty, independence and identity, the role of market forces as opposed to government intervention and a series of fundamental questions regarding the ratification and implementation process as well as the institutional basis for managing the new relationship in both countries. If on the other hand a trade agreement is not effectively put in place with the U.S., while Canada will undoubtedly continue to pursue multilateral negotiations through the GATT, these are unlikely to solve the continuing problems of Canada's economic vulnerability vis-a-vis the U.S., and serious negative implications for the Canadian standard of living will become apparent. Strong pressures will develop for a new industrial strategy with the inevitability of increased governmental intervention in planning and directing the economy with less reliance on market driven economics. Thus, whatever the outcome of the talks, the proc-

ess which we observe over the next few years will significantly shape the agenda for Canadian politics for the next decade. In fact, one might go even farther and suggest that we are about to view the architectural drawings for the next stage of the Canadian destiny.

Some people would say that this statement is ridiculous, too grandiose and exaggerated. I don't agree. However, it may well be true that the vision of the political architects and the quality of their handiwork will be inferior and not meet the test of time. Perspective is the indispensible requirement for the architect. Everything is related to everything else and it is only the perspectives that clarify the relationships and give meaning and direction to the outcome. The problem today is that we are far too immersed in the present short-term optic. Conspicuously absent from much of the current discussion is a sense of perspective, both in the historical dimension of looking back and in the conceptual dimension of looking forward to contemplate where we might be heading.

Seventy-five years ago this week, in mid January 1911, the Hon. W.S. Fielding, Minister of Finance in the government of Sir Wilfrid Laurier, concluded an agreement in Washington providing for reciprocity between Canada and the United States. Thus an issue which had significantly influenced Canadian politics for most of the preceding 50 years was finally joined and in the general election a few months later the Laurier government went down to a crashing defeat at the hands of Mr. Borden and the Conservatives.

The overall relationship with the U.S. focussed chiefly on the trade and general economic dimension has been, throughout Canadian history, a dominant issue and a continuing preoccupation of the Canadian political leadership and has been closely related to the ongoing struggle for a Canadian identity. Indeed, every Canadian prime minister from Macdonald to Mulroney has had to face this reality as a central challenge of the times in which he governed. As Bruch Hutchison put it in his study of Canadian Prime Ministers—

"All these men, so different as private persons and public figures, have confronted, but seldom dared to utter, the same question that none knew how to answer.

"Could a nation conceived in vague compromise and dedicated to the defiance of continental logic long endure? Would Canadians permanently pay the price set by nature for their endurance? Or, rejecting the price—especially the price of biracial toleration between themselves—would they admit defeat, accept the logic, liquidate the national experiment and fall piecemeal into the embrace of their rich American neighbours?" [2]

The manner in which each prime minister faced the American issue reflected his vision or dream for Canada and in large measure dominated his period in office. Sir John A. Macdonald, immediately after Confederation in 1867, faced the reality of the Americans terminating the reciprocity agreement of 1854 which had brought significant benefits to Canada. Perhaps symbolized by the conspicuous absence of even an acknowledgement, let alone a message of congratulations, from the American President, the new Canadian Conferation began life preoccupied with its relationship with the U.S., a situation which continues to the present day. Indeed, the strong presence of the U.S. with its tumultuous civil war behind it and with a "manifest destiny" ahead of it, had provided a significant impetus for Confederation in the 1860's.

Macdonald made some efforts in 1869 and again in 1871 to reopen discussions with the Americans essentially to put back in place the agreement of 1854. There was very little interest on the American side. Indeed, this whole experience with the United States during his first few years in office had a very negative impact on Macdonald and provided a key impetus to the development of his national policy which he unveiled in 1879. This important policy with its highly protective tariffs in many ways laid the foundation for the Canadian industrial system we have today. As Macdonald developed his policy, while at the same time building a railroad and developing a sense of Canadian nationhood, he created the framework for the Canadian nation.

Macdonald was out of office for a few years in the 1870's. Alexander Mackenzie, the first Liberal Prime Minister, appointed George Brown, the founder and publisher of "The Globe", then and now Canada's most significant newspaper, to negotiate a reciprocity treaty with the United States. Brown was successful in negotiating quite a comprehensive agreement in 1874 but the treaty failed to obtain the necessary approval of the U.S. Senate. In his biography of Brown, the historian J.M.S. Careless, [3] in analyzing the reasons for this failure, notes that "A Canadian agreement was not a vital matter to the United States." A rather significant sentence which we may see again in our own time! 1874 clearly represented a moment of opportunity which was lost for both sides. Indeed, it is interesting to speculate today as to what the effect would have been in Canadian economic development had that initiative gone forward.

Macdonald fought his last great campaign in 1891, accusing the new Liberal leader, Laurier, and his party of "veiled treason" because of their willingness, as perceived by Macdonald, to sell out to the United States. Interestingly and amusingly, as a result of a secret pamphlet he had written for some Americans providing advice on how to negotiate with Canada, an editor of The Globe, Mr. Edward Farrer, was cast by Macdonald and the Tories as a great villain conspiring with the Americans and the opposition against Canadian interests. Shades of John Diefenbaker 70 years later! Laurier, the first French Canadian Prime Minister, was finally victorious in 1896. His positive attitude towards the U.S., combined with the traditional Liberal policy of free trade, led to the reciprocity agreement of 1911 and contributed significantly to his subsequent defeat in the election held in the summer of that year. That election, which has been well studied by Canadian historians, is still remembered today as one of the most significant in Canadian history. The Liberal Party split badly over reciprocity, particularly in Ontario and Quebec. Most historians are agreed that the economic aspects of the issue were transcended by political and cultural and other fears of Canadians regarding the implications for Canadian sovereignty of any closer association with the U.S.

Fifty years ago, coming out of the depths of the depression of 1935, there was a successful bilateral trade agreement between Canada and the United States. This agreement is repeatedly mentioned in very positive terms now by Canadian leaders as they prepare for the current negotiations. Curiously none of the politicians refer to any other aspects of the history of Canada-U.S. trade discussions.

In the early months of 1948 William Lyon Mackenzie King gave authority to his officials to negotiate another reciprocity treaty with the United States. This time the initiative came from the U.S. side and a treaty was actually drafted. [4] While the Canadian side proceeded in secrecy, the U.S. side wanted to get the treaty through Congress in the spring, in time for the forthcoming presidential elections that fall. The matter became public in the U.S. in March and this led to a vigorous and negative reaction in Canada, perhaps best exemplified by The Globe and Mail which harshly proclaimed "Not on your life".

Mr. King, obviously affected by the reaction and concerned by the American haste, never proceeded and the whole matter was simply buried. This curious and significant event in Canadian history has not received much comment or analysis over the years, although Ted English, [5] a well respected senior Canadian economist, has referred to this failure as "probably Canada's most regrettable missed opportunity." King must have recalled the lessons from his mentor Laurier in 1911. Perhaps the best clue came from King himself, in one of his last entries to his life-long diary, a few weeks before his death in 1950, he wrote, "The more I think over the whole situation, the more I believe . . . that the U.S. foreign policy at bottom is to bring Canada into as many situations affecting themselves as possible with a view to leading ultimately to the annexation of our two countries." [6] Mr. Pearson, who at the time was Undersecretary of State for External Affairs, deals with this subject very briefly in the first volume of his memoirs and observes that he wan't surprised that the matter never proceeded and offers the opinion, although he doesn't develop it, that had it gone forward it would not likely have succeeded in any event. [7]

One of the principal Canadian negotiators of the 1948 plan, John Deutsch, noted in a memorandum at the time that the plan would undoubtedly lead to further integration with the U.S. He offered the perceptive observation that this integration would be forced upon Canada anyway by the inexorable pressures of the world economy and that Canada's real choice was whether to negotiate from strength or to delay and eventually negotiate as supplicant. [8]

Through the 1950's American investment in Canada expanded enormously and the Canadian standard of living rose dramatically. This was presided over aggressively by C.D. Howe and, somewhat benignly, by the successor to Laurier and King, Louis St. Laurent. Donald Creighton, one of Canada's foremost historians, the biographer of Macdonald, saw this period as a tragic turning point for Canada. In his work The Forked Road, Canada 1938-1957, [9] Creighton argued that Canada in those years abandoned the vision of Macdonald and, under both military and economic pressures, succumbed to a far too dangerous reliance on the United States and, in effect, finalized the evolution into North American continentalism. A few storm signals arose in the late 50's when, in his Royal Commission Report, Walter Gordon who was to play a significant role as one of the great figures of Canadian nationalism, warned of the dangerous implications of increasing American equity investment and ownership in Canada. [10] Then there were the convolutions of John Diefenbaker between 1958 and 1963 when once again the Americans, particularly John F. Kennedy, became the villains. Diefenbaker talked of diverting fifteen per-

cent of Canadian trade from the U.S. to the United Kingdom. The U.K. responded somewhat subtly with a proposal for a Canada-U.K. free trade deal and the matter was stillborn. [11] Pearson and Kennedy had a wonderful relationship in those few precious months in 1963 until the shattering of dreams that November.

In 1965, as evidence of the improved relationship came the Auto Pact, a remarkable agreement representing a classic illustration of a highly sensible rationalization of the auto industry which has been of enormous benefit to Canada and which, let it be said, has always caused some disquiet on the American side. With the Trudeau era through the 70's and early 80's we experienced a number of bilateral problems, notably FIRA and the NEP, some confusion in the consultative arrangements between Canada and U.S. and considerable American frustration. This contemporary period with its problems and turmoils has been thoroughly analyzed in a number of books and articles, perhaps most notably by one of my predecessors as Visiting Associate with the Americas Society, Mr. Tony Westell, whose work is referred to in the Report of the Macdonald Royal Commission as a "seminal contribution". [12]

So we arrive at 1986 where a great many factors have converged to once again place the American issue squarely on the Canadian political agenda. In recent years we have had reports from the Economic Council of Canada, the C.D. Howe Institute, the Senate Committee on Foreign Affairs, and a number of significant business organizations suggesting that Canada should attempt to negotiate some sort of trade agreement with the U.S. The Macdonald Royal Commission, coming a quarter of a century after Walter Gordon's Commission, recommends with considerable authority that Canada enter negotiations with the U.S. for a free trade agreement. Mr. Macdonald, in a very apt phrase, refers to his Commission's fundamental recommendation as a "leap of faith". Thus we have this long historical evolution with certain dates standing out like beacons—1874, 1911, 1948, 1985. If one is looking for curious historical patterns it may be noted that 37 years elapsed between 1874 and 1911, another 37 years between 1911 and 1948 and still another 37 years between 1948 and 1985. Perhaps we should consult the oracles to discover the mystical significance of the number 37. Such an exploration might be at least as revealing as some of the current discussions!

The lessons from history seem very clear and may be summarized as follows: Free trade and closer economic integration with the United States has been a recurring issue throughout Canadian history. It ebbs and flows but it never goes away. The matter goes far beyond economics and trade in the Canadian psyche and raises profound questions of sovereignty, identity, survival and national purpose. It is far more important to Canadians, who have much more to gain and much more to lose, than to the Americans. Indeed, the U.S. has never exhibited great interest in trade negotiations with Canada. When the U.S. interest has been aroused it has been in areas such as defence, or the possibility of unlimited access to Canadian resources, or boundary considerations, which have excited U.S. attention. Finally, whatever the difficulties in negotiating a trade agreement between Canada and the U.S., the process of ratification and implementation of the agreement raises fundamental problems in both countries.

Over the years Canada has developed various policy initiatives to expand its small domestic market and diversify its trade. Diefenbaker's U.K. diversion scheme, the Third Option, interest in the Pacific Rim and other efforts have all been announced with great rhetoric and after a few years have all yielded very modest results. The overwhelming dominance and magnetic attraction of the huge, wealthy, U.S. market with its geographic proximity, common culture, and the extensive linkages through the private sectors, always returns to centre stage.

The trade issue closely related as it is to Canada's most basic and all embracing reality, the overall relationship with the United States, goes to the very soul of the nation. As the governmental teams negotiate their important specific trade matters, the myriad of interrelationships with virtually every aspect of the Canadian policy will stimulate widespread political debate across Canada. Among the issues causing concern will be the overall implications for Canadian sovereignty, focused in part on the rather vague and unsatisfactory concept of cultural sovereignty about which we have been hearing so much in recent months.

Because of the very structure of Canada, significant possibilities for conflict in federal-provincial relations which will arise out of the trade negotiations, are a particular problem. Many students of Canadian government have expressed concern in recent years about the steady revolutionary trend in Canadian federalism. Indeed, Canada has reached a situation where the federal or central government has less overall authority and power than virtually any of the other major federal states in the world today. The increasingly powerful provincial governments will tend understandably to look primarily at their own interests and it will be a significant challenge for the federal authority to assert the overall national interest. Provincial regulations have emerged affecting industry, agriculture, trade, investment, employment and immigration. Many of the non-tariff barriers which will be involved in the negotiations with the U.S. can only be altered with the direct consent of the Canadian provinces. This situation is bound to cause severe difficulties for the federal negotiators in discussions with the U.S., both at the level of ultimate authority and also in the whole area of the various trade-offs which will always be a central aspect of any negotiation. The provincial premiers of Ontario and Quebec in particular will both raise complex objections. Negotiations with the United States are difficult enough without constantly having to look back over your shoulder at an ongoing process of negotiations with the Canadian provinces at the same time. This reality, early signs of which are already apparent, is likely to haunt the federal government throughout the entire process.

Transcending all of these matters is, of course, a difference in overall perspective between Canada and the U.S. Canada, as a significant middle power while it has global interests, is often preoccupied with its overall relationship with the U.S., and intensely concerned with the management of that relationship, particularly with regard to safeguarding Canadian interests and preserving some degree of autonomy for Canadian foreign policy. The United States as a superpower tends to look upon Canada more in an international context and is concerned with a wide range of world issues to a greater degree than the Canadians. While both countries view their bilateral trade negotiations in the context of the forthcoming GATT round, the broader American perspective will be something of a double-edged sword for Canada. The United States will certainly be motivated to conclude an arrangement with its largest trading partner and closest ally. On the other hand the United States will be somewhat constrained in the negotiations with Canada not to set precedents which could have potentially negative effects for other U.S. negotiations. Thus Canada, whether it likes it or not, will be under considerable pressure to broaden its perspective. In an essay for the Macdonald Commission, William Diebold sets the current situation in both its historic and global perspectives and stresses the reality that what we really must consider are "the whole range of economic relations". He queries whether Canadians are really prepared for this discussion. Indeed, Diebold may have already written the epitaph for the forthcoming negotiations—

"An historical look at U.S.-Canadian free trade issues reveals that every time there is a new expression of interest in them the same pattern develops. The subject is taken seriously by many people, in Canada very seriously by quite a few. Some good work is done about it. Sometimes nothing happens politically; sometimes some political movement begins. But then, for one reason or another, a strong political reaction cuts off whatever process had begun."[13]

Against this background it is appropriate to pose a rather basic question regarding the overall political strategy and objectives of the Mulroney Government. It would appear evident that for Canadians to proceed with comprehensive trade negotiations with the U.S. without an overall plan to deal with the larger implications of increased integration will almost certainly lead to a major political uproar in Canada not likely to benefit the government or to provide the necessary political and public support for its initiative.

Up to this point the governement has given little public indication of its overall strategy. The government's objective seems to be to avoid the difficult questions of linkage to other basic issues related to integration and to attempt to keep the debate focussed solely on economic development, job creative and access to markets while, at the same time, continually emphasizing Canadian sovereignty and downplaying any analysis of future evolution or any grand design. The Prime Minister states that if the negotiations aren't successful and his govenment can't conclude a deal, so be it—we'll just carry on. There appears to be a lack of a fundamental and total commitment for the trade initiative. While this may be understandable given all the historical and political circumstances, it is nonetheless, a very dangerous omen.

If this indeed is the strategy, one wonders whether it will be successful. The combination of cynicism, short-sightedness and the absence of wise strategic thinking, generally leads to failure. Both the opposition parties will undoubtedly raise the large system-related issues. The NDP and the Canadian Labour Congress and other elements on the political left will be negative and very vocal. Implicit in a comprehensive trading arrangement with the United States is a major tilt to reliance on market forces and a diminished role for state intervention which is, of course, the sacred remedy favored by the political left. The Liberals are unlikely to take a firm stand on such a divisive issue but will find unity in capitalizing on the ap-

parent incompetence of the government to manage such a complex initiative. [14] The Canadian nationalists, including a number of academics and several well-known media groups, will campaign vigorously against a free trade agreement. Specific business interests who perceive themselves threatened will mount vigorous opposition which will cause real problems for many of the government's supporters, most notably the back bench M.P.'s. The opinion polls which currently reflect a somewhat ambiguous support for a free trade agreement with the United States will be increasingly linked to the overall credibility of the Prime Minister.

If one were to hazard a political prognostication today it would appear that the government had led with its chin and is quite likely to suffer the consequences. By failing to address the larger questions the Canadian government is running very serious risks in its strategy. The most basic risks is that others will raise the questions and then arrive at negative conclusions which will in turn reduce the government's capacity and creditibility. Without articulating a stronger commitment and a larger vision and purpose, the Mulroney Government ultimately risks a major political disaster with potentially severe consequences for itself, but far more importantly and tragically for the Canadian nation as a whole.

What does it really mean to state that Canada and the United States are becoming increasingly integrated [15] and what are the requirements for protecting and enhancing the viability of the Canadian future within the context of a comprehensive trade agreement with the United States? Whatever may be the limitations of any analysis or the qualifications which may surround any prescriptions, this is surely the basic question which must be addressed today.

Integration is already an accepted way of life for a great many Canadians. The great increase in Canadian investment both personal and corporate in the U.S. during the past 20 years is only the most visible manifestation of this continental perspective. The financial markets are essentially integrated. Acid rain, satellites and the communication frequencies do not seem to recognize the border. A striking example of integration into the American political arena has been the policy in recent years of the Canadian government to engage professional lobbyists to represent Canadian governmental interests to the U.S. Congress. While it is true that in the past Canada has often allied itself with particular interests in U.S. politics to advance Canadian objectives, the idea of the Canadian government actually engaging lobbyists in Washington strikes some Canadians as somewhat incongruous and, one might observe, the implications have raised some eyebrows in the State Department. While one could go on indefinitely providing illustrations and effects of North American integration, it is pertinent to observe that a substantial majority of the Canadian public is ahead of the structures and the politicians in living with reality. Indeed this dangerous situation is a major cause of disquietude and uncertainty in Canada today. As we are told by the Macdonald Commission and others, Canada has developed into a mature, vigorous nation and occupies a secure position in the world community. It is surely time now to come to grips with Canada's North American destiny and systematically develop the framework and the machinery for the long term Canadian-American partnership.

A review of the academic literature on the general subject of integration and the related matters of conflict avoidance and dispute resolution, has not yet provided the policy makers with any clear overall concensus upon which to develop concrete proposals for public discussion and debate. [16] In these circumstances one is bound to have considerable sympathy with the politicians who are grappling with the trade issue today. The basic problem is in its essence quite simple; on the one hand a process of free trade discussions is underway which will, if successful, inevitably lead to significantly increased economic integration with social, cultural and political implications which can generally be recognized even if the Canadian Government prefers not to discuss them; on the other hand we simply do not possess a widely held larger vision of the North American future and there is a conspicuous absence of effort being applied to working out the goals and objectives and the requisite institutional and management systems for that future.

President Reagan came the closest to expressing a broad vision for the future in his suggestion in 1980 for a North American Accord when he spoke about—

"A developing closeness among Canada, Mexico and the United States—a North American Accord—would permit achievement of that potential in each country beyond that which I believe any of them—strong as they are—could accomplish in the absence of such cooperation. In fact, the key to our own future security may lie in both Mexico and Canada becoming much stronger than they are today * * *

"We will also put to rest any doubts of those cynical enough to believe that the United States would seek to dominate any relationship among our three countries, or foolish enough to think that the governments and peoples of Canada and Mexico would ever permit such domination to occur." [17]

While there has been no specific follow up to the President's initiative, perhaps in part because of the very muted response of the Trudeau Government at the time nonetheless the spirit of his vision is reflected in the Administration's current positive approach to proceeding with trade negotiations and the cordial relationship which has developed between President Reagan and Prime Minister Mulroney. As we approach the trade discussions which are likely to last several years, perhaps this would be an appropriate time for the Canadian government to give serious consideration to taking an initiative to revive the President's North American Accord idea. Vague and general though the words may be they still provide an appropriate perspective from which to begin discussions about the North American future.

While the history of Canada-U.S. relations is replete with formal treaties, notes and a variety of other forms of governmental agreements covering literally hundreds of specific subject [18] there has never been a comprehensive accord or treaty which established an overall framework for the relationship to provide direction, purpose and, above all, a symbolic focal point for the citizens and the political leaders of both countries. The absence of such a basic document—perhaps a Treaty of North America—may explain better than anything else the lack of a broadly held concept and vision for our North American partnership. One hardly needs to remind an American audience of the supreme importance of great documents and declarations which serve as living, dynamic symbols, capable of inspiring and uniting millions of citizens with a vibrant sense of their own destiny.

As one examines the future of Canada-U.S. relations, particularly in the context of the trades negotiations, an obvious and compelling need to review and assess the overall management and institutional foundation of the relationship becomes urgently apparent. [19] If the trade talks succeed there will be a need to create and establish new bilateral institutions to interpret and manage the agreement and to adjudicate differences. These institutions will be required to develop machinery and procedures for joint fact finding and decision making. While the Macdonald Commission does make some recommendations regarding the machinery which will be required to administer a trade agreement, [20] the Commission stops short of addressing any broader aspects of the overall Canada-U.S. relationship. The new machinery and institutions which will need to be established with great care and attention to their capacity for evolution, should not be established on an ad hoc basis and in isolation from other aspects of the overall management of Canada-U.S. relations.

Successful trade talks will inevitably provide considerable impetus for exploring more cooperative arrangements in areas already apparent on the horizon, such as joint water developments, environmental matters—particularly acid rain—and very likely broader scale defense arrangements, an area where there is much fertile ground to explore. As well, it can be predicted that increased trade will give rise to the need for further agreements in such areas as tax treatment, flows of investment, labor and immigration and perhaps even currency fluctuations. There will be an inevitable requirement for more coordination, cooperation and consultation in the development of economic policy and an impetus to establish some mechanism, perhaps a Joint Economic Commission, to make this possible. Several suggestions in this regard have been offered in recent years, notably in a significant article in Foreign Affairs, by Drouin and Malmgren in 1982. [21]

The concept of a Joint Economic Commission has been strongly endorsed by an outstanding former American Ambassador to Canada, Ken Curtis. In a recent book with John Carroll the authors express their conclusion that "because our economic interdependence is so vital to the welfare of both countries, so potentially disruptive to the relationship, and so tied to future opportunities that we believe the uncoordinated ad hoc approach should be replaced." [22] Curtis and Carroll go on to offer several imaginative recommendations for other joint institutions between Canada and the U.S.

Maxwell Cohen, a distinguished Canadian, former co-chairman of the I.J.C. and long time student of Canada-U.S. relations, has also offered some very useful suggestions regarding the new political and administrative machinery and institutions which will be required as a result of successful trade negotiations. Cohen has emphasized the importance of both governments fully appreciating the specific requirements for each of these three stages of negotiation, ratification and implementation, and the on-going administration of a comprehensive trade agreement between Canada and the U.S. He warns that "It may be a serious misjudgment of both the opportunities and the perils ahead . . . . . not to prepare for the effective administration of the process toward economic 'integration', whatever the

degree, that now seems inexorably underway." [23]

Twenty years ago Prime Minister Pearson and President Johnson jointly asked two distinguished former ambassadors to each country, Arnold Heeney and Livingston Merchant, to develop the principles which should guide the overall Canada-United States relationship. Their report, Principles for Partnership, [24] was presented in a very low key manner and deserved much more public attention than it ever received. These principles, which essentially recognized the constraints and obligations upon each government in the management of their increasingly interdependent relationship, also reflected the basic national interests and different scale of global responsibilities, of Canada and the U.S. With a few notable exceptions, these principles have been followed in practice by succeeding administrations in both countries.

The day to day management of Canada-U.S. relations has evolved into quite a sophisticated system, presided over by very able officials in the Canadian Department of External Affairs and the U.S. State Department, with the two embassies playing crucial day to day roles. Because of the myriad of interests and issues in the bilateral relationship, many other departments and agencies of both governments are continuously interacting in the process and External and State are constantly engaged in a frantic and frustrating role of coordination and consultation. The fact that this extraordinarily complex and dynamic system works at all is a great tribute to the highly qualified professional officers in the public service of both governments. [25] Quarterly ministerial meetings between the Canadian External Affairs Minister and the American Secretary of State, which have been institutionalized in recent years, provide the necessary high level focus for the bureaucracies and various parliamentary and congressional groups meet regularly. Understandably, the system has a short term focus, the actors—both politicians and officials—come and go, with significant implications for the corporate memory on both sides, and an atmosphere of crisis management, sometimes cleverly downplayed by the officials, is often apparent.

A major weakness in the current system has been the unwillingness of either government to provide the necessary commitment to the further development of semi-autonomous transnational institutions to assist in the overall management process. While this is partially explainable due to the natural human disinclination of the officials, already overwhelmed as they are with the current demands, to give up any power or authority to other institutions, it means that a significant impetus to creative institutional evolution has been absent and the most significant existing institutions have been allowed to become increasingly atrophied.

In the field of defence and security affairs the Permanent Joint Board of Defence, which has existed since the 1940's, has become largely ceremonial and, while it does provide a modest forum for discussions between the Canadian and the American defence establishments, there is a gap in the overall coordination and forward planning of Canada-U.S. defence relations. A very significant degree of integration has already taken place under the North American Aerospace Defence Agreement (NORAD), the defence sharing agreement and many other agreements and understandings. It is generally recognized in the defence establishments of both countries that vitally important requirements and very significant opportunities for further integration require urgent attention.

The International Joint Commission, which has existed since 1909 and which has often been regarded as a model for further cooperation, requires a major infusion of government commitment on both sides of the border. It is revealing and symptomatic of the present underutilization of the I.J.C. that in their report on Acid Rain in January 1986 [26] the two envoys, Mr. Davis and Mr. Lewis, recommend that "Our two governments should establish a bilateral advisory and consultative group on transboundary air pollution." Without commenting on its merit, this recommendation ignores the I.J.C. which could have provided the most natural and logical institution to deal with the acid rain issue. Indeed, some observers [27] have felt for several years now that an appropriate reference to the I.J.C. when the acid rain issue first became evident about a decade ago, might have prevented a good deal of the confusion and lack of a clear and agreed definition of the problem between Canada and the United States which has been so apparent and divisive in recent years. This, of course, has been reflected in the politics of the Davis-Lewis report and their efforts to recommend appropriate joint mechanisms and programmes to effectively deal with the issue.

In the context of the historical background and the comments upon the present scene provided in this paper, when one turns to prescription two general recommendations and one central observation may now be offered.

First, the Canadian Government should consider taking an initiative with the United States to establish a Canada-U.S. joint working group which perhaps, building on the basic principles of the Heeney-Merchant report, should conduct an overall review and assessment of the operation and the management of Canada-U.S. relations today with regard to the basic interests of both governments and orientated to the future, provide some broad recommendations for the institutional framework and machinery which will be required to operate the increasingly complex Canada-U.S. partnership into the next century. This working group should be a 'blue ribbon' body comprised of several outstanding citizens from each country. It should have a small but effective staff and operate in some substantial relationship to Parliament and Congress in order to ensure a significant public dimension to its work. The forthcoming second "Shamrock Summit" between Reagan and Mulroney in mid March could provide an excellent opportunity to launch this initiative.

Second, both the Canadian and American trade negotiating teams, apart from their specific detailed trade negotiations, will need to give the fullest possible consideration to the ratification and implementation process as well as to the development of the specific institutional machinery which will be required to administer the on-going agreement. The two negotiating teams may increasingly come to dominate the overall direction of the Canada-U.S. relationship in both countries over the next few years. The implications of this situation for the overall management of Canada-U.S. relations may require further attention in both countries, otherwise the negotiating teams may find themselves in the position of lacking the necessary overall authority to be effective and continually creating conflicts and tensions with the existing bureaucratic machinery and policy processes in both governments.

I would be redundant here to delineate any further detailed terms of reference for either of these recommendations. Any individual with the termerity to even offer advice in public to such masssive structures as the Canadian and the American Governments on such a fundamental requirement should at least possess sufficient wisdom, if not humility, to go no farther than suggesting general directions for the many participants actually engaged in the process to ponder and massage as they will.

It is abundantly clear that many Canadians have a deep feeling of concern and apprehension about the prospects for Canada's future autonomy vis-a-vis the United States. As the Canadian Government moves into significant trade negotiations with the U.S. this general uneasiness and sense of uncertainty will intensify. The paramount challenge facing Prime Minister Mulroney is not with the trade policy direction which is courageous, inevitable and right, but is rather to provide and inspire Canada with the necessary national sense of purpose and with the confidence and security with regard to maintaining a separate identity and culture in North America, as Canada moves into an even more integrated relationship with the United States.

In an attempt to come to grips with this fundamental reality, several years ago I developed a proposal for a framework document, a Treaty of North America, [28] which was subsequently made public and received considerable attention and support. The concept has not yet found its political champions to move it forward. The general response at the time might be summarized as "Someday maybe—but it is too big and complicated and the time isn't right." Timing, of course, is everything, and the time is now. The current Canadian Government has challenged history with their trade policy; whether with sufficient perspective, wisdom and political courage remains to be determined. For Prime Minister Mulroney himself, already facing some concerns about his basic credibility and who is receiving significant advice and exhortations concerning the need to articulate and manifest a clear sense of national purpose for Canada, the Canada-U.S. issue, as it has for all his predecessors, will present the fundamental test and anguish for his leadership.

The negotiators and the officials will do their work in the great tradition of public servants in both countries. Will the politicians—the architects of the future—do theirs?

Studying the memoirs of Jean Monnet and his critical role in the evolution of Europe, one cannot fail to be impressed with his preoccupation with the need for institutions and structures and then for great patience in allowing the understanding and perception of mutual interests to grow and evolve amongst peoples. Monnet was an optimist but he did not believe in miracles. Rather, he understood that "crucial moments of opportunity must never be lost". Towards the end of his memoirs he writes—

"A very wise man whom I knew in the United States used to say: 'There are two kinds of people—those who want to be someone, and those who want to do something.' I have seen the truth of that saying verified over and over again. The main con-

cern of many very remarkable people is to cut a figure and play a role. They are useful to society . . . But, in general, it is the other kind of people who get things moving—those who spend their time looking for places and opportunities to influence the course of events. The places are not always the most obvious ones, nor do the opportunities occur when many people expect them . . . Life is full of opportunities to act, but one has to be prepared, by long reflection, to recognize them and exploit them when they occur. Life is made up of nothing but events: what matters is to use them for a given purpose." [29]

History is unforgiving. Those who have not learned its lessons are almost certainly bound at some point to pay the penalty of planning inadequately for the future. While Canada and the U.S. negotiate a new trade agreement often in the most minute detail over the next few years, we should not overlook the importance of seizing this "crucial moment of opportunity" to give consideration to the broader framework and the overall purpose and objectives of the Canada-United States relationship and the development of the institutions to carry them out. We have the opportunity to manage the process where history is inexorably taking us anyway. Only rarely in their evolution to nations have such an opportunity and Canada and the United States should waste no more time in confronting this great challenge.

REFERENCES

1. Memoirs, Jean Monnet, (Collins, London, 1978), Foreward by the Rt. Hon. Roy Jenkins, p. 12.

2. Mr. Prime Minister 1867-1964, Bruce Hutchison (Longmans Canada Ltd. 1964) p. xi.

3. Brown of the Globe, Volume II, J.M.S. Careless (MacMillan Canada Ltd. 1963) p. 323.

4. The text of this Treaty is printed in The 49th Paradox, by Richard Gwyn (McClelland and Stewart 1985) Appendix A, p. 337.

5. Continental Community? Independence & Integration in North America, edited by Andrew Axline, James E. Hyndman, Peyton V. Lyon & Maureen A. Molot (McClelland and Stewart 1974) p. 39.

6. Mackenzie King Diaries, (Public Archives of Canada) June 30, 1950. See also The Mackenzie King Record, Pickersgill & Forstner (University of Toronto Press 1970) pp. 259-273.

7. Mike—Memoirs of the Rt. Hon. Lester B. Pearson, Volume I, (University of Toronto Press 1972) p. 292.

8. American Dollars—Canadian Prosperity, Canadian-American Economic Relations 1945-1950, R.D. Cuff and J.L. Granatstein (Samuel-Stevens, Toronto 1978) pp. 75 and 249.

9. The Forked Road—Canada 1939-1957, Donald Creighton (McClelland and Stewart 1976).

10. Canada, Royal Commission on Canada's Economic Prospects, Final Report Ottawa: Queen's Printer 1957) p. 72. See also Troubled Canada, W.L. Gordon (McClelland and Stewart 1961) and Storm Signals, W.L. Gordon (McClelland and Stewart 1975).

11. Renegade in Power, Peter C. Newman (McClelland and Stewart 1963) pp. 268-270.

12. Report—Royal Commission on the Economic Union and Development Prospects for Canada, Volume One (Minister of Supply and Services Canada 1985) p. 299. For a good overview of the period see Canada and the Reagan Challenge, Stephen Clarkson (James Lorimer & Company 1985).

13. Canada-United States Free Trade, John Whalley, Research Coordinator (University of Toronto Press 1985) p. 103.

14. Agenda for Canada—Towards a New Liberalism, John Roberts (Lester & Orpen Dennys 1985).

15. The Image of Canada, Frank H. Underhill, Founder's Day Address (The University of New Brunswick 1962) p. 15. See also The Politics of Canada's Economic Relationship with the United States, Denis Stairs and Gilbert R. Winham, Research Coordinators (University of Toronto Press 1985) chapter 4.

16. The Integration Question, edited by Jon H. Pammett and Brian W. Tomlin (Addison-Wesley Publishers Limited 1984).

17. Official Announcement of Candidacy, Ronald Reagan, November 13, 1979, New York.

18. For a good overview, see Canada-United States Treaty Relations, edited by David R. Deener (Duke University Commonwealth-Studies Center 1963).

19. For the best academic study of the institutional relationship, see the Joint Organizations of Canada and the United States by William R. Willoughby with a foreword by John W. Holmes (University of Toronto Press 1979).

20. Report—Royal Commission on the Economic Union and Development Prospects for Canada, Volume One (Minister of Supply and Services Canada 1985), p. 384.

21. Canada, the United States and the World Economy, Marie-Josée Drouin and Harald B. Malmgren, Foreign Affairs, Winter 1981-82.

22. Canadian-American Relations, the Promise and the Challenge, Kenneth M. Curtis and John E. Carroll (Lexington Books Toronto 1983) p. 96.

23. Canada and US—new approaches to undeadly quarrels, Maxwell Cohen, International Perspectives, March/April 1985, p.19. See also the Ottawa Citizen, January 16-17, 1986.

24. Canada and the United States—Principles for Partnership, A.D.P. Heeney and Livingston T. Merchant, June 1965.

25. Reviving the Third Option, Allan Gotlieb and Jeremy Kinsman, International Perspectives, November/December 1981.

26. Joint Report of the Special Envoys on Acid Rain, Drew Lewis and William Davis, January 1986, p. 32.

27. Cohen, Ibid.

28. A Treaty of North America, J. Duncan Edmonds (published in the Congressional Record Washington, February 4, 1980).

29. Memoirs, Jean Monnet (Collins, London 1978), pp.519-20.

KEEP THAT SATELLITE UP

Mr. HATCH. Mr. President, the overwhelming complexity of today's international problems clearly illustrates the urgency to strengthen foreign understanding and support for U.S. policies and actions abroad. We must continue to search for new and better ways to promote foreign awareness and knowledge of American society, culture, and values so that other nations can hopefully better understand our policies and objectives.

Thus, the need for constructive dialog is one such area that holds out great hopes for developinig new ways to help solve social, economic, and political conflicts in the international community. Former United Nations Ambassador Jeane Kirkpatrick once stated:

> I believe that information is quite simply the most important instrument of American foreign policy.

In this regard, the power of television has become a potent tool in shaping world events. The advent of satellite broadcasting has proven to be a valuable new method in presenting and exchanging views on critical and timely international issues. Certainly, American audiences have benefited from this technology. Examples such as coverage of the famine in Africa, the Geneva summit, and the Philippines elections demonstrated that we are not isolated from the world's events but part of them.

Mr. President, the Reagan administration has taken great steps to open doors for foreign journalists and opinion leaders for access to information and important U.S. officials not readily available to them in the past. A dramatic new advance in public diplomacy has been developed within the United States Information Agency and is appropriately known as "Worldnet." Worldnet is an interactive, state-of-the-art television network designed to link Washington via satellite with U.S. Embassies and posts overseas. Millions of viewers in over 50 countries have heard and seen Worldnet broadcasts since its inaugural program.

USIA Director Charles Wick initiated this remarkable system just days after the successful United States rescue mission on the Caribbean Island nation of Grenada. Worldnet used its live satellite television system to link the U.S. Ambassador in New York, two Caribbean Prime Ministers in Barbados, and two Assistant Secretaries of State, with over 40 journalists in eight European countries who were anxious to hear how events unfolded. Because of the impact and immediacy of satellite communication, Worldnet played a significant role to counter some attempts to distort what our objectives were in Grenada.

Mr. President, the Washington Post reported in a March 21, 1986, article about this fascinating new development in U.S. public diplomacy. I encourage my colleagues to review this excellent article, which I ask unanimous consent to have printed in the RECORD.

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

[From the Washington Post, Mar. 31, 1986]

TALK NOT CHEAP AT WICK'S USIA

(By John M. Goshko)

A few days after the Oct. 25, 1983, invasion of Grenada, U.S. Information Agency Director Charles Z. Wick returned from Europe and told Alvin Snyder, head of his

television and film service: "We're getting clobbered in Western Europe. Our best allies are really down on us about Grenada. We've got to do something fast to get our message across."

Eight days later, U.N. Ambassador Jeane J. Kirkpatrick and the leaders of two Caribbean countries that supported the U.S. intervention held a satellite news conference with European journalists in five major West European capitals.

It was a major step in the evolution of a little-noticed aspect of President Reagan's approach to dealing with other countries. Over the past five years, the former actor who built a political reputation as "the great communicator" has transformed the government's lackluster foreign information activities into the largest and most technologically adroit propaganda apparatus in the world.

"We were gambling on an experiment that we'd talked about a lot, but we had no real idea of how it would work," Snyder said of the hastily arranged Kirkpatrick news conference. "After we were only a few minutes into it, though, you could sense we had something. I remember Wick leaning over to me in the control booth and saying, 'Al, we're on a roll. Keep that satellite up.'"

The two-hour, trans-Atlantic exchange resulted in front-page headlines throughout Europe and was widely credited by U.S. diplomats with helping to blunt criticism of the Grenada incursion. It also marked the debut of the globe-girdling satellite television network, WORLDNET.

WORLDNET has become what some USIA officials privately call "the jewel in the crown" of the administration's fascination with the aggressive propaganda techniques that the administration calls "public diplomacy" and that Reagan describes as "telling the message of American democracy to the world." Reaganomics has meant shrinking budgets for most of the federal bureaucracy, but USIA's funds have almost doubled.

When Reagan took office in 1981, the annual USIA budget was slightly less than $458 million. This year the agency's budget is $837 million. The White House, in contrast to its proposed cuts of most other agencies, has asked Congress to boost USIA's fiscal 1987 funding to $959 million.

These hefty increases have stirred concern about whether the administration is using the money to promote its hard-line, anticommunist views or to create a propaganda ministry.

Many of the Wick-era initiatives clearly have had rightist overtones, including Project Truth, a campaign to counter Soviet disinformation; a companion "semantic corruption" drive against communist misuses of such words as "liberation" and "peace"; the production of "Let Poland be Poland," an expensive television attempt to focus attention on the Polish people's plight under the communist crackdown, and pursuit of Reagan's Project Democracy to give financial aid to groups seeking to foster democracy in other countries.

But while these undertakings have attracted a lot of publicity, they are only a small part of what has been happening at USIA under Wick's stewardship.

By far the largest share of the money that the administration has pumped into public diplomacy has gone for technological improvements, bolstering of long-standing programs and experimentation with new ways of communicating ideas.

Most of the funds have gone into a $1.3 billion to $1.8 billion multiyear modernization of the Voice of America to replace antiquated equipment and build new transmission and relay sites. This program is aimed at expanding the VOA's ability to reach areas such as central Russia and to avoid jamming behind the Iron Curtain.

Large sums also have gone to such ventures as the creation of Radio Marti, a separate radio network under VOA direction that beams daily broadcasts to Cuba; increasing by 200,000 a year the number of American books put into foreign circulation; a new system to teach English to foreigners, and an Artistic Ambassadors program that selects a number of talented young American musicians to tour other countries, giving concerts and conducting classes.

But of all these projects, WORLDNET perhaps best illustrates the mix of "global village" technology, glossy packaging and sky's-the-limit thinking that Wick and other savvy media operators have brought to the task of putting the administration into the forefront of international propaganda efforts.

During the past 2½ years, through WORLDNET the U.S. government has been able to reach 30 countries to stage news conferences with such top officials as Secretary of State George P. Shultz and Defense Secretary Caspar W. Weinberger, to show foreign audiences live coverage of a congressional hearing, and to help American scientists and scholars talk with their colleagues in other lands.

When the leaders of several African countries threatened to boycott the 1984 Olympic Games in Los Angeles, some were induced to change their minds after WORLDNET let them exchange views with Peter Ueberroth, organizer of the games, and Tom Bradley, the black mayor of Los Angeles.

Since last April, WORLDNET also has been transmitting two hours of regular programming each weekday to Western Europe, where cable TV systems make it available to more than 3.2 million European households and hotels. Viewers get a half-hour of news and a variety of other fare ranging from cultural programs to Washington sportscaster George Michael's "Sports Machine."

Similar daily programming in Spanish and Portuguese is scheduled to begin this spring to Latin America. And by late this year, USIA says it hopes to begin additional regional WORLDNET services to the Middle East, East Asia and Africa.

"The only problem with WORLD-NET is that it's ahead of its time. The facilities don't yet exist in other countries to make full use of its potential," said Leonard Marks, who headed USIA under President Lyndon B. Johnson in the 1960s. "But it's the wave of the future. It's what all major countries someday will be using to tell their stories, and it's the United States that's showing them the way."

In addition to USIA, the administration's propaganda weapons include the Board for International Broadcasting, which since 1974 has administered the two "surrogate" radio operations established by the Central Intelligence Agency in the early 1950s: Radio Liberty, which broadcasts to the Soviet Union, and Radio Free Europe, aimed at Moscow's East European satellites.

But it is USIA, with its more wide-ranging functions, that is the center of the administration's web of propaganda activities. That has made Wick the most influential USIA director since the late Edward R. Murrow during the Kennedy administration.

Unlike the suave and sophisticated Murrow, Wick—a former lawyer, nursing home owner, band leader, movie producer and real estate investor—has the personal style of a rough-edged, lone-wolf Hollywood deal maker. He begins a newspaper interview by telling the reporter, "I have to say that a lot of the stuff that's been written about me in the press was pretty scurrilous." Then he adds deadpan: "Why, some of it wasn't even true."

His fondness for one-liners has not interferred with his ability to translate his friendship with the first family into funding support once undreamed of in his traditionally cash-starved agency. Moreover, even people who disagree with his politics or dislike him personally concede that Wick understands the art of communication and has a natural instinct for innovation.

House Foreign Affairs Committee Chairman Dante B. Fascell (D-Fla.), who has watched the USIA closely over the years, says: "Despite some overzealous rhetoric and some mistakes in his method of operation, Wick has done an extremely effective job of modernizing the agency. . . . No one has been more innovative and imaginative in waging the war of ideas."

Such praise hasn't been heard too often at an agency that long was scorned by the professional diplomats of the State Department and kept on a tight leash by Congress. Its charter, which stresses that the agency's mission is to inform people in other countries about the United States, has created innumerable internal conflicts over the years about what USIA could or couldn't do in furthering that goal.

"Under the Carter administration, for example, there was a tendency to deny the idea that USIA should advocate anything at all," recalled Stanton H. Burnett, a career officer who now oversees USIA programs as counselor of the agency. "The feeling was that we should function as a semi-news agency and a semi-entertainment agency but that in the realm of ideas we should be no more than a conveyor belt for every stripe of opinion."

Wick, while conceding there has been "something of a pendulum swing" away from that approach, insisted that his guiding principle at USIA "is to tell the world about America in all its diversity. It's simply not true that I came aboard as the chief apostle of a right-wing takeover and the chief subverting agent of a conspiracy to bend USIA and the Voice of America to our philosophy. There may be people who wanted to do that, but Congress had made it very clear that that's against the rules."

But he added, "Telling about America means telling people about America's foreign policy. Right now that policy is set by Ronald Reagan and if we're going to tell the story accurately, we have to make clear what President Reagan believes in and what his policies stand for. There may be people who don't like those policies, but that doesn't lessen our responsibility to explain them with forthright journalistic accuracy."

At the moment, Wick's attention is focused primarily on following up his January trip to Moscow, where he discussed plans for the cultural exchanges agreed to by Reagan and Soviet leader Mikhail Gorbachev at the Geneva summit last November.

The agreements, the only concrete result of the summit, call for reviving a series of U.S.-Soviet exchanges that were suspended after the 1979 Soviet invasion of Afghanistan. Reagan also proposed a new program of people-to-people exchanges financed on the U.S. side by private sector contributions.

At present, they are the only initiatives showing promise of progress in the drive to improve U.S.-Soviet relations, and USIA has the responsibility for implementing them.

DEATH OF CHIEF JUDGE H. CARL MOULTRIE

Mr. SPECTER. Mr. President, I wish to pay tribute to a truly outstanding jurist, Chief Judge H. Carl Moultrie of the District of Columbia Superior Court, who recently died.

Judge Moultrie set an example of hard work and thoughtful deliberation in carrying out his duties. He maintained a full-bench schedule even after becoming chief judge in 1978. I know that his colleagues will miss his leadership and direction, and his city will miss his tireless devotion to home rule, but both his bench and his city are stronger for his work.

Mr. President, Judge Moultrie was appointed an associate judge of the superior court in 1972. Prior to that he had been a newspaper columnist, a probation officer, a business executive, and then a practicing lawyer for over 15 years. His activity in community service is unparalleled in the District of Columbia. He was active in church, fraternal, neighborhood, social, and criminal justice groups throughout the community and the Nation, was known to almost every citizen of the District of Columbia and has been honored by scores of local and national organizations. He was a past president of the D.C. branch of the NAACP, a board member of the American Lung Association and the D.C. Heart Association, and an active member of literally dozens of community groups.

He was a graduate of Lincoln University (1936) and Lincoln University Theological Seminary (1938). He earned an M.A. from New York University (1952) and a law degree from Georgetown University Law School (1956), numerous postgraduate certificates in the fields of business and law and an honorary doctor of laws from Lincoln University (1979).

Mr. President, I want to extend my sympathy to his widow, Sara, and his son, H. Carl II, as well as Judge Moultrie's two grandchildren, and to thank them for sharing this remarkable man with the community he loved.

STINGER POLICY IMPLICATIONS

Mr. DECONCINI. Mr. President, I have introduced a bill, S. 2286, which would simply require democratic resistance forces in Angola and Afghanistan to agree to the same security controls for Stinger missiles as we have with friendly NATO allies. Let me emphasize that this should not and cannot be construed as a vote for or against democratic resistance forces but for safeguards and security controls in a world increasingly threatened by terrorism. When Colonel Qadhafi says that he will export terrorism to America and "pursue U.S. citizens in their country and streets," we must protect ourselves.

I would like to bring to the attention of my colleagues two recent articles concerning topics of interest to all Americans. The first article is an editorial that appeared in the April 3, 1986, edition of the Los Angeles Times. It is titled "Stinging Peace Prospects" and is a very thoughtful analysis of the chilling considerations that the Stinger missile has when introduced into a specific region of conflict. This article also discusses the millions of dollars in weapons intended for the democratic resistance that have fallen into the hands of a vast black market.

The second article appeared in the April 16, 1986, edition of the Washington Post. This is titled "Truck Explodes Near AF Base West of Tokyo." It is likely that terrorist groups parked this truck outside the U.S. Air Force base to further export violence and destruction against U.S. targets. The article states that "The truck contained rocket launchers which detonated before launching. The quantity of launchers is presently unknown." What if these had been confiscated Stinger missiles, Mr. President?

Mr. President, I urge all of my colleagues to read these articles, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, Apr. 3, 1986]

STINGING PEACE PROSPECTS

The next step in implementing the Reagan Doctrine apparently will be to place more sophisticated American weapons in the hands of the guerrillas around the world whom the President insists on calling "freedom fighters." That would be a terrible mistake.

Initial reports have suggested that the mujahideen fighting the Soviet invaders in Afghanistan, and Jonas Savimbi's UNITA guerrilla force fighting to overthrow the Marxist government of Angola in Southern Africa, would be the first beneficiaries of the new policy. Then, it is suggested, more such weapons would make their way to the contras seeking to overthrow the Marxist Sandinista regime in Nicaragua.

Among the top-line weapons under consideration for export to these groups is the Stinger surface-to-air missile, an anti-aircraft weapon that can seek out a target five miles away and up to an altitude of 4,500 feet. It would be particularly effective in downing helicopter gunships pursuing the guerrillas.

Advocates of the exports are convinced that the weapons would tilt the balance of war to the guerrillas. Perhaps. But even more certain would be an escalation of the wars. The Soviet Union, which supplies the governments in each of these nations, would have no choice but to send in deadlier weapons. However dim the prospect for negotiated settlements may be in these complex wars, that prospect would be all the dimmer with the introduction of these lethal missiles.

There is another chilling consideration. Especially in Afghanistan and at the bases in Pakistan that supply the guerrillas fighting the Soviet invaders in Afghanistan, there is slack security. Millions of dollars in weapons, intended for the resistance, already have fallen into the hands of a vast black market. Protection of a weapon of the value of a Stinger would be impossible. A great risk would arise that at least some of them would make their way into the hands of international terrorists. The Stinger is, as a recent report in the Christian Science Monitor pointed out, "the ultimate terrorist weapon." They are easily hidden, easily transported, fired by a single person. No civil aircraft in the free world would be safe from them. And it is no comfort to say that it really doesn't matter because the Soviet version of the weapon, the SA-7B, already is widely available.

There has always been a need for caution by Washington in the support that it has given to the resistance in Afghanistan. Afghanistan lies along the Soviet border, and Moscow can always outmatch and outsupply more distant nations. The level of arms there should be appropriate to the maintaining of pressure for a settlement, not to the triggering of a further terrible escalation of that brutal invasion.

Angola is an entirely different matter. Washington tends to forget that the Cuban troops and advisers that are based in Angola are in large measure in response to the guerrilla war that has been mounted against the government. This is not a case of a nation held hostage by an invading force. The only invading force in Angola has been the army of South Africa, arrayed in support of Savimbi's guerrillas. There has been a commitment to a negotiated settlement breached not by Angola but by South Africa. The good faith of the Angolan government has been evident in its commercial ties to the United States that have assured the flow of its petroleum to the free world. Washington only squanders its power and corrupts its commitment to freedom in giving arms and comfort to the Savimbi guerrillas.

Introduction of the Stinger in the war in Nicaragua would risk even more serious consequences. The Sandinista regime in Managua has resisted activating the advanced fighter aircraft offered by its Soviet and Cuban allies, and a tacit weapons-technology lid has been placed on the war until now. But if the most advanced portable anti-aircraft missiles are handed over to the contras, an escalation of unpredictable consequences would be inevitable. The careful efforts of the Contadora nations to produce a permanent peace would be undermined, if not destroyed.

All three insurrections—in Afghanistan, in Angola and in Nicaragua—have in these days a new prospect for peaceful settlement. The impatience of those who somehow think that they can impose their will and their solutions should not be allowed, through the triggering of a new escalation, to shatter that prospect and to deepen the death and devastation of these wars.

[From the Washington Post, Apr. 16, 1986]

TRUCK EXPLODES NEAR AF BASE WEST OF TOKYO

TOKYO, April 15.—A truck with a five-tube rocket-launching device exploded in flames tonight near a U.S. Air Force base west of Tokyo, police and base officials said,

and the fins of one projectile were found inside the base.

No injuries or damage to the base were reported.

A police official, speaking on condition of anonymity, said the explosion occurred at about 8:40 p.m. about a mile northeast of the base at Yokota, 21 miles from Tokyo.

He said it was not known if any rockets were launched from the truck.

Lt. Jim Reagan, a public affairs officer at Yokota, said security police found the fins of one rocket in an open area inside the base.

He said Japanese police reported that the vehicle, parked in a tea field, contained five rocket-launching tubes that were empty. He said base and Japanese police were investigating.

In Washington, Pentagon officials released a statement saying the truck that exploded had forged license plates. "The truck contained rocket launchers which detonated before launching. The quantity of launchers in the vehicle is presently unknown," the statement said.

No person or group asserted responsibility for the attack. Missile attacks last month were aimed at the U.S. Embassy in Tokyo and other buildings, including the main site of the summit meeting of industrial nations planned for Tokyo in May. Responsibility for those attacks was claimed by leftist radical groups opposed to the summit and to celebrations of the 60th anniversary of Emperor Hirohito's reign.

White House spokesman Larry Speakes said, "It's too early" to connect Libyan leader Col. Muammar Qadhafi with the Yokota attack.

The United States and Libya are in a military confrontation arising from terrorist attacks which Washington says were linked with the Qadhafi government.

MITTS ACROSS THE SEA

Mr. LEVIN. Mr. President, I rise to pay tribute to a sensitive and resourceful editor in my State, and to thousands of other generous Michiganites who recently showed America at its best. These folks reached across thousands of miles and put into the outstretched hands of poor children in a faraway land the prized possessions of their own childhood, so that those youngsters might have the stuff to make a dream come true. With their generous action, these Michiganites demonstrated beautifully how a caring spirit can transcend national divisions and ideological differences.

This spirit was demonstrated in a dusty city of 125,000 in the Dominican Republic named San Pedro de Macoris. The city has achieved considerable attention among sports fans in the United States because it has produced a remarkable—for its size—number of baseball players for the U.S. major leagues, more than a dozen. Last February, a story in the Detroit Free Press noted that those well-paid athletes come home to San Pedro in the off-season, some of them to fine homes they have built with their earnings. The story told how the big leaguers are heroes to the poor kids of San Pedro, and how their homes are symbols of what can be achieved with disciplined skill. So those kids play a lot of baseball, too—with a passion, with a fire to get good enough to become another Pedro Guerrero or Joaquin Andujar or Pedro Gonzalez. But they have little more than passion—no mitts, no real bats, no horsehide balls. They protect their catching hands with cardboard and cans, swing away with tree limbs and table legs at rubber balls bound with rubber bands. It's enough to make even a tough editor in Detroit blink in sympathy.

And, back in Detroit, in February, such an editor did blink, and think. Neal Shine, the managing editor of The Detroit Free Press, thought back to his own childhood, when he and his friends played baseball on the street or in a vacant lot, and dreamed of major-league uniforms and cheering crowds—when money was tight but there were always at least enough gloves to share during a game.

And Neal Shine thought there must still be a lot of those mitts—and those of later decades—tucked away on closet shelves or in basement boxes in homes across Michigan. So he wrote a column in the Free Press that appealed to the owners of the unused gloves to give them up, so today's kids in a poor town 2,000 miles away could make use of them. He told his readers:

Look at it this way: The old glove never got you a tryout with the Tigers or Browns. Why not give it another chance?

Some of Neal's colleagues were skeptical that there would not be much of a response. Who would part with material so rich with personal memory, they wondered. Well, Michiganites did respond, in numbers and ways which showed that their heartstrings had been touched. Byron Pilbeam of Dundee sent a whole collection of gloves used over the years by him and his six kids—"a box of dreams to be recirculated," he called the parcel. Karl Dalligan of Detroit personally brought to Neal Shine's office a mitt autographed by pitcher "Spittin' Bill" Doak, who started in the majors in 1912. Dalligan had had the heirloom for 40 years or more. Ron Barber of Berkley sent the glove that his son David had used, but not for long: The boy had died at the age of 14, from cancer. Ron Barber wrote:

I hope some young man from San Pedro will enjoy the mitt as much as (David) did.

Altogether, 1,062 gloves were donated—30 big cartons of them. And a few weeks ago, Neal Shine flew with them to San Pedro de Macoris. He spent hours giving out some of the mitts at sandlots around the city. The remainder were distributed in a ceremony in a local stadium to representatives of San Pedro's 21 baseball leagues, which have a total of 107 teams. Neal Shine told the group that the children of Michigan love baseball and the children of San Pedro love baseball, and that when "people care so much about the same thing, it brings them very close together." In Spanish, the local sports commissioner repeated that for the crowd. Then he told Neal that the people of San Pedro loved the people of Detroit and Michigan.

Mr. President, there's not a lot of love for Americans in many parts of the world. We've sometimes sent troops into other countries in support of unpopular causes and refused to respond sometimes to pleas for help that we should have given. This time, nobody asked us to do anything. But a wise and caring editor saw a need, focused attention on it in his paper and got a response from his readers which showed the generous heart of America to a grateful community abroad.

I'm proud of Neal Shine, of the Free-Press, and of the Michiganites who gave of themselves so that the little ballplayers of San Pedro could be equipped for a better shot at the dream they have had so long in their hearts.

I ask unanimous consent that Neal Shine's column of February 6, 1986, which started the ball rolling, be made part of the RECORD.

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

HERE'S A CHANCE TO USE THAT OLD BASEBALL GLOVE

(By Neal Shine)

The kid in the middle of the picture was holding up the ball.

It looked like a baseball without its cover, with just the string wrapped tightly around the core.

And I remembered the kind of buzzing sound these uncovered baseballs used to make as they sailed past you on a line trailing two feet of string.

One day last summer, my friend Tom Houston reduced the age-old question of "What's the matter with kids today?" to a very basic notion:

"They don't know what the inside of a baseball looks like."

Well, at least, I thought, the smiling, brown-skinned kid and his pals in the picture know.

San Pedro de Macoris, the Dominican Republic, where the picture was taken, is a long way from the alleys and vacant lots of Detroit, but there's a world-shrinking sameness to the sight of kids playing baseball with a coverless ball.

Actually, Glen Macnow told me, it wasn't a baseball at all.

"It was a woman's nylon stocking sewn into a ball and wound with rubber bands."

It was a story by Macnow, a Free Press sports writer, that accompanied the picture. The story was part of a series on winter baseball in the Dominican Republic that appeared in the sports section this week.

Macnow also wrote that, among the kids in San Pedro de Macoris, baseball is one of the things that dominates their lives. Another is poverty.

He talked about watching 20 shoeless kids play ball on a mud street called *Calle de Restoracion.*

"The ball was this old nylon stocking and the bat was a broken table leg that still had

nails in it and the bases were paint can lids," he said.

"None of them had gloves. They tied pieces of cardboard on their hands and shaped them so they could catch the ball. One kid used a milk carton that slipped over his hand; another had a coffee can tied to his hand. I heard that some of them use Cracker Jack boxes."

Pedro Gonzalez, an Atlanta Braves coach and former infielder for the Cleveland Indians and the New York Yankees, lives in San Pedro de Macoris.

"American parents want their children to become doctors or lawyers to get rich," he told Macnow. "But here, the way to get rich is to be a baseball player. The parents see Pedro Guerrero's cars or Joaquin Andujar's house and they say, 'That's for my son. That's the way out.' "

So I find myself thinking about all the major league dreams in my old neighborhood.

Regardless of how farfetched those dreams were, they were an important part of growing up. And regardless of how tight the money was in those years, if there wasn't a glove for everybody, there were always enough to share.

So here's my plan. In a box in every basement or tucked away on a closet shelf somewhere is a baseball glove, its days of glory behind it.

Get them down, dust them off and send them to me at the Free Press, 321 W. Lafayette, Detroit, MI 48231. Or bring them down and drop them in the big box in my office.

Glen Macnow will arrange to have them shipped to San Pedro de Macoris and distributed to the kids there.

Last year, 14 men from San Pedro de Macoris, which calls itself the Baseball Capital of the World, played in the American major leagues.

So look at it this way: The old glove never got you a tryout with the Tigers or the Browns.

Why not give it another chance?

IT IS "TIME TO AGREE"

Mr. MATHIAS. Mr. President, the reaction of both Americans and Europeans toward one another since the raid on Libya has been of great concern to many of us. Our alliance with our NATO partners in Western Europe is vital to our security as well as to theirs. There is no reason for the bond to weaken now. Indeed, we should be strengthening our ties rather than loosening them.

But some in the United States argue that many European countries have not cooperated fully with efforts to identify and deport terrorists. And many Europeans counter that NATO is set up for the purpose of defending the Atlantic community against Soviet aggression, not to conduct activities "out of area."

The time has obviously come for all of us to sit down and iron out our differences and reaffirm our close friendship. In an excellent article in the New York Times of April 20, 1986, Flora Lewis outlines the problem and warns of the consequences if the allies fail to resolve their differences.

I ask unanimous consent that "Time to Agree," the column by Flora Lewis, be inserted in the RECORD.

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

TIME TO AGREE

(By Flora Lewis)

MILAN, ITALY.—Sitting in the T.W.A. lounge at Kennedy Airport waiting for the overnight flight to Italy induced a dull fatalism. Passengers watched the news in silence while Dan Rather told about the warnings, the fears, the precautions being taken by the U.S. Government.

When the newscast was over, one young woman blurted out, "If my livelihood didn't depend on it, I wouldn't take this trip." Later another said with a nervous giggle: "There's always been terrorism in Italy, hasn't there? We'll keep a low profile, not let on that we're Americans."

The night before, skimming the intensity of American reaction, television had shown a schoolchild grinning, no doubt because of the camera trained on him, and asking, "Are we going to have a nuclear war now because Russia is a part of Libya?" And then it showed a parent, an earnest, heavy-set woman with short brown hair, saying gravely, "The kids are worried, really worried that there's going to be a war."

Then there was a psychiatrist in a white smock, identified as a stress expert, explaining that people with high blood pressure, or ulcers, or bad backs, were likely to feel a lot worse in this period because they'd be tightening up under the tension and that would aggravate their maladies.

I wondered what we were doing to ourselves. One day Americans were puffed-up supermen, proudly telling each other that nobody can push them around. The next day people were quivering, not at terrorism but in self-induced terror, to a degree no Libyan leader could possibly achieve.

The flight was uneventful and the arrival tiring but routine. The conference here is about East-West relations, attended mostly by Europeans from both sides but also a number of prominent Americans and a couple of Soviet officials. The atmosphere is cordial, as usual, but there is an undercurrent of serious disturbance among the Westerners.

Italian Labor Minister Gianni de Michelis noted unhappily that thousands of students were demonstrating against the U.S. in the middle of Milan, the first big anti-American demonstration since the period of the Vietnam War. "We're all against terrorism, certainly in Italy," he said, "but bombing that kills women and children . . ."

Another Italian said that may be the expression of youth, but older people were getting fed up and were wondering why this country, which finally took very stern measures to defeat its own decade of terrorism, hadn't been readier to cooperate in isolating Libya. A senior German expert on international affairs said he was personally embarrassed at the allied refusal to show more solidarity with the United States.

There was clearly concern that the depth of angry feeling on both sides would do serious damage to the alliance, far beyond what Moscow, let alone Tripoli, could possibly have provoked. That is the real issue now, much more important to the future of all in the West than the random, occasional incidents of terrorism. It is harder to dramatize, but it is a far greater danger.

The recriminations and the analysis of who should have done what at which step have to be set aside. The spilt milk must be cleaned up. The urgent need now is for clear, public show of allied solidarity so that the peoples of the West and the opposing regimes can see that the dispute has been a limited one about methods, not about purpose and determination.

The deadline for action is probably the Tokyo summit in a fortnight. Otherwise, the wounds will fester and take a long time to heal. It shouldn't really be so difficult for the major Western states to agree on some political and economic sanctions against Libya to show they can and do take a common stand.

If the measures go further than Europeans might really wish and not quite so far as Washington would like, that won't matter. That is the meaning of friendship and accommodation. The point is to show that there really is basic agreement.

The immediate problem is weak governments in Europe. France, is virtually paralyzed by its internal politics, and Germany's Chancellor Helmut Kohl, normally indecisive, is in added personal trouble. The French-German axis which underpins the European Community probably isn't up to an initiative. Britain's Margaret Thatcher is out on a shaky limb. Italy and Spain are talking about taking a lead together, but they're afraid of seeming inconsequential.

Leaders must stop dithering. The passions they have stirred can fracture the bulwark of the West on which they all rely.

SOUTH AFRICA AND ETHIOPIA

Mr. HECHT. Mr. President, the Monday, April 7, 1986 edition of the Las Vegas Review-Journal contained one of the most interesting and thought-provoking editorials on the situation in South Africa and Ethiopia. This excellent editorial was written by Mr. Rafael Tammariello and I ask unanimous consent that it be included in the RECORD.

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

[From the Las Vegas Review, Apr. 7, 1986]

SOUTH AFRICA'S BAD BUT ETHIOPIA'S WORSE

Officials at the University of California at Berkeley last week were calling it the most violent confrontation since protests against the Vietnam War erupted on campus in the 1960s and 70s.

Bottle- and rock-throwing students clashed with police over the issue of the university's estimated $2.4 billion in investments with firms that do business in racially segregated South Africa. The protesters demand the university dump these investments. More than two dozen people were injured during the fray, and 91 were arrested, two for possession of Molotov cocktails.

The Berkeley protest was one many staged in the United States to protest South African apartheid. Entertainers, priests, politicians and even former president Jimmy Carter's progeny, Amy, have arranged their own arrests for acts of civil disobedience related to South Africa.

Black South African Bishop Desmond Tutu has been ubiquitous—appearing on American television, making headlines, giving lectures. Tutu denounces the white South African government in the harshest

terms, calling it genocidal, and advocating black majority rule.

Meanwhile, black South Africans step up their own protests against apartheid. Black protesters and South African people clash, and people die regularly. The U.S. press continues to focus intense attention on South Africa. South Africa preoccupies many liberals in Congress.

The protesters, Tutu and the congressional left are correct in condemning the South African regime. Apartheid is a hateful institution. The elimination of the nation's racist infrastructure is the only acceptable, just, long-term solution for South Africa.

However, there is something deeply disturbing about the anti-apartheid protests. What is disturbing is the tunnel vision exhibited by the activists in this country—a willful myopia.

The middle-class white kids who are the vanguard of the anti-South African movement in this country find the oppression of blacks by the South African government unacceptable. They like—as does Tutu—to characterize the South African government as the most oppressive, most despicable on earth, certainly in Africa. Police and demonstrators clash in Cape Town. Several demonstrators are killed. "Genocide!" cry the Tutus and the American students.

Why is it that the American students are so concerned about blacks in South Africa but exhibit strict indifference to the plight of blacks elsewhere in Africa—blacks whose governments are murdering them wholesale, starving them to death, destroying their homes and multilating their families?

If the students want a real, clear-cut example of premeditated genocide, they ought to take a gander at Ethiopia. Lt. Col. Mengistu Haile Mariam, communist leader of Ethiopia, has engineered the slaughter of tens of thousands of Ethiopian peasants in his grand scheme to collectivize the country's agricultural economy and move 1.5 million people from the famine stricken northern reaches of the country to uninhabited areas in the southwest.

Theoretically, the plan is aimed at boosting agricultural production, although many suspect the real reason is to move people away from areas where they provide a base of support for anti-government guerrillas.

The resettlement plan is characterized by gross brutality and criminal inefficiency. The peasants' homes and property are being confiscated and the people herded—on foot and in over-crowded trucks—to the new villages in the southwest. According to thousands of Ethiopian refugees who have fled the tyranny and to the few independent observers who have managed to make their way to the new villages, people are dying in droves. Those who are not murdered en route by their communist overseers face an often-brief life of misery in the new villages. Typhoid and other diseases are rampant. Despite massive Western relief efforts—including millions of dollars raised through rock concerts—famine beshadows the land. The new settlers can look forward to 12 hours a day, 6½ days a week of forced labor in the fields. Families are torn asunder. The lowest estimates of death rates in the villages is 33 per thousand per day. Refugees from one village told refugee workers in the Sudan that, in 75 days time, 1,500 of the village's 7,000 residents died—worked to death, starved or smitten by disease.

Even the lowest estimates indicate that the relocation and attendant brutality by government troops killed 100,000 Ethiopians in the first six months of 1985.

A French physician—who, along with his colleagues, was thrown out of Ethiopia after criticizing government policies—compares Ethiopia to Nazi Germany in 1938 or Pol Pot's Cambodia in 1977.

True, South African apartheid is abhorrent. But the abuses of the South African regime pale in comparison to the genocide in Ethiopia. Yet the western press does not file daily dispatches depicting the horrors of Mengistu's Ethiopia, and college kids don't set up shanty towns to protest the Ethiopian slaughter.

Why is it that the middle class white kids at Berkeley and on college campuses across the U.S. get so outraged about the treatment of black people they don't know in South Africa and yet give not a hoot about black people they don't know in Ethiopia?

The answer, of course, is that the anti-South Africa movement is political and left-oriented, and tyrant regimes of the left are unfortunately immune from criticism by those who choose not to acknowledge their existence.

FARM CREDIT ASSISTANCE ACT OF 1986

Mr. ABDNOR. Mr. President, I am pleased to join my distinguished colleagues, Senators BOREN, BOSCHWITZ, and NICKLES in introducing the Farm Credit Assistance Act of 1986, S. 2332.

Mr. President, this legislation is a package bill which incorporates the concepts in other farm credit bills previously introduced in the Senate. It's a broad-based and comprehensive approach to dealing with the many financial problems being encountered by both lenders and borrowers in the farm sector. Mr. President, I believe this bill, if adopted, would make important improvements in S. 2231, the Agricultural and Energy Bank Incentive Act recently reported by the Senate Banking Committee.

Mr. President, I commend the distinguished chairman of the Banking Committee, Mr. GARN, and his colleagues for their prompt action in reporting legislation targeted toward assisting troubled agricultural and energy banks. While I have consistently supported their efforts and am pleased to be a cosponsor of their legislation, I'm hopeful the chairman will be receptive to our proposed amendment to his bill.

Although I believe the committee bill addresses the issue of stabilizing bank capital, in my opinion, it didn't go far enough toward an equally important objective—that of stabilizing agricultural debt. The Farm Credit Assistance Act deals directly with that objective, thereby bringing the borrower to the bargaining table.

Any complete assistance package must be two pronged. It must be a marriage of both borrower and lender interests. S. 2232 effectively deals with one party to this marriage—the lender. The Farm Credit Assistance Act focuses on the other party—the borrower.

Mr. President, the viability of any lending institution is based on the ability of its borrowers to cash-flow on their debt—not on the institution's ability to dispose of assets after foreclosure. For that reason, I believe it imperative that any farm credit proposal be borrower oriented and borrower driven. I stressed that fact just recently when testifying before the Senate Banking Committee upon their consideration of this issue.

Mr. President, the bank capital difficulties facing agricultural lenders are merely symptoms of a more fundamental problem with the lender's asset base. That problem stems from the income generating capacity of the assets. Low commodity prices and high interest rates have severely cripped the ability of ag borrowers to generate an income stream sufficient to stay current on their loans. Low commodity prices reduce revenues, and high interest rates drive up fixed costs. The ripple effect of reduced earnings for the borrower is that the ag lender, whose asset base is composed largely of farm loans, not only fails to generate income through the loan but must classify that loan, depleting his capital position.

Mr. President, for many banks in my State, diversification is not an option. The asset base which generates South Dakota's GNP is highly concentrated. Without a diversified asset base, and in many cases, without ready access to the capital markets, farm banks in South Dakota have no alternative but to grit their teeth and hope that next year will be better. I hope next year will be better too, but in the meantime, I feel it is incumbent upon Congress to act toward easing the stress for lenders and borrowers in the real Central America, and that's this Nation's Farm Belt.

Mr. President, the Food and Security Improvements Act of 1985 addresses the revenue side of the farm income problem in its efforts to shore up farm commodity prices. My hope is that this body will pass legislation which brings meaningful relief to the cost side of the income problem—high interest rates.

While S. 2232 encourages banks to restructure by adjusting the accounting treatment of such loans and by lowering capital requirements over a 7-year time period, the real issue on the cost side is interest rates. In my estimation, the interest rate buydown provision of the Farm Credit Assistance Act is an essential ingredient in meaningfully restructuring farm debt.

Moreover, the Farm Credit Assistance Act of 1986 addresses inequities which currently exist in the treatment of Farm Credit System and Farmers Home Administration borrowers. The concept behind remedying these inequities is simple. If it costs less for

either the Farm Credit System or the Farmers Home Administration to restructure the current borrower's debt than it does to foreclose, the lender is required to restructure the debt. This benefits not only PCA, Federal land bank, and Farmers Home Administration borrowers, but also Farm Credit System bondholders, and ultimately the American taxpayer.

Mr. President, I look forward to working with this body in enacting legislation which will ease the stress not only for troubled lenders, but also for debt-strapped borrowers of farm credit. The farm credit crunch is coming to a head, and without immediate assistance, tens of thousands of overextended farmers are likely to be swept off the land, the greatest exodus since the Dust Bowl days of the 1930's.

The need for action is clearer than ever. Farm banks have accounted for over 50 percent of the bank failures in the last 14 months, a glaring example of the need for Congress, the regulators, and lenders and borrowers alike to work together to secure a stable future for both lenders and borrowers of agricultural credit.

Still, only by getting to the guts of the credit crunch can we stem the tide. Mr. President, as I see it, the guts of this problem is the borrower who needs to cash flow on his debt. For that reason, any meaningful credit solution must have a borrower orientation, an orientation clearly evident in the Farm Credit Assistance Act of 1986.

COAL HAULAGE RATES

Mr. JOHNSTON. Mr. President, I want to address an issue of grave importance to this country's electric consumers and to those of us who are concerned about our country's trade imbalance: The coal haulage rates of our Nation's railroads. These ever-increasing rates are resulting in unnecessarily high electric utility bills for our constituents and contributing to our relentless foreign trade deficits.

In 1979, when the Senate considered the Staggers Rail Act, I was concerned about any deregulation of the railroads without providing viable competition for the haulage of commodities that are "captive" to the railroads. Thus, I cosponsored Senator BUMPERS' amendment that would have granted Federal eminent domain authority for interstate coal pipelines. Unfortunately, our proposed amendment was ruled nongermane. I supported, however, the "captive shipper" amendment by my colleague, Senator LONG. Many of us believed this amendment would provide effective protection for captive shippers, such as many of our Nation's electric utilities. I began immediately to work for the enactment of coal pipeline legislation, which I have again introduced this Congress as S. 994, "The Coal Distribution and Utilization Act of 1985."

Mr. President, the actions of both the railroads and of the ICC during the last 6 years have confirmed my worst fears during consideration of the Staggers Act. These same vents have made clear our Nation's need for the coal haulage competition that will be provided by coal pipelines.

Testimony at Senator WARNER's coal export hearings over the years has indicated that our European and Pacific rim customers are extremely concerned about the effects of the Staggers Rail Act upon the price of U.S. coal. For years, the export market was the bright spot for American coal. But unfortunately, our hopes have failed to materialize. In fact, since 1981, the United States has lost 10 percent of its world market share. This is an estimated loss of $3.9 billion in business and 18,000 jobs in mining and transportation.

There are several reasons for this decline in coal export market share, but foremost among them are our excessive transportation costs. Our coal companies in most instances are competitive at the mine mouth, but our inland transportation costs are threatening to run us out of the market.

Mr. President, the consistent message received from foreign coal buyers is that they want to buy American coal. Due to the high quality of our coal, our reliability, and their interest in maintaining good relations with the United States, foreign countries are willing to pay a premium for American coal. But the transportation costs are pricing America out of the market, setting us above the premium price they are willing to pay.

It is perfectly true that we, as a Nation, have hindered the development and utilization of America's vast coal reserves by protecting the railroads' near monopoly on coal haulage from any degree of competition. This protectionism of the railroad industry has not been healthy for the railroads or the country. It has led to foreign coal imports, huge trade imbalances, high utility rates, and a deteriorating coal export market.

For example, Florida utilities have found it cheaper to import coal from Colombia, South America, rather than to bring it by rail from Appalachia. And they are doing it. Virginia Power recently purchased 30,000 tons of colombian coal for a test burn. A spokesman for the utility said that the delivered price of the Colombian coal was less than the price of coal coming via rail from Virginia Power's traditional suppliers in West Virginia, western Virginia, and eastern Kentucky. The utility spokesman was quoted as saying, "It is incredible when you consider it may cost less to move coal from Colombia to our power stations than to move it from the western part of the State." Most recently, the Jacksonville Electric Authority in Florida signed a long-term contract with Colombia to supply 800,000 tons of coal a year for 12 years to its utility.

Even more remarkable, it was cheaper for New England Electric to bring a coal shipment from British Colombia all the way down and through the Panama Canal, through the Caribbean and up the Atlantic Coast, than to ship it by rail from Appalachia.

This is absurd, but we have permitted such absurdities by not allowing the forces of free market competition to operate. We have failed to permit coal slurry pipelines the same Federal right of eminent domain as has been granted to oil pipelines, gas pipelines, railroads, and certain electric transmission lines.

Recently, the New York Times published a thought-provoking editorial on the need to "protect shippers from being gouged by rail monopolies." The Times suggested "the long-term goal of reform should be to keep easing off regulation by making the shipping industry ever more competitive." The first step toward that end, states the New York Times, is that:

> Congress should authorize construction of pipelines to carry mixtures of pulverized coal and water from mines to power plants. Such coal slurry pipelines have been blocked at state level by railroad lobbying. If Congress pre-empts authority over pipelines, the mere threat of their construction would discourage rail overcharges.

I am inserting in the RECORD the entire New York Times editorial of December 23, 1985. I urge my colleagues to take a moment to read the editorial.

Clearly, we must take action now. Only through competition and reduced coal haulage rates can we hope to put coal miners back to work, create jobs for thousands of unemployed workers in the construction and related fields, reduce utility bills and increase U.S. coal exports.

I ask unanimous consent that the New York Times editorial be printed in the RECORD.

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

[From the New York Times, Dec. 23, 1985]

NEXT STEPS IN RAIL DEREGULATION

When Congress relaxed price controls for freight railroads in 1980, it sought an artful balance. It wanted to give railroads incentives to rebuild their collapsing systems. But it wanted also to protect shippers from being gouged by rail monopolies. Some of these shippers now complain that the balance has tilted in favor of railroads, and they make a good case. If deregulation is to work for everyone, the reforms of 1980 need fine tuning.

Most cargo shipping is vigorously competitive. In setting prices, truckers and airlines must keep a close eye on the competition. Railroads, too, are held in check for some products in some regions. If they try to

overcharge the large manufacturers of high-value products like machinery or auto parts, they risk losing the business to another railroad or an enterprising trucker.

But railroads exert great market power in carrying bulk commodities on underserved routes. So Congress put some limits on the railroads' freedom to set their own rates. Where a shipper can show that a rail company dominates a transportation market, the Interstate Commerce Commission is empowered to intervene. And if the commission finds a railroad's total revenues to be adequate and its prices unreasonable, the shipper can be granted rate relief.

By and large, this partial deregulation has worked well. Railroads are posting good profits. More important, they are investing billions to modernize their systems. And many shippers are getting better service for the same old rates. But some shippers, notably power companies buying coal from Western Mines, have been seriously overcharged. And the I.C. has so far denied them relief. The commission, it appears, clings to the outdated rationale that the railroads need every last penny to stay in business.

A coalition of commodity shippers, electric utilities, labor unions and consumer groups urges legislation, to reduce the I.C.C.'s discretion, forcing it to come down-harder on strong railroads. Things may have to come to that if the commission refuses to tighten its guidelines for rate relief. But the dreary history of price regulation makes very clear that prices set by regulators can never by entirely fair or efficient.

The long-term goal of reform should be to keep easing off regulation by making the shipping industry ever more competitive. At least three steps could be taken toward that end:

Congress should authorize construction of pipelines to carry mixtures of pulverized coal and water from mines to power plants. Such coal slurry pipelines have been blocked at state level by railroad lobbying. If Congress pre-empts authority over pipelines, the mere threat of their construction would discourage rail overcharges.

The I.C.C. or Congress, if necessary, should halt rail mergers that reduce the number of carriers serving shippers of bulk commodities.

Congress should explore ways to stimulate more competition among existing rail systems. For example, it might require rail companies to lease their tracks and terminals to competitors at reasonable rates.

The first goal of rail deregulation—a more productive, financially stable system—has been achieved. The next goal should be ensuring that railroads share the benefits with consumers.

DEAN OF WISCONSIN TV EDITORIALISTS TO RETIRE

Mr. KASTEN. Mr. President, at the end of this month, in just a few short days, my hometown of Milwaukee, WI, will bid farewell to a man who for almost a quarter of a century has echoed the public conscience.

Carl Zimmermann, the sometimes brash, sometimes alarming, sometimes funny, but always thought-provoking and responsible editorialist for WITI-TV in Milwaukee, is retiring.

His relinquishing of nightly on-screen duties marks a passage, not only for him but for those of us for whom he was a source of commentary about events unfolding in Milwaukee, WI, the Nation, and the world.

Carl Zimmermann is the undisputed dean of Wisconsin broadcast editorialists, having introduced that style of journalistic expression to Wisconsin television viewers in 1962.

Over the past 24 years no subject or event was spared his razor-fine analysis. Listing the topics that sparked his editorial fire would be like outlining recent history.

Education, the State budget, the Federal deficit, war, environmental protection of the Great Lakes, community building projects, the growth of new businesses and job creation, successes and failures in professional sports, successes and failures in local, State, and national politics—he poured his insight and wit over these topics and much, much more, making otherwise complex subjects understandable to shop owners in Brookfield, farmers in Waterford, and longshoremen in Racine.

But, Mr. President, Carl Zimmermann's distinguished voice and commanding demeanor affected far more than television audiences.

A native Milwaukeean, he has throughout his career shared his energy, his industry, and his heart with the community. A firm believer in community service, Mr. Zimmermann has served on such varied organizations as the Governor's Council on the Developmentally Disabled, on the boards of the Salvation Army, United Way, NAACP, Milwaukee Symphony, and Wisconsin Coalition for the Arts and Human Needs, and numerous other service societies.

Mr. Zimmermann has been recognized for his service, and for his journalistic talent, with many local, State, and national awards. To mention just a few, he has won the President's Award from the Association for Children with Learning Disabilities, the Alfred P. Sloan Award for Creative Writing, the Signam Delta Chi Award for Excellence in Journalism, the Milwaukee Civic Alliance Distinguished Service Award, the Exemplory Award for Chairmanship of Milwaukee County's International Year of Disabled Persons, and the Citizen of the Year Award from UNICO.

Carl Zimmermann has been my friend for years. Although I have not had the opportunity to regularly watch his nightly news editorials for some years now, my feelings of respect and admiration are undiminished.

I will miss the Voice of Channel 6 news, as will the countless Wisconsinites for whom he was a regular and welcome evening visitor. We all wish him well in his future endeavors.

Mr. President, I ask unanimous consent that a copy of a recent Milwaukee Journal article announcing Mr. Zimmermann's retirement be printed in the RECORD as a tribute to his conscientious service as a member of the fourth estate and to his far-reaching and exemplary influence in Wisconsin.

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

ZIMMERMANN WILL RETIRE AT WITI

(By Mike Drew)

On April 30, Carl Zimmermann will end 24 years of patting backs and kicking butts as editorialist for WITI-TV (Channel 6).

That also will put at least a semicolon on half a century in Milwaukee broadcasting. Zimmermann's is probably the longest on-air career in local history.

Zimmermann started in radio in 1936 as a South Division High School sophomore. Since then, he's worked in various announcing, newscasting and management positions at WEMP, the old WFOX, Racine's former WRAC and WISN radio and TV.

In World War II he assisted network correspondents in Europe, including Edward R. Murrow and Eric Sevareid, and was heard regularly on NBC's weekly "Army Hour."

Recalled by the Army Reserve in the Korean War, Zimmermann produced, wrote and narrated the syndicated "Big Picture" TV series.

At WITI since 1959, he's been anchor, reporter, news director and director of communications. Since September, he's continued to write and deliver editorials on a part-time basis.

Station manager Andrew J. Potos, who handles editorials when Zimmermann is away, will add their delivery to his other duties.

Zimmermann plans to continue in broadcasting, doing free-lance announcing, including some commercials.

He'll also do considerable traveling with Doree, his wife of 43 years. The Zimmermanns have five children, ages 19 to 40, and four grandchildren. Zimmermann won't reveal his age.

The dean of Milwaukee broadcasters also will continue his wide-ranging volunteer work, including duties at the St. Francis Children's Center, where he's on the board of directors. His retirement dinner May 8 at the Pfister Hotel will benefit the center.

Among Zimmermann's national honors are an Alfred P. Sloan writing award and the Abe Lincoln award of the Southern Baptist Church. Last year he won the annual Excellence in Journalism Award from the Milwaukee Chapter of the Society of Professional Journalists, Sigma Delta Chi.

Zimmermann said, "This business has been very good to me. I've thoroughly enjoyed working with all kinds of people, presidents to average folks."

His proudest moment, he said, was, "beating Channel 4 in the ratings for the first time."

AMERICAN LATVIAN ASSOCIATION'S 35TH ANNUAL CONGRESS

Mr. ZORINSKY. Mr. President, in a few days, leaders of Latvian American organizations throughout the country, including some from my own State of Nebraska, will gather in Washington for the annual Congress of the Ameri-

can Latvian Association. The meeting marks the 35th anniversary of the association's founding by those dedicated to restoring self-determination to Soviet-occupied Latvia and to teaching the Latvian language and culture.

Among the association's achievements over the years have been establishment of the Latvian Studies Center at Western Michigan University and creation of the Latvian Museum at association headquarters in Rockville, MD. The Latvian Studies Center houses the largest Latvian-language library in the United States and the association is the second largest publisher of Latvian-language books in this country.

The ALA also publishes the English-language Latvian News Digest and cofounded the Joint Baltic American National Committee to serve as a liaison between Baltic-American organizations and the United States Government.

Mr. President, the ALA today includes more than 200 secular and religious organizations. Its steady growth over more than three decades exemplifies Latvian American unity and the strong desire of Latvian Americans to see Latvia someday take its rightful place among the free nations of the world. As association leaders gather for their annual congress May 2-4, I know my colleagues join me in sending them a warm message of greeting and congratulations. Their commitment is strong and their love of freedom supreme. They are a credit to Latvian people everywhere.

THE PLIGHT OF SOVIET JEWRY

Mr. TRIBLE. Mr. President, I rise today to underscore my concern about the Soviet Union's continuing attack on the Jewish people.

For decades, the gulag has been a way of life for Soviet Jews. Countless Jews have been imprisoned on trumped up charges. In fact, their only offense has been to defy Soviet prohibitions on the practice and teaching of religious faith. And yet, they are imprisoned today in jails and psychiatric hospitals throughout the Soviet Union.

For those Jews who have escaped imprisonment, the Soviet gulag remains a constant threat. With each candle he lights, the Jew in the Soviet Union increases the risk that he will be harassed by Soviet authorities. With each celebration of Passover, the Soviet Jew raises the chances that he will be the next Jew to be locked away in a Soviet prison or labor camp.

For many years, for example, Vladimir Brodsky served with the unofficial Moscow peace group. His requests for exit visas for himself and his family have been repeatedly turned down. In August 1984, he was arrested for "hooliganism," a catchall offense used by the Soviets to punish religious and political dissidents. Brodsky served a 15-day jail term, and was beaten so badly that he had to be hospitalized. Today, he faces the prospect of 3 years hard labor in a Soviet prison camp.

Mr. President, this is not an isolated incident. Every Jew in the Soviet Union is at risk of imprisonment and brutal beatings by Soviet officials. Despite being signatories to numerous international human rights agreements, the Soviets have made clear they will tolerate no religious expression.

But neither will they grant permission to the many Jews who want to leave the Soviet Union. Last year, barely more than 1,000 Jews were permitted to leave the U.S.S.R. More than 400,000 still await permission to emigrate. What does it say about a country that has to keep nearly one-half million Jews walled within its borders?

The unrelenting persecution of Soviet Jews must remain a priority for the West. The efforts by the United States remain the last, best hope for those Jews imprisoned in the gulags of the Soviet Union. I am pleased to take part in the call to conscience, and I urge my colleagues to do the same.

NATIONAL ORGAN DONOR AND TISSUE AWARENESS WEEK

Mr. ANDREWS. Mr. President, this is National Organ Donor and Tissue Awareness Week and, as such, we not only enourage the donation of organs, but we also honor those who have given of themselves so that others might share in the most precious gift of all: life. There is a Chinese proverb that goes "it is better to light a candle than to curse the darkness." There are thousands of giving Americans who have done just that—opened the door of life for another in the face of their own death. This is the true spirit of giving.

Through the miraculous advances of modern medicine and the development of immunosuppressant drugs, organ transplants have now become a reliable and viable option in many cases—giving hope where none existed 25 years ago. In 1984, 24,000 citizens received their sight from cornea transplants and the like; 346 Americans were saved from heart disease with transplants; 6,968 people were also freed from dialysis machines via kidney transplants.

Those nearly 7,000 individuals who received a second chance for life through their new kidneys have a great deal to be thankful for, as many of these operations were done with one organ being removed from a living donor, who is healthy, and has need of only one kidney. However, this is only a beginning. The National Kidney Foundation estimates that there are currently 25,000 Americans who would benefit from transplant—8,500 of them are in critical need of surgery.

With new technologies and the resulting dramatic increase in survivability rates, the number of hospitals and clinics performing such operations has expanded as well. These increases all reflect a growing demand for organ and tissue donations. That is why I cosponsored legislation, approved during the 98th Congress, to set up a task force to evaluate possible avenues to alleviate the great need for donations and particularly to evaluate the need for a national organ donor registry. As an organ donor myself, I know that while we have achieved some success in providing more and more opportunities for those in need—much more remains to be done.

Millions of Americans possess the ability to give life. I only hope that this week will let more of them know just how much they can help. There is another old sayings, "When God closes one door, another one is always opened for us." This is the hope and the challenge of National Organ Donor and Tissue Awareness Week.

UNDER SECRETARY GENERAL BRIAN URQUHART

Mr. MOYNIHAN. Mr. President, the recent retirement of Mr. Brian Urquhart from the United Nations calls to mind the good that body can accomplish under brave and enlightened leadership.

Mr. Urquhart has been both a warrior and a man of peace. Joining the British Army the day after war was declared in 1939, he broke every bone in his body during a 1,200-foot paratroop training jump when his parachute failed to open. Nevertheless, after 7 months of hospitalization, he went overseas and served with distinction as an intelligence officer in North Africa, Sicily and Europe, beginning with the D-Day invasion.

At the end of the war, Mr. Urquhart became the second person ever to be hired by the United Nations. During his 41 years of service to that organization, he took on great responsibilities, including that of being the Deputy Executive Secretary of the Preparatory Commission of the International Atomic Energy Commission.

But he made his greatest contribution to peacekeeping. When the United Nations set up its first peacekeeping force during the 1956 Suez crisis, Brian Urquhart helped establish that force's operating principles, and managed the practical tasks involved in obtaining and equipping the necessary troops. He even designed the blue helmets that have since come to symbolize U.N. peacekeeping efforts.

After Suez, Mr. Urquhart continued to help direct such actions in the

Congo, the Middle East, Cyprus and elsewhere. Many of these operations subjected him to personal risks; during the Congo action, he was kidnaped and savagely beaten by secessionist soldiers. Yet his commitment to peacekeeping endured. Thanks to the operations he led, a great deal of bloodshed was averted. As he rose to the position of Under Secretary General, he epitomized the professionalism and sense of responsibility so important to the United Nations Secretariat.

Of course, not every U.N. official has matched the standard set by Mr. Urquhart. Nor has every resolution adopted by the General Assembly done credit to the organization's founding principles. But this must not blind us to the good that he and others have accomplished, or drive us to abandon our efforts at reorienting and reforming the United Nations. We should do whatever we can to help bring about such change, rather than taking hasty, unilateral steps which would further diminish our influence in that body. We should be reminded every time we see a blue helmet of what the United Nations—when led by men such as Brian Urquhart—can accomplish.

ORDER OF PROCEDURE

Mr. DANFORTH. Mr. President, on March 19, 1986, I introduced S. 2207, the "Tax Carryover Limitation Act of 1986." It has just come to my attention that a page of my statement accompanying the bill was inadvertently omitted from the RECORD. Accordingly, I ask unanimous consent that the entire text of my statement be printed in today's RECORD.

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

S. 2207—TAX CARRYOVER LIMITATIONS ACT OF 1986

Mr. DANFORTH. Mr. President, Senator CHAFEE and I are pleased to be introducing legislation to address a problem in the Internal Revenue Code that Congress has grappled with since 1976. Specifically, I am referring to code sections 382 and 383 which limit the use of a corporation's net operating loss and other carryovers following a substantial change in the stock ownership of the corporation.

The need to revise section 382 to curb abuses and eliminate discontinuities and uncertainties under current law has been apparent for many years. It is the solution that has eluded us. In the last few years, however, a growing consensus has emerged on an approach to the carry over of net operating losses. This approach first surfaced in a 1982 study by the American Law Institute entitled Federal Income Tax Project: Subchapter C. Subsequently, a task force composed of tax practitioners, academicians, and professional staff from the Joint Committee on Taxation and the Department of the Treasury joined together with the staff of the Senate Finance Committee to prepare a report on proposals to revise the taxation of corporations and shareholders. Last year, the staff of the Senate Finance Committee released its final report of subchapter C, including specific suggestions for the revision of sections 382 and 383 based on substantial refinements and modifications to the American Law Institute's 1982 study.

The bill I am introducing draws heavily from the Senate Finance Committee's subchapter C report for new principles and guidelines to govern the carryover of net operating losses. I note that the tax reform bill recently passed by the House of Representatives also adopts the general principles proposed in the subchapter C report for dealing with such operating losses. In addition, the tax reform proposals just releasd by Senator PACKWOOD include revisions to sections 382 and 383 that are substantially the same as those embodied in my bill.

Mr. President, before turning to a discussion of the provisions in my bill, I would like to publicly thank all of the people—both in government and from the private sector—who contributed so much time and effort to the Senate Finance Committee's subchapter C report. A complete list of these people can be found in Senator CHAFEE's opening remarks at the September 30, 1985, hearing on the subchapter C report held by the Subcommittee on Taxation and Debt Management of the Committee on Finance. In recent months, many of these people contributed to the development of my bill and deserve particular recognition. These people are George Yin and Lindy Paull from the Finance Committee; LaBrenda Stodghill, Laurie Mathews, and Paul Jacokes from the Joint Committee on Taxation; Jim Fransen and Mark Mathiesen from the Office of Legislative Counsel; and Rick D'Avino from the Department of the Treasury.

Normally, when describing proposed legislation, I would start with a description of current law. Unfortunately, it is extremely difficult to identify "current law" under the circumstances presently surrounding sections 382 and 383. As part of the Tax Reform Act of 1976, Congress completely rewrote sections 382 and 383. Since then, we have postponed, time and again, the effective dates of the 1976 amendments because they suffer from the same basic flaws as pre-1976 sections 382 and 383 as well as a host of additional inadequacies. The latest postponement of the effective dates expired on December 31, 1985. As a result, the 1976 amendments to sections 382 and 383 are technically the law today.

This problem is further compounded by the tax reform bill passed by the House of Representatives in December. As mentioned earlier, that bill contains new rules governing the carryover of corporate tax attributes following certain changes in stock ownership. These rules are embodied in amendments to sections 382 and 383, and are effective to changes in corporate ownership that occurred on or after January 1, 1986.

Mr. President, the situation I have just described is an excellent example of the type of confusion created by the effective dates in the House tax reform bill. In planning for a transaction, should a taxpayer rely on the 1976 amendments which are technically the law, but which almost everyone agrees should never take effect? If not, should the taxpayer rely on the provisions of the House bill which represent a sound policy improvement over the 1976 amendments and pre-1976 law, but which have not yet been acted upon by the Senate? Or perhaps the taxpayer should rely on pre-1976 law which, in fact, has been the law through December 31, 1985, notwithstanding the 1976 amendments? In my opinion, we can surely provide taxpayers with a modicum of certainty better than this.

For purposes of my statement, I will refer to pre-1976 law as current law. Under current law, a corporation that incurs a net operating loss in 1 year generally is permitted to use the loss to offset income earned in the 3 taxable years prior to and the 15 years after the year in which the loss is incurred. The underlying policy for this treatment is to ameliorate the otherwise harsh consequences of a strict annual accounting system. In 1954, section 382 was added to the Internal Revenue Code to curb "trafficking" in corporations with unused net operating losses following certain changes in the ownership of the corporation. One set of rules applies in cases of ownership changes by taxable stock purchase or redemption, and the other set of rules applies to acquisitions by tax-free reorganization.

The purchase rule provides that no carryover of net operating losses is permitted if—(1) the 10 largest shareholders of a loss corporation own a percentage of stock in the corporation which is at least 50 percentage points more than they owned at any time within the 2 preceding taxable years, and second, the loss corporation does not continue to carry on substantially the same trade or business after the change in stock ownership. Absent either of these conditions, the net operating loss carryovers of a corporation are unaffected by a change in ownership resulting from a purchase or redemption of stock. In contrast, the reorganization rule limits the

carry over of net operating losses following certain tax-free reorganizations if the stock in the acquiring corporation that is received by shareholders of the loss corporation represents less than 20 percent of the stock of the surviving corporation. In such a case, the net operating loss carryovers of the loss corporation are reduced by 5 percent for each percentage point below 20 percent of the stock of the surviving corporation received by loss corporation shareholders.

In addition to these specific rules, net operating loss and other carryovers can be subject to limitations following changes in stock ownership under a variety of additional rules. First, section 269 authorizes the Secretary of the Treasury to disallow carryovers if the principle purpose of an acquisition of a corporation is tax avoidance by securing the benefit of the losses or excess credits. Limitations may also be imposed under the so-called "Libson Shops" doctrine, based on a 1957 Supreme Court decision [*(Libson Shop, Inc.* v. *Kehler,* 353 U.S. 382 1957)] which held that, under pre-1954 law, net operating losses would not survive a statutory merger unless the losses were offset against income earned after the merger that was attributable to the same business that produced the loss. Subsequent court decisions are divided over the continuing validity of the Libson Shops case in light of the statutory changes made in 1954. Finally, the consolidated return regulations restrict the use of net operating loss and other carryovers where a loss corporation is acquired by a consolidated group of corporations (the "separate return limitation year" rules) and where there is a change in the ownership of a consolidated group of corporations that has net operating loss carryovers (the "consolidated return change of ownership" rules).

Critics of the current rules have argued that the law encourages trafficking in net operating loss and other carryovers. In addition, current law places a substantial premium on tax planning, discriminates between different types of acquisitions without fundamental policy reasons for such discriminations, distorts investments devisions, and creates undue bias between diversified and nondiversified entities and between old and new businesses. Finally, current law fails to provide certainty in determining the extent to which tax attributes, such as net operating loss carryovers, will survive an acquisition.

In light of these criticisms, Congress, tax professionals, and tax academicians have been struggling for years to find a new approach to this problem. Thanks in large part to the work of the American Law Institute and the task force behind the Senate Finance Committee's subchapter C report, a consensus has developed in recent years in support of an approach limiting the use of net operating loss and other carryovers following significant corporate changes in ownership.

This new approach, as set forth in my bill, provides that the deductibility of net operating loss carryovers following a substantial ownership change would be limited in each year to an amount equal to the Federal midterm rate multiplied by the value of the loss corporation at the time of the ownership change. A parallel limitation would apply to the utilization of other carryovers. In general, a substantial change of ownership would be defined as any change, however accomplished, resulting in a greater than 50-percent shift in the ownership of the corporation's equity.

The theoretical underpinning for this limitation on the use of net operating losses is the idea that the loss corporation should be permitted to continue to utilize its net operating loss carryovers following the change in a manner approximating the potential use of such carryovers had no change in ownership occurred. Admittedly, this is rough justice at best. On the one hand, this approach requires the making of certain assumptions which are unlikely to be a reflection of actual experience for a specific corporation. On the other hand, the approach provides reasonable limitations for the utilization of carryovers following ownership changes, creates an increased level of certainty for transactions covered by its provisions, and should substantially cut down on the trafficking in loss corporations.

A number of additional provisions in my bill ensure the smooth approach of the new rules. The bill includes a rule designed to prevent the value of the loss corporation from being inflated in anticipation of an ownership change. In particular, any capital contribution made at any time as part of a plan the principle purpose of which is to avoid the limitation would not be taken into account in determining the value of the loss corporation. In implementing this rule, the bill provides that any capital contribution made during the 2-year period ending on the date of the ownership change would be treated as such a plan. Regulations would ameliorate this 2-year rule in appropriate circumstances such as capital contributions made upon formation of the corporation.

Other provisions of the bill include special rules governing (1) loss corporations which are investment companies; (2) increases or decreases in investment companies; (3) the limitation on utilization or carryovers for built-in gains and losses; (4) bankruptcy proceedings; and (5) the repeal of the Libson Shops doctrine. I do not feel it is necessary to examine all of provisions of the bill in detail. Rather, I wish to make a few remarks on several specific provisions.

First, my bill does not include built-in depreciation deductions as built-in losses for purposes of calculating the limitations on use of carryovers. The reason for this is quite simple—use of depreciation deductions is already spread over a period of years under the provisions of the tax laws governing depreciation deductions.

Second, my bill contains a special rule exempting certain reorganizations of failing thrifts and savings and loans from the new limits on the use of carryovers. This exemption applies only to reorganizations described in section 368(a)(3)(D)(ii), and only if the reorganization is completed before January 1, 1991. I have included this provision because a similar exception applies under current law. I am not entirely convinced that this exception is warranted, but I do believe we should address the issue specifically in the Senate Finance Committee. At the present time, the Federal Home Loan Bank Board and the Federal Savings and Loan Insurance Corporation rely heavily on the existing exception in making failing thrifts attractive investments to prospective purchasers. It is not a great secret that the FSLIC is experiencing severe financial problems. Before exacerbating its problems with a change in the tax laws, we should at a minimum have a lively debate on this issue. Finally, if it is determined to retain this type of exception, we should also examine whether a similar rule should apply to reorganizations of financially troubled banks insured by the Federal Deposit Insurance Corporation.

Third, unlike the provisions of the House tax reform bill, my bill would eliminate the continuity of business requirement as a prerequisite to the carryover of net operating losses following a change in ownership.

Fourth, my bill resolves specifically the confusion over what laws are currently applicable to net operating loss carryovers by providing an effective date of January 1, 1987. At the same time, the 1976 amendments would be repealed. The result is that pre-1976 law would be applicable through December 31, 1986, and thereafter the provisions of my bill would apply. I do note that we may wish to consider a transition rule permitting taxpayers to elect to have the 1976 amendments apply to transactions occurring in 1986 prior to the date of enactment of my bill.

In conclusion, I believe my bill represents a significant improvement over current law, over the 1976 amendments, and over the applicable provisions of the House tax reform bill. I am hopeful that we will enact my bill quickly and finally put to rest the question of the treatment of net oper-

ating loss carryovers following substantial changes in the ownership of a corporation.

ARMENIAN GENOCIDE

Mr. BOSCHWITZ. Mr. President, I rise today, April 22, 1986, to commemorate the 71st anniversary of a genocide that resulted in the death of 1.5 million Armenians in the years 1915-23. That tragedy was the first in a series of holocausts that have marred the 20th century and that continue to this very day.

There are those who wish to explain away the suffering of the Armenian people as a part of the general conflagration of World War I. There are also those who seek to forget the particular suffering of the Armenian people on the grounds that to remember is to give justification to terrorist acts committed by so-called "Armenian terrorists." Mr. President, I reject both assertions. Yes, others did suffer in World War I, but recognition of that fact ought not forbid us from paying special tribute to a people who suffered death and suffering in unspeakable numbers.

Mr. President, there are few who oppose terrorism as strongly as I do, and I forthrightly condemn acts committed by a very small number of Armenians. But those acts cannot permit us to forget the events of 1915-23. To forget to remain silent, is perhaps to permit those horrors to repeat themselves.

As one of the leaders in the recently successful effort to ratify the Genocide Convention, I strongly believe that we have an absolute obligation to remember the evils committed against the people of Armenia. I do so in recognition of a universal principal that every people has the right to be protected from the sin of genocide.

71ST ANNIVERSARY OF THE ARMENIAN GENOCIDE

Mr. D'AMATO. Mr. President, I rise today to speak on an incident that occurred over 70 years ago, but that has endured in our memories throughout this century as one of the most heinous acts man could perpetrate against man: the Armenian Genocide.

As a sponsor of Senate Joint Resolution 101, a bill to designate a "National Day of Remembrance of Man's Inhumanity to Man," I continue to be outraged over the considerable ignorance that surrounds the Armenian Genocide. Under Turkish Ottoman rule, one-and-a-half million Armenians perished between the years 1915 to 1923. Even though the Turkish attempt to systematically eliminate the Armenian race is well documented, the United States Government still does not officially recognize this tragic incident.

Mr. President, after far too many years, the Senate finally passed the Genocide Convention. But, signing a treaty is not enough. It is equally important to appropriately remember acts of genocide. Regardless of the relations we have with a particular nation, the Armenian Genocide must never be forgotten.

The decision to undertake this genocide of Armenians was a conscious one. In their policy of genocide, the Turks gathered entire communities aboard sea vessels, and then drowned them. Live babies were thrown into pits and then covered with stones. Confronted with the threat of death, more than 1 million Armenians were forced to leave their homes and march hundreds of miles, while being denied food and water for the duration of their journey; Hundreds of thousands died from the exhaustion, and hundreds of thousands more from starvation. In all, more than 2 million Armenians were affected by the deportation policy.

Those who survived the genocide fled throughout the world. Many emigrated to other parts of the Middle East, to Western Europe, and to the United States. Others joined Armenians in the Soviet Union, where they founded an independent Armenian Republic in 1918. Unfortunately, the Armenian people were soon subjected to the tyranny of the Soviet regime, as well. Today, there are more than 675,000 Armenian-Americans living in the United States, many of whom had family members perish in the Armenian Genocide. For the over 1 million innocent men, women, and children who were exterminated by the Turks from 1915-17, we owe a special day of rememberance of this shameful event. The book is not yet closed on the Armenian Genocide, one of the greatest crimes against humanity in the history of civilization.

Thank you, Mr. President.

COMMEMORATING THE ARMENIAN GENOCIDE

Mr. GLENN. Mr. President, I rise today to join my colleagues in pausing to remember the first but sadly not the last genocide of the 20th century. On April 24, 1915 some 200 Armenian religious, political and intellectual leaders were arrested in Constantinople, and exiled or taken to the interior and killed. Over the next 8 years a million-and-a-half Armenians perished and another half million fled their homeland. On July 16, in a cable to the Secretary of State, the U.S. Ambassador to the Ottoman Empire, Henry Morgenthau, stated:

> Deportation of and excesses against peaceful Armenians is increasing and from harrowing reports of eye witnesses it appears that a campaign of race extermination is in progress under a pretext of reprisal against rebellion.

It is said that Adolph Hitler, when contemplating the final solution asked "Who remembers the Armenians?" Thus our purpose here today is much more than to simply recall a tragic fact of history; it is to renew our resolve to do everything we can to insure that such a tragedy is never again visited upon any people anywhere on this Earth. The world is, regrettably, not yet rid of the scourge of genocide. The Armenian tragedy was followed by the horrors of the Holocaust, and then much more recently by the massacre of Cambodians. Because our century has seen such horrors is, to me, not an argument for trying to forget, rather it impels us to remember. And in remembering we vow to be vigilant against any further repetitions of such horrendous examples of man's inhumanity to man.

In the words of Edmund Burke:

> The only thing necessary for the triumph of evil is for good men to do nothing.

In memory of all victims of genocide, let us reaffirm our commitment, as individuals and as a nation, never to allow, through indifference or inaction, any future repetitions of the tragic legacy of genocide in the 20th century.

ARMENIAN GENOCIDE

Mr. PELL. Mr. President, this week marks the 71st anniversary of the genocide perpetrated against the Armenian people by the Ottoman Empire during World War I. Today, I am pleased to join Armenians throughout the world in paying tribute to the victims and survivors of this evil crime.

Before World War I, Armenians, a gentle and highly cultured people, demanded only tolerance and freedom from the rulers of the Ottoman Empire. In response, Ottoman rulers launched a coordinated drive to round up and eliminate every Armenian man, woman, and child. In 1915, the empire began deporting Armenians and from that time until the empire collapsed, an estimated 1.5 million Armenians—some 60 percent of the Armenian population—were killed or died of disease or exposure. Today, we honor those courageous individuals who were exterminated for no other reason than that their national heritage was considered alien by those who ruled the Ottoman Empire.

The modern state of Turkey bears no responsibility for the tragic acts committed by the Ottoman Empire against the Armenian people. It should, however, acknowledge that these events took place. Kemal Atataurk did so many years ago when he condemned the massacres of millions by his Ottoman predecessors. The present government should do no less.

The Armenian genocide reminds us that man possesses the pernicious quality of bigotry and the capacity to be cruel. We must never forget the despicable, inhuman treatment suffered by the Armenians at the hands of their fellow men. To do so, as the tragedy of the Holocaust shows, is to invite a repetition of what may be man's most reprehensible crime, genocide.

The way to commemorate the suffering of the Armenian people is to keep the memory of the Armenian genocide alive and to reaffirm our commitment to human life and dignity. The Senate recently took an important and in my view much delayed step toward reaffirming this commitment by approving the Genocide Convention. Now we must eliminate the evil of genocide from the heart of mankind so that the victims of the Armenian genocide did not die in vain.

ARMENIAN GENOCIDE

Mr. METZENBAUM. Mr. President, I rise today to recall the systematic execution of more than 1½ million Armenians at the hands of the Ottoman Turks. This first act of genocide in the twentieth century has too often been relegated to the footnotes of history and conveniently forgotten. It is our duty to recognize this horrific act of man's inhumanity to man and once again pledge our Nation's commitment to prevent future crimes of genocide.

On February 19 of this year, the Senate finally voted to ratify the Genocide Convention. In the humane spirit of this action, I believe it is fitting to remember the suffering of the Armenian people.

Between 1915 and 1923, the Ottoman Government sanctioned the murder of over 1.5 million Armenian Christians and drove hundreds of thousands more permanently away from their ancestral homeland under the guise of Pan-Turkism. Entire villages of Armenians were forcibly deported, thousands more peasants were kidnaped and exiled. Many or most of the deportees died of starvation, disease, or exposure. Large portions of the Armenian intelligensia and professional classes were abducted and simply slaughtered.

After the First World War, the Armenians sent a delegation seeking justice to the peace conference at Versailles. However, the great powers gathered there failed to act against those responsible for the Armenian genocide. One hundred and fifty Turks who were among those allegedly involved in the genocide were released unpunished from British jails. No war crimes trials followed World War I. There were no opportunities for the victims of the Armenian genocide to gain some semblance of legal retribution. There was no Nuremburg.

Fortunately, one man, Prof. Raphael Lemkin, championed the cause of the Armenian people. At the International Conference on the Unification of Criminal Law, held in Madrid in 1933, Lemkin proposed "to declare the destruction of racial, religious, or social collectivities" a crime under international law. Raphael Lemkin coined the word "genocide" in 1944 to describe the Nazi Holocaust of World War II. He ceaselessly fought to instill in the human conscience an abhorrence of genocide calling for international participation in the Genocide Convention.

Turkey today, unlike Germany, refuses to admit responsibility for its act of genocide. The Turkish denial needlessly perpetuates bitter animosity on the part of Armenians in the United States and elsewhere. It is time for the Government of Turkey to officially acknowledge its responsibility for its crimes of 1915 to 1923 and publicly apologize to the Armenian people.

We cannot purge history of its ugly chapters. Lessons of terror are just as important as lessons of compassion and valor. An enlightened knowledge of our barbaric past is the only weapon we may bear to prevent future acts of genocide. Should another mad man ask the question, as Hitler did—"who remembers the Armenians?"—we must all be able to answer—"I do."

ARMENIAN GENOCIDE

Mr. SARBANES. Mr. President, 2 months ago the Senate of the United States gave its advice and consent to the International Convention on the Prevention and Punishment of the Crime of Genocide, a document signed by the United States in 1948 and submitted to the Senate the following year. Ratification of the convention after nearly 37 years is a symbol of our commitment to the future; it is also a remembrance of the past, our commemoration of genocide's tragic victims.

Our century, so notable for progress in other ways, has been profoundly scarred by genocide, a crime of such magnitude that it is difficult to grasp its dimensions or determine precisely the number of its victims. Indeed, the word genocide is itself a mid-twentieth-century word, coined in an effort to come to terms with the tragedy of deliberate mass extermination.

We do not live in the past, but we cannot live without it. To ignore or forget the past is to remain its captive; remembrance and understanding are the means of coming to grips with its legacy.

That is why we take time today to mark the appalling, systematic assault committed 71 years ago against the Armenian people. The Armenian massacres, as they were called, uprooted an entire nation, deliberately eliminated its leaders and intellectuals and left the survivors homeless, scattering them around the world. One and one-half million persons are estimated to have perished in a train of events of which the then-U.S. Ambassador, Henry Morgenthau, wrote:

> I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915.

This day has special meaning for Armenians everywhere. Having lived with tragedy—few families were unaffected by it—they are committed to the proposition that their experience has meaning for all of us. And indeed, in the face of such tragedy remembrance and understanding are universal imperatives, essential to decent people and decent societies; they cannot be the special province only of the survivors.

Americans of Armenian descent, who have distinguished themselves in every aspect of our national life, have at the same time kept alive the rich traditions of their unique heritage. Consider the story of Dr. Vartan Gregorian, President of the New York Public Library, who came to this country in 1956 in search of an education because, in the words of a recent profile by Philip Hamburger:

> Some instinct told him that America was the place for him.

In my own State of Maryland, Armenian Americans play a vital role in our pluralistic and democratic society, and their contributions to our cultural, social political and economic life are varied and unique.

We join our Armenian American friends, neighbors and colleagues in marking this day. The Armenian tragedy has meaning for all of us. As citizens of a free nation, founded on the ideals of human dignity and freedom, we commemorate the Armenian genocide to pay tribute to the memory of its victims, and above all to reaffirm our own determination to see that so terrible a crime shall never be repeated.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Chair, acting in his capacity as the Senator from Vermont, rescinds the order for the calling of the quorum.

RECESS UNTIL 2 P.M.

The PRESIDING OFFICER. The hour of 12 o'clock having been reached, under the previous order, the Senate will stand in recess until the hour of 3 p.m.

Thereupon, the Senate, at 12 noon, recessed until 1:59 p.m. whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. HECHT].

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 1987

The PRESIDING OFFICER. The clerk will report Senate Concurrent Resolution 120.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 120) setting forth the congressional budget for the United States Government for the fiscal years 1987, 1988, and 1989.

The Senate resumed consideration of the concurrent resolution.

Mr. DOMENICI. Mr. President, how much time remains on the resolution, and how is it divided?

The PRESIDING OFFICER. The Senator from New Mexico has 24 hours and 9 minutes. The Senator from Florida has 24 hours and 41 minutes.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time consumed be equally divided.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, I yield myself 10 minutes off the resolution.

Mr. President, we have had a lot of inquiries from Senators as to how the United States budget has changed since 1981, during the 5 years that I have been chairman of the Budget Committee and the Republicans have been in control of the U.S. Senate and President Reagan has been in the White House. Obviously, during that same period of time the House has been controlled by the Democratic Party.

I hope that some of the Senators and their staff that are concerned with fiscal problems and philosophies of government would review a summary table that I will put in the RECORD today. The table covers four 5-year periods of time, 1965 to 1970, 1970 to 1975, 1975 to 1980, and 1980 to 1985.

I think there is some extremely relevant information and some interesting food for thought for those who wonder whether we have been doing an adequate job of containing the Federal Government's expenditures; in particular, in those areas that are called discretionary appropriations. If you look at what is proposed by way of additional cuts by the President of the United States in his budget, I think it is fair to say that an overwhelming portion of those savings would come out of what we would call discretionary appropriations.

So I would like to share with the Members of the Senate the following: I would like to look at what we spent for the National Defense for the years 1965 to 1970. I would then like to take the three 5-year periods thereafter; and, since it is rather relevant to an adequate defense and to what we are doing toward a defense buildup to consider how much the defense budget grew or did not grow during each of these time intervals. Let me start with this:

For the timeframe 1965 to 1970 national defense spending grew annually in real terms 4.9 percent. Now, I stress "in real terms." To get nominal growth, you would have to add inflation to this 4.9 average. But let us repeat that number. Defense grew 4.9 percent in real terms for each of those 5 years.

It has been said many times that the decade of the seventies was a rather bad decade for defense. It has been said that we cut defense substantially during that decade and those reductions led to the decade of the 1980's when we had to rebuild defense. Our research would indicate that this statement is indeed true. As a matter of fact, in the 5 years from 1970 to 1975, defense declined by 5.5 percent in real terms. So, instead of more money and growth in defense for that decade, a defense spending declined by 5.2 percent in real terms.

The next 5 years, 1975 to 1980, saw a slight rekindling of concern for defense, and defense experienced real increases of 1.2 percent. And now we get to 1980 to 1985 and we find that the defense buildup of these United States grew on average, in real terms, by 6.3 percent.

If inflation in any of those years was 8 or 9 percent—and my recollection is that clearly it was that high, if not higher for a couple of those years—then the nominal growth would be the 6.3 plus that inflation.

Let me say, before I leave the defense issue, that I give these summaries in no way saying that we have to dramatically reduce defense now, nor am I saying that it must continue to grow at 6.3 percent for the next 5 years. I am merely making the case for those who are concerned as to whether we really did as much as we set out to do in 1981.

Now we move to entitlements—and everyone knows that the principal entitlements, are Social Security, Medicare, the two major pension plans and a couple of other programs.

Let me do the same 5-year cycles. Between 1965 and 1970, entitlements increased by 9.1 percent real growth. In the next 5-year cycle, 1970 to 1975, entitlements increased by 11.1 percent real growth. Again, I repeat, real growth means you do not count inflation.

In the 5-year period of 1975 to 1980, entitlements grew by 3.9 percent in real terms. For 1980 to 1985, entitlements grew 3.4 percent in real terms.

So while entitlements make up perhaps as much as 46 percent of the national budget, they too have declined from 11.1 percent real growth in 1970 to 1975, to 3.4 percent real growth in 1980 through 1985. Some of the declines is due to reform, obviously. Some of the declines is the result of COLA adjustments. Some of that, or the biggest part, is because inflation came down and had a major effect on the entitlement programs. Some of the fast-growing entitlements have been reformed in that period of time and that also is a major reason.

So now we have reviewed a 20-year summary of defense and entitlements in four 5-year intervals.

Now we get to that part of the national Government's budget least understood, because it is sort of what is left over. What is not defense and what is not entitlements and what is not interest on the national debt is, for the most part, called discretionary appropriations. Another way of saying it is that this category includes programs like the Economic Development Administration, water and sewer grant programs, the National Institutes of Health, the National Science Foundation, parts of Agriculture, and others that Congress must appropriate funds for in appropriation bills every year. Appropriation bills set the level of budget authority. These are programmatic authority, and must be signed annually by the President of the United States.

Now this is the category of spending that I urge my fellow Senators to review carefully as they are making their decisions on what we ought to do with the national budget. Should we cut substantially more on the domestic side, should we increase defense somewhat more, should we consider new

revenues, or not? Let us look at discretionary appropriations for a moment.

Again, 20 years ago, during the 5-year cycle of 1965 to 1970, discretionary programs grew at 2.5 percent in real terms. They experienced a dramatic spurt during the decade of the seventies. There are many who speak of that decade and its programs in various ways, either as the Great Society or whatever definition one wants to use. The period of 1970 to 1975 saw 6.5 percent real growth on average for those programs.

Then we get to 1975 to 1980, and those programs have slowed down in terms of added costs, but for each of those years they grew at 4.5 percent in real terms.

As I indicated, this is that part of the budget that the appropriators have to control each year. I gave you some examples. There are hundreds more—UDAG, community development block grants, perhaps as many as 2,500 programs of varying sizes and dimensions doing things that Congress and the American people have grown to expect and that Congress refuses to change. In most cases we cut around the edges of these programs. In past budgets, we have tried to eliminate some of these programs.

The Budget Committee is being criticized this year because we have not eliminated a number of those programs that the President proposed be eliminated, or because for programs like Amtrak we have not cut some as much as the President would like.

There are some who would contend that we have not done very much to reduce these programs, and that if these were reduced or eliminated we would really have this budget under control. For the years 1980 through 1985 that particular series of programs did not grow 1 percent, and they did not grow 2 percent. As a matter of fact, Mr. President, these programs did not grow at all. They declined in real terms by 3.4 percent per year to be compared with just 10 years before when they were increasing by 6.5 percent.

I do not think that this is an insignificant achievement. I do not think as some might assume that here is where we really ought to cut this budget more. Clearly the Senator from New Mexico might support that. But I understand that you have to have a majority of Senators, and U.S. Representatives voting for things. Some people would think that the cuts we have proposed are adequate. I think over time they are the best we can do. Over a long span of time you can pretty well get a sense of what the American people will support if you look at the actions of the Congress with reference to these kind of programs.

The PRESIDING OFFICER. The Senator's 10 minutes have expired.

Mr. DOMENICI. I yield myself an additional 5 minutes.

I would close with just one last comment. As I indicated, this national budget is complex, but to get it into its simplest form, I started with defense and I told the Senate about it. I then took entitlements, and clearly if someone was here they might ask what are the entitlements included in your assumptions? What I will do, for the record, is clarify the entitlements by inserting in the RECORD in due course a list of what are the entitlements that I have just described as going from a 1970 to 1975 high of 11.1 percent real growth down to 3.4 in real growth for 1980-85.

As I have just indicated, that is the second major component. There seems to be little or no desire on the part of the Congress and the President of the United States to change that very much. Yes, they might whittle around the edges, but the largest entitlement programs are for the seniors of our country. There is no desire on the part of Congress to significantly change these programs, and I do not believe they are going to get smaller over the years. I assume they will continue to grow at 3.5 or 4 percent as I have indicated they have for the last 5 years.

The one remaining part of this budget that is clearly a must—and there is not much Congress can do about it except to pay the bill—is interest on the national debt. That is the fourth part. Clearly, the role we have in that as a Congress is twofold. One is how much we want to spend in excess of what we have coming in each year. We have spent more than we take in for most of the post-World-War years. Of late, we have been doing it at a rather dramatic level, almost doubling the debt in the 5 years over the previous debt in all American history.

For these who would like to change the budget, clearly nobody intends to change the real interest that we have to pay. We must pay interest to American individuals who bought our bonds and T-bills, to our own banks, to insurance companies, the pension funds, and in a growing quantity, to foreign countries who are investing in this debt because the interest rates were so good that they did better buying our securities than investing in their own country. That is one of the hidden reasons that we have gotten by with $180 to $210 billion deficits over the last 3 or 4 years. But let us talk about that account quickly, and then we will review the relationship of total outlays to total revenues in a similar fashion.

Let me take interest. For 5 years—1965 to 1970—interest on the national debt in real terms was growing at 6.3 percent a year. For the next 5 years, up to 1975, it grew by 3.1 percent a year. For 1975 to 1980, it grew by 9.0 percent a year, and then in 1980 to 1985, it passed any of the other categories that we have just described and grew by 13.2 percent in real terms. Recall that the highest increase for defense was 6.3 percent for 1980-85 and the highest we have ever had in entitlements was 11.1 percent in the years 1970 to 1975.

We cannot do much but pay that debt, and that is a substantial portion of the budget. There is good news. Interest rates are down. When interest rates are down for everyone else, it reduces the amount we will have to pay to others for the money they lend our Government to pay the $2.1 trillion deficit that we have incurred.

One last summary that is indeed interesting, and then I will yield the floor to my friend from Florida if he so desires, or put in a quorum call. I might mention at this point, for Senators who have amendments, that time is running out the budget. On the other hand, I cannot say anything very startling to them. We have 48 hours left. We will be here 3, 4, or 5 more days. But the floor managers are ready to debate the amendments if they have them. We would be glad to consider them, debate them, and perhaps even let the U.S. Senate vote to see what they want to do about them.

Total outlays and total revenues is another interesting and rather revealing comparison.

I might say, Mr. President, to the Members of the Senate the table that I am reading from is in summary form. When I am finished I will insert it in the RECORD. I think it might make more interesting quick reading, and quick observation by those who are concerned about where we have been, where we might go, and what we perhaps ought to do.

From 1965 to 1970, the real percentage rate of growth of the outlays of our Government, the annual expenditures for Government for that 5-year period of time for all Government, the actual annual payment of bills in outlays for which we would have to borrow if we spent more than we took in, was 6.1 percent growth per year. In that 1965-1970 cycle the annual growth in revenue was 6.0

As you can see, 6.1 and 6.0, while the GNP is very, very big, are percentages that were very close together. That accounts for the relatively small total incurred new debt in that 5-year span. Indeed, it is small.

From 1970 to 1975, an interesting thing happened. Outlays per year were going up at 4.1 percent and revenues were going up at only 0.9. There was a nice spurt there, if you look at the deficit flow chart from the last 20 years when, indeed, deficits grew rather substantially.

From 1975 to 1980, a reversal occurred. I understand we had no index-

ation of the tax code during that period of time. It is something we now do have. This is not necessarily something we should be very proud of. But during that 5-year period, outlays went up at 3.8 percent and revenues were growing at 4.7 percent.

What happened during 1979 to 1980, in my opinion, was that we were not able to spend money fast enough because taxes were going up so high due to the so-called bracket creep that people used to speak of. There was 4.7 percent in revenue growth during 1975 to 1980.

Now we get to 1980-1985. I am sure that things are getting better, but, nonetheless, these are the revealing facts. The expenditures were going up across the board at 3.9 percent real, and the revenues were coming in at an annual rate of 1.4 percent.

Mr. President, I ask unanimous consent that the summary table, annualized rates of change by categories of Federal outlays, total outlays, and revenues, be printed in the RECORD at this point.

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

ANNUALIZED RATES OF CHANGE BY CATEGORIES OF FEDERAL OUTLAYS, TOTAL OUTLAYS, AND REVENUES [1]

	Fiscal years—			
	1965–70	1970–75	1975–80	1980–85
Defense	+4.9	−5.5	+1.2	+6.3
Entitlements	+9.1	+11.1	+3.9	+3.4
Discretionary	+2.5	+6.5	+4.5	−3.4
Interest	+6.3	+3.1	+9.0	+13.2
Total outlays	+6.1	+4.1	−3.8	+3.9
Total revenues	+6.0	+0.9	+4.7	+1.4

[1] Calculation of annualized real rate of change based on actual GNP price deflators except for defense, which is based on the DOD deflator.

Mr. DOMENICI. Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. GORTON). Without objection, it is so ordered.

Mr. DOLE. Mr. President, I ask unanimous consent that the statement I am going to make not interrupt the debate on the budget.

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

(Mr. DOLE's statement relating to the status of the bipartisan farm credit resolution is printed later in the RECORD.)

Mr. DOLE. That is hard to do, since we have not had any debate on the budget. I assume I should start wearing my button tomorrow: "Where Are the Amendments?", now that the "Where's the Budget?" buttons have been successful.

But I assume there will be amendments tomorrow. I know the managers are here. They are not holding it up. They are ready for amendments. We just need Senators to come to the floor with amendments. I understand that there are fewer amendments than in the past by a considerable amount, so that, in itself, is progress of a sort.

But I hope that perhaps, since there are no amendments that are going to be offered, we might be able to agree to take 4 hours off the 50-hour limit and move on to something else this evening. I know that some Senators, particularly Senators on the other side of the aisle, have major commitments this evening.

Mr. MOYNIHAN. Will the Senator yield?

Mr. DOLE. I am happy to yield.

Mr. MOYNIHAN. I believe I am the only Democrat on the floor just now. Is that a formal request to take 4 hours off?

Mr. DOLE. No; just a hint.

Mr. President, I discussed the pending business, and the probability of reducing the time with the distinguished minority leader, the distinguished chairman of the Budget Committee, who in turn has discussed it with the distinguished ranking member, Senator CHILES. They are in agreement that we can reduce that time by 3 hours. So I, therefore, ask unanimous consent that when the Senate resumes consideration of the budget resolution on tomorrow, 3 additional hours be considered as having been used from the total of 50 hours allotted to the budget resolution.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOLE. As I understand, that would still leave somewhere in the neighborhood of 44 hours.

The PRESIDING OFFICER. The result of the unanimous-consent agreement is that there will be 42 hours and 38 minutes remaining.

Mr. DOLE. Forty-two hours and thirty-eight minutes. I thank the Chair.

Again, I know the managers are here prepared to do business. No one is holding up the works. We will hope to be on the resolution by 10:30 in the morning. There may be amendments that can be considered at that time. I know there are two or three major amendments that we may be able to dispose of tomorrow.

ROUTINE MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business, not to extend beyond the hour of 6:15 p.m.

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

STATUS OF BIPARTISAN FARM CREDIT RESOLUTION

Mr. DOLE. Mr. President, as most of my colleagues know, we have been trying for several weeks now to clear a bipartisan concurrent resolution to encourage greater flexibility in the lending activities and regulation of the cooperative Farm Credit System [FCS].

This nonbinding measure asks FCS member institutions to take specific actions in order to continue to provide financing to their farmer/borrowers during the current financial difficulties in rural America. It also calls on the Farm Credit Administration to endorse the policies of increased forebearance announced last month by the regulators of commercial lenders—the Federal Reserve Board, the FDIC, and the Comptroller of the Currency.

THE NEED TO SEND A CLEAR SIGNAL

It was my hope, Mr. President, that we could consider this resolution this week to send a clear signal to the Farm Credit System and the Farm Credit Administration that Congress expects all rural lenders as well as their regulators to do their part in seeing farmers through the present credit crunch. The farm credit legislation passed last December put in place a mechanism for restoring full financial integrity and soundness to the FCS.

The administration is due to announce the three members of the Farm Credit Administration Board, which will oversee efforts by the System and the new Capital Corporation to bring the resources of member institutions to bear on its problems in a coordinated and unified fashion. It is my intention to ask the nominees to endorse the regulatory policies contained in this resolution, as agreed to by the other Federal regulators. In the interim, we hoped to underscore support for this approach in the Congress by passing a resolution that is nonbinding, but which has strong bipartisan support.

STRONG BIPARTISAN SUPPORT

To date, this resolution has attracted a total of 42 original Senate cosponsors, including 28 Republicans and 14 Democrats. I understand that a companion measure in the House now has well over 100 bipartisan cosponsors. There is also significant support for its passage among farm groups, which want some assurance that the pending reform of the Farm Credit System will proceed in a reasonable and timely manner.

OPPOSITION BY A SMALL MINORITY

Unfortunately, Mr. President, our efforts to bring this bipartisan and noncontroversial resolution before the Senate this week are being blocked by

a small minority of Senators, who want to first receive an ironclad guarantee that legislation they introduced only last Thursday will be considered by the full Senate by a date certain. This omnibus proposal includes an interest buydown provision and major changes in the regulatory and lending practices of the Farm Credit System, the Farm Credit Administration, and the Farmers Home Administration. As such, it will attract significant controversy and possible opposition from regulators, lenders and, to the extent there is an impact on Federal outlays and lending policies, from the administration and Congress. I have already received an indication that the Department of Agriculture strongly opposes certain features of this bill.

I certainly acknowledge and support the right of any Senator or group of Senators to prevent legislation from being cleared and brought up for floor consideration. That is how the system operates. What I do not accept, however, is that a nonbinding concurrent resolution on a timely issue, with significant bipartisan support, should be held hostage in an effort to get far more controversial and binding legislation considered. The two measures simply do not equate in terms of their relative legislative impact.

REFUSAL TO ACCEDE TO TACTICS

If we were to accede to these tactics and guarantee a date certain for consideration of this omnibus credit legislation, it would not be long before every other Senator with some favorite piece of major legislation would do the same: find some minor resolution that someone wants to pass by unanimous consent and hold it up until floor consideration is scheduled. I am simply not going to do business that way. And if the end result is to thwart the benefits which passage of this resolution would have for the U.S. farmer, let it be clear who is responsible.

THE NEED FOR COORDINATED ACTION

There is great confusion in the countryside right now over contradictory policies being followed by the regional Farm Credit System districts and by their member land banks, PCA's and Federal intermediate credit banks. A greater degree of centralized direction and control is sorely needed. This is to be the responsibility of the new Farm Credit Administration Board and Capital Corporation once they are appointed and can get organized. Unfortunately, these efforts are taking more time than anticipated when the legislation was enacted in December.

THE NEED FOR A SYSTEM—GENERATED SOLUTION

Until the FCA Board and Capital Corporation can provide some guidance and structure, the system will probably continue to send confusing and contradictory signals to its farm borrowers. It is for this reason that the resolution was drafted—not to force the system and the FCA to follow certain practices, but to lay out specific guidelines and encourage that they be followed.

It was drafted several weeks ago with strong bipartisan support but, as too often happens in this body, somebody sees something he likes and says, "even though it is good, I am going to hold it up until I can extract the promise that I can bring up some far-reaching legislation that may deal directly or indirectly with the general problem."

So I would hope that we can still clear action on this nonbinding resolution this week.

If we are concerned about farmers, the Farm Credit System, uniform policies, and how we can have some impact on those policies for the benefit of the American farmer, I believe that this resolution sends the appropriate signal.

The object all along has been to create conditions that will result in the system undertaking a full and honest appraisal of its problems and to begin to correct them. I, for one, want this plan to work. I do not want the Federal Government to interfere at every step of the process, which will only ensure that Washington will be blamed for any failure of the System to correct its internal problems.

NO DISAGREEMENT ON OBJECTIVES

For these reasons, it should be clearly understood that our failure to pass this resolution this week in no way reflects a disagreement over congressional intent to assist farmers in obtaining operating credit at reasonable cost. We all want to do so. That is why we convinced the Federal regulators to announce major forbearance measures. That is why we passed the farm credit bill back in December.

What is in disagreement here is whether this effort to provide some guidance to the System and its regulator should be held up by the desire of a few Senators to throw a new aid and reform package into the mix—a package that will totally confuse both lenders and regulators as to whether Congress really intends to keep its fingers out of their affairs or whether we will again resort to political meddling and mess things up.

It is my decision, Mr. President, not to attempt to bring this resolution before the Senate until it can be cleared.

Obviously, to do otherwise would take a considerable amount of time. If that means we are not going to bring it up, so be it. I just want farmers and other borrowers as well as their lenders to understand that the intent of the legislation passed in December is clear, and remains the same today.

The Farm Credit System is responsible for cleaning of its own house. And only when this effort has been clearly made—and found inadequate—will the Government consider further financial involvement.

Mr. President, I also can understand the concern that other Senators have. I can understand that the interest buy down proposal has a certain amount of attraction, and a certain amount of cost, I might also add, to the Federal Government, to the State government, and to the bank itself. But interest rates are falling. It would seem to me that they are falling for the right reasons, and in some degree are responsible in reducing Federal spending in trying to get a handle on the deficit. But I hope we can clear this resolution sometime before the week is out. If those who are now holding it up will just identify themselves, we would know who to negotiate with and talk with. It would be very helpful.

MEASURE HELD AT DESK

Mr. DOLE. Mr. President, I ask unanimous consent that once the Senate receives from the House H.R. 4602 dealing with the FHA and National Mortgage Association, it be held at the desk pending further disposition.

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

THE CALENDAR

Mr. DOLE. Mr. President, I ask the distinguished minority leader if he is in a position to pass the following calendar items: Calendar 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, and 623.

Mr. BYRD. Mr. President, the items identified by the distinguished majority leader have all been cleared on this side.

Mr. DOLE. I thank the distinguished minority leader.

I ask unanimous consent, therefore, that the calendar items just identified be considered en bloc and passed en bloc, and that all committee reported amendments, preambles, and title amendments be considered and agreed to.

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

NATIONAL ALZHEIMER'S DISEASE MONTH

The joint resolution (S.J. Res. 280) designating the month of November 1986 as "National Alzheimer's Disease Month," was considered, ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution and the preamble are as follows:

S.J. RES. 280

Whereas more than two and a half million Americans are affected by Alzheimer's disease, which is a surprisingly common disor-

der that destroys certain vital cells of the brain;

Whereas Alzheimer's disease is the fourth leading cause of death among older Americans;

Whereas Alzheimer's disease is responsible for 50 per centum of all nursing home admissions, at an annual cost of more than $25,000,000;

Whereas in one-third of all American families one parent will succumb to this disease;

Whereas Alzheimer's disease is not a normal consequence of aging; and

Whereas an increase in the national awareness of the problem of Alzheimer's disease may stimulate the interest and concern of the American people, which may lead, in turn, to increased research and eventually to the discovery of a cure for Alzheimer's disease: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of November 1986 is designated as "National Alzheimer's Disease Month". The President is requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate ceremonies and activities.

NATIONAL BIRDS OF PREY MONTH

The joint resolution (S.J. Res. 288) to designate the month of May 1986 as "National Birds of Prey Month," was considered, ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

Whereas hawks, owls, and other birds of prey are important ecological components of the ecosystem and contribute to the quality of the wildlife communities in which they live;

Whereas birds of prey represent the highest ideals of humanity, inspiring Americans and all people who value freedom;

Whereas a substantial number of species of birds of prey that occur regularly in the United States have been listed by one or more State or Federal conservation agencies as endangered, extirpated, threatened, or of concern;

Whereas millions of Americans from coast to coast and border to border regularly gain pleasure by observing birds of prey throughout our country; and

Whereas a World Center for Birds of Prey has been established at Boise, Idaho, adjacent to the Snake River Birds of Prey Area, an international treasure, and where public activities are being scheduled for the month of May 1986, to better acquaint the public with birds of prey: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of May 1986 is designated as "National Birds of Prey Month", and the President of the United States is authorized and requested to issue a proclamation calling upon individuals to observe such month by recognizing the importance of birds of prey in our environment.

YEAR OF NEW SWEDEN

The joint resolution (S.J. Res. 289) to designate 1988 as the "Year of New Sweden" and to recognize the New Sweden 1988 American Committee, was considered, ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. Res. 289

Whereas on or about March 29, 1638, the Kalmar Nyckel and Fogel Grip, ships sent by Sweden to establish a colony in the Delaware River Valley, anchored off the "Rocks" on the Christina River in what is now the State of Delaware;

Whereas the colony which they established—New Sweden—was the first permanent settlement of Swedes in North America;

Whereas Swedish settlers were instrumental in the founding of our Nation; John Morton of Pennsylvania, a signer of the Declaration of Indpendence, was of Swedish descent, as was John Hanson of Maryland, who presided over the Continental Congress from 1781 through 1782;

Whereas Swedish immigration to the United States consisted of one million two hundred thousand people between the late 1840's and the late 1920's, who came here to seek a better life; these settlers dispersed to all regions of the United States;

Whereas the contributions of Swedish-Americans to our way of life and our culture have been varied and many; their pioneering nature made them leaders in many fields including politics, business, education and the arts;

Whereas it is estimated that today there are four million two hundred thousand United States citizens of Swedish descent living in every State and involved in every walk of life;

Whereas 1988 marks the three hundred and fiftieth anniversary of the arrival of the Kalmar Nyckel and Fogel Grip in North America;

Whereas a United States committee—New Sweden 1988—is planning a series of events and celebrations throughout our Nation to commemorate this anniversary; and

Whereas at the present time, the following American cities and States have New Sweden 1988 committees and chairs planning local activities: Washington, District of Columbia, Wilmington, Philadelphia, New York City, Detroit, Chicago, Minneapolis, Houston, Dallas, Los Angles, San Francisco, Seattle, St. Louis, New Jersey, Nebraska, North Dakota, South Dakota, and western Illinois: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That 1988 is hereby designated as the "Year of New Sweden" in the United States. The President is authorized and requested to issue a proclamation designating 1988 as the "Year of New Sweden" and to invite and encourage the Governors of the several States, the chief officials of local governments and the people of the United States to participate in the events and activities that the New Sweden 1988 American Committee has planned for 1987 and 1988.

NATIONAL CHILD SAFETY MONTH

The joint resolution (S.J. Res. 293) to designate the month of May 1986 as "National Child Safety Month," was considered, ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. Res. 293

Whereas every year untold numbers of children throughout the United States disappear from home;

Whereas children who are missing from home are frequently victims of sexual and physical exploitation;

Whereas many local volunteer groups are working enthusiastically to promote child safety, but much remains to be done in the effort to fully protect children;

Whereas the safety of children should be one of the highest national priorities; and

Whereas the designation of a month to commemorate child safety will draw needed attention to the dangers threatening children and will help educate communities throughout the country about the problem and what can be done to help solve it: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of May 1986 is designated as "National Child Safety Month" and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate ceremonies and activities.

MENTAL ILLNESS AWARENESS WEEK

The joint resolution (S.J. Res. 298) to designate the week of October 5, 1986, through October 11, 1986, as "Mental Illness Awareness Week," was considered, ordered to be engrossed for a third reading, read the third time and passed

The preamble was agreed to.

The joint resolution and the preamble, are as follows:

S.J. Res. 298

Whereas mental illness is a problem of grave concern and consequence in American society, though one widely but unnecessarily feared and misunderstood;

Whereas thirty-one to forty-one million Americans annually suffer from clearly diagnosable mental disorders involving significant disability with respect to employment, attendance at school, or independent living;

Whereas more than ten million Americans are disabled for long periods of time by schizophrenia, manic depressive disorder, and major depression;

Whereas between 30 and 50 per centum of the homeless suffer serious, chronic forms of mental illness;

Whereas alcohol, drug, and mental disorders affect almost 19 per centum of American adults in any six-month period;

Whereas mental illness in at least twelve million children interferes with vital development and maturational processes;

Whereas mental disorder-related deaths are estimated to be thirty-three thousand, with suicide accounting for at least twenty-nine thousand, although the real number is thought to be at least three times higher;

Whereas our growing population of the elderly is particularly vulnerable to mental illness;

Whereas mental disorders result in staggering costs to society, totalling an estimated $106,200,000,000 in direct treatment and support and indirect costs to society, including lost productivity;

Whereas mental illness is increasingly a treatable disability with excellent prospects for amelioration and recovery when properly recognized;

Whereas families of mentally ill citizens and those persons themselves have begun to join self-help groups seeking to combat the unfair stigma of the diseases, to support greater national investment in research, and to advocate for an adequate continuum of care from hospital to community;

Whereas in recent years there have been unprecedented major research developments bringing new methods and technology to the sophisticated and objective study of the functioning of the brain and its linkages to both normal and abnormal behavior;

Whereas research in recent decades has led to a wide array of new and more effective modalities of treatment (both somatic and psychosocial) for some of the most incapacitating forms of mental illness (including schizophrenia, major affective disorders, phobias, and phobic disorders);

Whereas appropriate treatment of mental illness has been demonstrated to be cost effective in terms of restored productivity, reduced utilization of other health services, and lessened social dependence; and

Whereas recent and unparalleled growth in scientific knowledge about mental illness has generated the current emergence of a new threshold of opportunity for future research advances and fruitful application to specific clinical problems: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning on October 5, 1986, is designated as "Mental Illness Awareness Week", 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 ceremonies and activities.

NATIONAL AGRICULTURAL EXPORT WEEK

The joint resolution (S.J. Res. 310) to proclaim June 15, 1986, through June 21, 1986, as "National Agricultural Export Week," was considered, ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. Res. 310

Whereas agriculture comprises the Nation's largest single industry;

Whereas the economic well-being of the Nation's agricultural industry is directly related to its ability to export and to compete in world markets;

Whereas earnings from agricultural exports have contributed $333,000,000,000 to our Nation's balance of payments in the past decade;

Whereas these earnings have stimulated nearly $1,000,000,000,000 in total national economic activity and provided millions of man years of total national employment; and

Whereas it is the policy of the United States to expand international trade in United States agricultural commodities and products and to develop, maintain, and expand markets for United States agricultural exports: 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 June 15, 1986, through June 21, 1986, is hereby proclaimed "National Agricultural Export Week", and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe this week with appropriate ceremonies and activities.

NATIONAL MEDICAL LABORATORY WEEK

The joint resolution (S.J. Res. 312) designating the week beginning April 13, 1986, as "National Medical Laboratory Week," was considered, ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. Res. 312

Whereas the practice of modern medicine at the life-conserving levels we now enjoy would be impossible without the scientific tests performed daily in medical laboratories;

Whereas maintenance of, and improvement in, the quality of laboratory services depends on the dedicated efforts of clinical laboratory professionals;

Whereas through such dedication, clinical laboratory professionals in the United States have made vital contributions to improving the quality of patient care;

Whereas the laboratories where these dedicated professionals work bring quality health care services to rural and poverty-level communities and are found in hospitals, clinics, research centers, universities, doctors' offices, and private, independent laboratories; and

Whereas it is fitting that the people of the United States recognize the dedication of the people who commit their expertise and energy to enhancing the health and well-being of all people: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning April 13, 1986, is designated as "National Medical Laboratory Week", 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 ceremonies and activities.

NATIONAL HOSPICE MONTH

The joint resolution (S.J. Res. 317) to designate the month of November 1986 as "National Hospice Month," was considered, ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. Res. 317

Whereas hospice care has been demonstrated to be a humanitarian way for terminally ill patients to approach the end of their lives in comfort with appropriate, competent, and compassionate care in an environment of personal individuality and dignity;

Whereas hospice advocates care of the patient and family by attending to their physical, emotional, and spiritual needs and specifically, the pain and grief they experience;

Whereas hospice care is provided by an interdisciplinary team of physicians, nurses, social workers, pharmacists, psychological and spiritual counselors, and other community volunteers trained in the hospice concept of care;

Whereas hospice is rapidly becoming a full partner in the Nation's health care system;

Whereas the recent enactment of the medicare hospice benefit makes it possible for many more elderly Americans to have the opportunity to elect to receive hospice care;

Whereas private insurance carriers and employers have recognized the value of hospice care by the inclusion of hospice benefits in health care coverage packages; and

Whereas there remains a great need to increase public awareness of the benefits of hospice care: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of November 1986 is designated "National Hospice Month". The President is requested to issue a proclamation calling upon all Government agencies, the health care community, appropriate private organizations, and people of the United States to observe that month with appropriate forums, programs, and activities designed to encourage national recognition of and support for hospice care as a humane response to the needs of the terminally ill and a viable component of the health care system in this country.

NATIONAL DIABETES MONTH

The joint resolution (S.J. Res. 318) designating November 1986 as "National Diabetes Month," was considered, ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. Res. 318

Whereas diabetes with its complications kills more than any other disease except cancer and cardiovascular diseases;

Whereas diabetes afflicts eleven million Americans and five million of these Americans are not aware of their illness;

Whereas more than $14,000,000,000 annually is used for health care costs, disability payments, and premature mortality costs due to diabetes;

Whereas up to 85 per centum of all cases of noninsulin dependent diabetes may be preventable through greater public understanding, awareness, and education;

Whereas diabetes is particularly prevalent among black Americans, Hispanic Americans, Native Americans, and women; and

Whereas diabetes is a leading cause of blindness, kidney disease, heart disease, stroke, birth defects, and lower life expectancy, which complications may be reduced through greater patient and public understanding, awareness, and education: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of November 1986 is designated as "National Diabetes Month" and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe that month with appropriate programs, ceremonies, and activities.

NATIONAL DOWN SYNDROME MONTH

The joint resolution (S.J. Res. 321) to designate October 1986 as "National Down Syndrome Month," was considered, ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 321

Whereas the past decade has brought a greater and more enlightened attitude in the care and training of the developmentally disabled;

Whereas one such condition which has undergone considerable reevaluation is that of Down's syndrome—a problem which, just a short time ago, was often stigmatized as a mentally retarded condition which relegated its victims to lives of passivity in institutions and back rooms;

Whereas, through the efforts of concerned physicians, teachers and parent groups such as the National Down's Syndrome Congress, programs are being put in place to educate new parents of babies with Down's syndrome; to develop special education classes within mainstreamed programs in schools; the provisions for vocational training in preparation for competitive employment in the work force and to prepare young adults with Down's syndrome for independent living in the community;

Whereas the cost of such services designed to help individuals with Down's syndrome move into their rightful place in our society is but a tiny fraction of the cost of institutionalization;

Whereas along with this improvement in educational opportunities for those with Down's syndrome is the advancement in medical science which is adding to a more brightened outlook for individuals born with this chromosomal configuration; and

Whereas public awareness and acceptance of the capabilities of children with Down's syndrome can greatly facilitate their being mainstreamed in our society: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 1986 is designated as "National Down's Syndrome Month" and that the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe the designated month with appropriate programs, ceremonies, and activities.

NATIONAL DIGESTIVE DISEASES AWARENESS WEEK

The joint resolution (S.J. Res. 324) to designate the week beginning May 18, 1986, as "National Digestive Diseases Awareness Week," was considered, ordered to be engrossed for a third reading, read the third time and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 324

Whereas digestive diseases rank third among illnesses in total economic cost in the United States;

Whereas digestive diseases represent one of the Nation's most serious health problems in terms of discomfort and pain, mortality, personal expenditures for treatment, and working hours lost;

Whereas twenty million Americans suffer from chronic digestive disease;

Whereas more than fourteen million cases of acute digestive diseases are treated in this country each year, including one-third of all malignancies and some of the most common acute infections;

Whereas more Americans are hospitalized by digestive diseases than by any other diseases, necessitating 25 percent of all surgical operations;

Whereas digestive diseases are one of the most prevalent causes of disability in the work force;

Whereas digestive diseases cause yearly expenditure of over $17,000,000,000 in direct health care costs, and a total annual economic burden of nearly $50,000,000,000;

Whereas at least one hundred different digestive diseases, in addition to other disorders of the gastrointestinal tract, cause more than two hundred thousand deaths every year;

Whereas reasearch into the causes, cures prevention, and clinical treatment of digestive disease and related nutrition problems has become a national concern, and the people of the United States should recognize digestive diseases as a major health priority;

Whereas national organizations such as the Digestive Disease National Coalition are committed to increasing awareness and understanding of digestive diseases among members of the general public and the health care community;

Whereas the National Institutes of Health, through its National Digestive Diseases Education and Information Clearinghouse, and the National Digestive Diseases Advisory Board are committed to encouraging and coordinating such educational efforts; and

Whereas the week beginning May 18, marks the third anniversary of the National Digestive Disease Education Program, a coordinated effort to educate the public and the health care community regarding the seriousness of digestive diseases, and to provide information relative to their treatment, prevention, and control: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning May 18, 1986, is designated as "National Digestive Diseases Awareness Week." 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 and activities.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the joint resolutions were passed.

Mr. BYRD. Mr. President, I move to lay the motion on the table.

The motion to lay on the table was agreed to.

COMMENDATION OF JOHN N. McMAHON

Mr. DOLE. Mr. President, I send a resolution to the desk on behalf of Senator DURENBERGER, Senator LEAHY, and others and ask for its immediate consideration. It is a commendation resolution, I might add.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Con. Res. 133) to commend Deputy Director of Central Intelligence John N. McMahon for exceptionally distinguished service to the United States of America.

There being no objection, the concurrent resolution was considered and agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, is as follows:

S. CON. RES. 133

Whereas, John McMahon has devoted his entire professional career to the intelligence service of his nation, performing with dedication, honor and distinction for nearly 35 years since his graduation from the College of the Holy Cross in 1951;

Whereas, John McMahon's career has been one of outstanding accomplishment in diverse intelligence duties spanning the full range of technical, operational and analytical intelligence activities;

Whereas, John McMahon has an unparalled record of service in key Central Intelligence Agency positions, including Executive Director, Deputy Director for Intelligence and Deputy Director for Operations, and also has had key management responsibilities for Intelligence Community affairs;

Whereas, John McMahon's career progression from communications clerk to Deputy Director of Central Intelligence personifies the finest traditions of our nation's professional intelligence officers;

Whereas, John McMahon's many commendations and awards, including two Distinguished Intelligence Medals, testify to his extraordinary skill and outstanding leadership;

Whereas, during a period of increasingly varied and complex international developments of concern to the United States, in which demands for timely, accurate intelligence information to support national policymakers are becoming simultaneously more intense and diverse, John McMahon has been instrumental in preparing the Intelligence Community for the challenges of the future and has thus made a major and lasting contribution to the national security of the United States;

Whereas, John McMahon has earned the respect, admiration, and trust of the highest officials in the executive and legislative branches of our Government, and particularly of the present and former Members of the Intelligence Committees of the Senate and House of Representatives for his integrity and positive spproach to Congressional oversight of our nation's intelligence activities; Now, therefore, be it

71-059 O-87-30 (Pt. 6)

Resolved, by the Senate (the House of Representatives concurring) That on the occasion of his retirement from an extraordinary career of public service, the Senate and House of Representatives of the United States of America express and record on behalf of the American people, their deep appreciation to John N. McMahon for his exceptionally distinguished service to the United States.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

APPOINTMENT OF CARLISLE H. HUMMELSINE AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. DOLE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on Senate Joint Resolution 214.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the resolution from the Senate (S.J. Res. 214) entitled "Joint resolution to provide for the reappointment of Carlisle H. Humelsine as a citizen regent of the Board of Regents of the Smithsonian Institution", do pass with the following amendments:

Strike out all after the resolving clause and insert: That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Carlisle H. Hummelsine of Virginia, is filled by reappointment of the incumbent for a term of six years, effective March 13, 1986.

Amend the title so as to read: "Joint resolution providing for reappointment of Carlisle H. Hummelsine as a citizen regent of the Board of Regents of the Smithsonian Institution.".

Mr. DOLE. Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

APPOINTMENT OF WILLIAM G. BOWEN AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF SMITHSONIAN INSTITUTION

Mr. DOLE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on Senate Joint Resolution 215.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the resolution from the Senate (S.J. Res. 215) entitled "Joint resolution to provide for the reappointment of William G. Bowen as a citizen regent of the Board of Regents of the Smithsonian Institution", do pass with the following amendments:

Strike out all after the resolving clause and insert: That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of William G. Bowen of New Jersey, is filled by reappointment of the incumbent for a term of six years, effective March 13, 1986.

Amend the title so as to read: "Joint resolution providing for reappointment of William G. Bowen as a citizen regent of the Board of Regents of the Smithsonian Institution".

Mr. DOLE. Mr. President, I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE BUSINESS OF PRESERVING SOCIAL SECURITY AND MEDICARE

Mr. WALLOP. Mr. President, I rise today to engage in what has, unfortunately, become a periodic exercise in the Congress of late. It is unfortunate for it is no pleasure to call to task a national organization which has a worthwhile goal, but has consistently employed questionable and self-promoting tactics. The organization is the National Committee to Preserve Social Security and Medicare which is chaired by James Roosevelt. The issue involved is evident from the group's title—Social Security.

During the Reagan administration, this country, to use a somewhat worn campaign phrase, has truely been put back on its feet. Inflation has virtually vanished, the economy is experiencing strong growth. We have begun the process to balance the budget. Tax reductions have been enacted. And, America has been rearmed. The President's critics are dismayed. They cannot attack his program. They are at a lost on how to raise money. They have found one issue which is guaranteed to arouse people and solve any organization's cash-flow problem. That issue is Social Security. One group which has attached itself to this issue is the National Committee to Preserve Social Security and Medicare.

What is the national committee? According to the Encyclopedia of Associations, the committee researches and reviews Social Security and Medicare. It seeks to educate the public and conducts grassroots lobbying activities. Last, it submits petitions to Congress. According to the committee's own literature, they appear to be the guardian of Social Security, preserving the retirement and health benefits of our Nation's elderly.

All Members of Congress are by now familiar with the national committee. It is not because we have found this organization to be an effective advocate for our senior citizens on Social Security. I have never been visited by representatives of the committee. I have not received position papers espousing the group's point of view on any issue. What has happened is that my offices in Wyoming have periodically received frantic calls and visits from extremely upset senior citizens worried that they are going to lose their Social Security benefits. The cause of this crisis can be traced directly to the latest mass mailing by the national committee.

The National Committee to Preserve Social Security and Medicare has put out another slick letter describing the pending collapse of Social Security, and asking for a $10 donation from our senior citizens to enable the committee to preserve their retirement benefits. The seniors then call my office asking what can be done to protect their retirement income and whether they can pay their $10 at my office. We never hear from their self-appointed guardians, but we do hear from worried elderly Americans. I do not believe there is one Member of this body who has not had this experience. The disturbing fact of this situation is not that Social Security is going broke—the program is solvent—but that elderly citizens are being unnecessarily upset by an organization's fund raising activities.

To date, it has been the House of Representatives which has performed the watchdog function over the National Committee to Preserve Social Security and Medicare. The House Aging Committee and the Social Security Subcommittee have maintained constant surveillance of the national committee. These watchdogs have strongly criticized both the form and content of the letters sent by the national committee. They have received pledges that the transgressions would not be repeated. However, it is obvious that once absolved, the national committee has gone on to sin again. Totally exasperated, Congressman BOEHLERT reserved a special order to discuss the antics of the national committee.

Despite being chastised by various House committees and by the extraordinary action of a special order, despite requests from the U.S. Department of Justice, the Social Security Administration, and the Postal Service to improve their mass mailing, the national committee has continued to send out fright letters to solicit contributions from seniors in order to, quote, "save Social Security and Medicare".

I recently received one of these letters. It was replete with misleading statements. I do have to give the national committee credit. They are no longer making the exaggerated and false claims of past mailings. Instead, they have jumbled together comments and facts on Social Security in a fashion to create the impression that the program is once again threatened. After reading one of these letters, it is no wonder that any elderly person is afraid of the future. However, to paraphrase another Roosevelt, the only thing Social Security has to fear is organizations such as the national committee. It does not reflect well on the memory of Franklin Roosevelt, the author of Social Security, for his son to associate himself with a group such as the national committee which is exploiting our senior citizens.

Furthermore, one has to wonder whether this organization would receive even 1 cent in contributions if it were not able to successfully exploit the Roosevelt name. It is a somewhat tawdry tactic. I was especially struck by the fact that the committee mailings liberally use the title "Congressman Roosevelt". It is no wonder that our congressional offices are deluged with calls due to this slick confusion of public and private organizations. It is no surprise that the major umbrella group representating organizations concerned about Social Security have kept the national committee at arms length.

The national committee has been very active at the grassroots, soliciting funds from the elderly. However, the committee's impact with the Congress has been virtually nil. Though they claim credit for many congressional decisions, their legislative accomplishments have been meager. I do not know of one Member of the Congress who has debated any issue or voted on any bill or amendment who has based his or her actions on the counsel of the national committee.

In 1983, Congress passed the Social Security financing amendments. I cosponsored this legislation because I felt it was the necessary action we had to take to protect Social Security. The 1983 amendments ensure the financial solvency of the Social Security retirement fund for the next 75 years. This is not something the national committee would write to the seniors about—there would be no incentive for the seniors to send their $10 to an organization which tells them that Social Security is solvent at least until the year 2055. It is interesting to note that during the year in which the Congress passed the Social Security financing amendments with no help from the national committee, the committee raised $1.73 million from senior citizens. One-fourth of the funds were spent on administration, including salaries, and on solicitation. More money was spent on solicitation than on legislative and research efforts. This is a sorry record.

Let me close by citing a quote from Congressman JAKE PICKLE, one of our real guardians of Social Security. In commenting on the national committee, he said, "It is irresponsible to use scare tactics to arouse concern and mobilize the public to defend our Social Security system against a false threat." The National Committee to Preserve Social Security and Medicare may have a role to play in the ongoing debate on national policies affecting senior citizens, but they still have a long way to go before they will be viewed as legitimate, responsible actors in this debate.

And the way they can achieve that, Mr. President, is to stop terrorizing the senior citizens of America just for a $10 donation.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings).

FISCAL YEAR 1987 BUDGET OF THE DISTRICT OF COLUMBIA—MESSAGE FROM THE PRESIDENT—PM 135

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying documents; which was referred to the Committee on Appropriations:

To the Congress of the United States:

In accordance with the District of Columbia Self-Government and Governmental Reorganization Act, I am transmitting the fiscal year 1987 Budget of the District of Columbia.

The proposals for Federal payments to the District of Columbia reflected in this document are consistent with those in the amended 1987 Federal Budget submitted to the Congress.

RONALD REAGAN.

THE WHITE HOUSE, *April 22, 1986.*

CONTINUATION OF EMERGENCY WITH RESPECT TO NICARAGUA—MESSAGE FROM THE PRESIDENT—PM 136

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying papers; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Nicaraguan emergency is to continue in effect beyond May 1, 1986, to the *Federal Register* for publication.

The emergency situation created by the Nicaraguan Government's aggressive activities in Central America has not eased since the declaration of the Nicaraguan emergency on May 1, 1985, nor has the Government of Nicaragua responded to my call for actions appropriate to achieving peace in Central America as contained in my message to the Congress accompanying that declaration. In these circumstances, I have determined that it is necessary to continue in effect the national emergency with respect to Nicaragua after May 1, 1986, in order to deal with this unusual and extraordinary threat to the national security and foreign policy of the United States.

RONALD REAGAN.

THE WHITE HOUSE, *April 22, 1986.*

NOTICE—CONTINUATION OF NICARAGUAN EMERGENCY

On May 1, 1985, by Executive Order No. 12513, I declared a national emergency to deal with the threat to the national security and foreign policy of the United States constituted by the actions and policies of the Government of Nicaragua. Because those actions and policies continue to pose a national and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on May 1, 1985, must continue in effect beyond

May 1, 1986. Therefore, in accordance with Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Nicaragua. This notice shall be published in the *Federal Register* and transmitted to the Congress.

RONALD REAGAN.

THE WHITE HOUSE, *April 22, 1986.*

ANALYSIS OF JUVENILE JUSTICE PROGRAMS—MESSAGE FROM THE PRESIDENT—PM 137

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was referred to the Committee on the Judiciary:

To the Congress of the United States:

The Administrator of the Office of Juvenile Justice and Delinquency Prevention has recently submitted to me a copy of the *Ninth Analysis and Evaluation of Federal Juvenile Delinquency Programs* as required by Section 204(b)(5) of the Juvenile Justice and Delinquency Prevention Act of 1974 (P.L. 93-415), as amended. This letter fulfills the statutory requirement to respond to the Congress concerning this document and its recommendations.

The Office of Juvenile Justice and Delinquency Prevention has always been a catalyst for new ideas in the juvenile justice area. As a result, many of its original goals, such as deinstitutionalization of status offenders and the separation of juvenile and adult offenders, have been accomplished. Accordingly, I have proposed that the Juvenile Justice and Delinquency Prevention Program be eliminated at the conclusion of fiscal year 1986.

The report sets forth nine recommendations for improving Federal juvenile delinquency prevention policy. I can assure you that each of the recommendations will be implemented to the extent possible with respect to funds appropriated in fiscal year 1986 and before.

RONALD REAGAN.

THE WHITE HOUSE, *April 22, 1986.*

MESSAGE FROM THE HOUSE

At 2:43 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the following bill, with amendments, in which it requests the concurrence of the Senate:

S. 426. An act to amend the Federal Power Act to provide for more protection to electric consumers.

The message also announced that the House has passed the following bill and joint resolutions, without amendment:

S. 2319. An act to provide for the continuation of the Martin Luther King, Jr. Federal Holiday Commission until 1989, and for other purposes;

S.J. Res. 275. Joint resolution designating May 11 through May 17, 1986, as "Jewish Heritage Week".

S.J. Res. 286. Joint resolution to designate the week of April 20, 1986, through April 26, 1986, as "National Reading Is Fun Week"; and

S.J. Res. 296. Joint resolution to designate October 16, 1986, as "World Food Day".

The message further announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 1920. An act to establish Federal standards and regulations for the conduct of gaming activities on Indian reservations and lands, and for other purposes;

H.R. 3212. An act to declare that the United States holds certain lands in trust for the Reno Sparks Indian Colony;

H.R. 3247. An act to amend the Native Americans Programs Act of 1974 to authorize appropriations for fiscal years 1987 through 1990;

H.R. 4602. An act to authorize the Federal Housing Administration and the Government National Mortgage Association to enter into additional commitments to insure loans and guarantee mortgage-backed securities during fiscal year 1986, and for other purposes; and

H.J. Res. 470. Joint resolution to designate the week of April 27, 1986, through May 3, 1986, as "National Arts in the Schools Week".

ENROLLED BILLS SIGNED

At 6:06 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1684. An act 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; and

S. 2319. An act to provide for the continuation of the Martin Luther King, Jr. Federal Holiday Commission until 1989, and for other purposes.

MEASURES REFERRED

The following bills and joint resolution were read the first and second times by unanimous consent, and referred as indicated:

H.R. 1920. An act to establish Federal standards and regulations for the conduct of gaming activities on Indian reservations and lands, and for other purposes: to the Select Committee on Indian Affairs.

H.R. 3212. An act to declare that the United States holds certain lands in trust for the Reno Sparks Indian Colony; to the Committee on Energy and Natural Resources.

H.R. 3247. An act to amend the Native Americans Programs Act of 1974 to authorize appropriations for fiscal years 1987 through 1990; to the Select Committee on Indian Affairs.

H.J. Res. 470. Joint resolution to designate the week of April 27, 1986, through May 3, 1986, as "National Arts in the Schools Week"; to the Committee on the Judiciary.

MEASURE HELD AT THE DESK

The following bill was ordered held at the desk by unanimous consent pending further disposition:

H.R. 4602. An act to authorize the Federal Housing Administration and the Government National Mortgage Association to enter into additional commitments to ensure loans and guarantee mortgage-backed securities during fiscal year 1986, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-3001. A communication from the Secretary of Agriculture, transmitting a draft of proposed legislation to reduce the cost and improve the effectiveness of the Food Stamp Program and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3002. A communication from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on the status of certain Department of Housing and Urban Development budget authority; pursuant to the order of January 30, 1975, referred jointly to the Committee on the Budget, the Committee on Appropriations, and the Committee on Banking, Housing, and Urban Affairs.

EC-3003. A communication from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on the status of certain Department of Energy funds; pursuant to the order of January 30, 1975, referred jointly to the Committee on the Budget, the Committee on Appropriations, and the Committee on Energy and Natural Resources.

EC-3004. A communication from the Assistant Secretary of Defense (Comptroller), transmitting, pursuant to law, a listing of contract award dates for the period May 1 to June 30, 1986; to the Committee on Armed Services.

EC-3005. A communication from the Director of the National Security and International Affairs Division, General Accounting Office, transmitting, pursuant to law, a report entitled "DOD Revolving Door—Many Former Personnel Not Reporting Defense-Related Employment"; to the Committee on Armed Services.

EC-3006. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Revenue Estimate—Panama Canal Commission Estimated Revenue for Fiscal Year 1987"; to the Committee on Armed Services.

EC-3007. A communication from the Assistant Secretary of Defense (Acquisition and Logistics), transmitting, pursuant to law, a report on the Department of Defense Commercial Activities Program since October 1, 1983; to the Committee on Armed Services.

EC-3008. A communication from the Deputy Assistant Secretary of Defense (Administration), transmitting, pursuant to law, a report on real and personal property of the Department of Defense as of September 30, 1985; to the Committee on Armed Services.

EC-3009. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the annual report on compensation of officers and employees of Federal Contract Research Centers for calendar year 1985; to the Committee on Armed Services.

EC-3010. A communication from the President and chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report on loan, guarantee and insurance transactions supported by Eximbank during March 1986 to Communist countries; to the Committee on Banking, Housing, and Urban Affairs.

EC-3011. A communication from the chairman and vice chairman of the National Energy Extension Service Advisory Board, transmitting, pursuant to law, the seventh annual report of the Board on the Nationwide Energy Extension Service Program, dated April 1986; to the Committee on Energy and Natural Resources.

EC-3012. A communication from the Secretary of the Interior, transmitting, pursuant to law, the financial statements of the Colorado River Basin Project for fiscal year 1985; to the Committee on Energy and Natural Resources.

EC-3013. A communication from the Commissioner of the Bureau of Reclamation, Department of the Interior, transmitting, pursuant to law, a report on findings for the necessity for modifications to the Soldiers Meadow Dam, Lewiston, Idaho; to the Committee on Energy and Natural Resources.

EC-3014. A communication from the Director of the Office of Civilian Radioactive Waste Management, Department of Energy, transmitting, pursuant to law, the fourth annual report entitled "Nuclear Waste Fund Fee Adequacy: An Assessment"; to the Committee on Energy and Natural Resources.

EC-3015. A communication from the chairman of the U.S. Advisory Commission on Public Diplomacy, transmitting, pursuant to law, the annual report of the Commission on the United States Information Agency for 1986; to the Committee on Foreign Relations.

EC-3016. A communication from the chairman of the Board of Directors of the Tennessee Valley Authority, transmitting, pursuant to law, the annual report of the authority under the Government in the Sunshine Act for calendar year 1985; to the Committee on Governmental Affairs.

EC-3017. A communication from the chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the annual report of the Commission under the Government in the Sunshine Act for calendar year 1985; to the Committee on Governmental Affairs.

EC-3018. A communication from the Director of the Information Security Oversight Office, transmitting, pursuant to law, the annual report of the Office for fiscal year 1985; to the Committee on Governmental Affairs.

EC-3019. A communication from the Executive Director/Administrator of the Federal Labor Relations Authority, transmitting, pursuant to law, the annual report of the authority under the Government in the Sunshine Act for calendar year 1985; to the Committee on Governmental Affairs.

EC-3020. A communication from the Acting Comptroller General of the United States, transmitting, pursuant to law, a list of reports issued by the General Accounting Office during March 1986; to the Committee on Governmental Affairs.

EC-3021. A communication from the Assistant Attorney General (Legislative and Intergovernmental Affairs), transmitting a draft of proposed legislation to amend the interest provisions of the Declaration of Taking Act; to the Committee on the Judiciary.

EC-3022. A communication from the Assistant Attorney General (Legislative and Intergovernmental Affairs), transmitting a draft of proposed legislation to authorize appropriations for the purpose of carrying out the activities of the Department of Justice for fiscal year 1987, and for other purposes; to the Committee on the Judiciary.

EC-3023. A communication from the acting chairman of the Merit Systems Protection Board, transmitting, pursuant to law, the annual report of the Board under the Freedom of Information Act for calendar year 1985; to the Committee on the Judiciary.

EC-3024. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the annual report of the Department of Housing and Urban Development under the Freedom of Information Act for calendar year 1985; to the Committee on the Judiciary.

EC-3025. A communication from the President of the United States, transmitting, pursuant to law, a report on United States military action in Libya on April 14, 1986; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-624. A resolution adopted by the Council of the County of Maui, Hawaii, favoring continuation at present levels of the Community Development Block Grant Program; to the Committee on Appropriations.

POM-625. A resolution adopted by the Eighteenth Guam Legislature; to the Committee on Commerce, Science, and Transportation.

"RESOLUTION NO. 277 (LS), SUBSTITUTE

"Be it resolved by the Legislature of the Territory of Guam:

"Whereas, the members of the Eighteenth Guam Legislature, along with the rest of our nation, are deeply saddened at the loss of seven crew members of the Space Shuttle Challenger when, on January 29, 1986 (Guam Time) the Space Shuttle Challenger exploded into flames shortly after take off at Cape Canaveral, Florida; and

"Whereas, the crew members of Space Shuttle Challenger included three trained pilots, an expert on lasers, the second American woman to fly in space, a Hughes Aircraft Corporation engineer and a Concord, New Hampshire school teacher flying as the first citizen-in-space, all of whom were the "select few" and were immensely talented and gifted professionals in their respective fields; and

"Whereas, the crew members of Space Shuttle Challenger were Flight Commander Francis R. Scobee; Pilot Mike Smith; Researcher Ronald E. McNair; Air Force Lt. Col. Ellison S. Onizuka; Astronaut Judy Resnik; Engineer Gregory Jarvis; and Sharon "Christa" McAullife, the first citizen-in-space; and

"Whereas, each and every individual aboard the Challenger at the time of the tragedy exemplified the courageous and undaunted spirit of human discovery and progress, looking above and beyond human frailties to give their best in the quest to explore the boundless mysteries of the last frontier in the name of advancement of science and mankind; and

"Whereas, the territory of Guam supports NASA's space shuttle program, having had two volunteer teachers selected as nomineess for the Teacher in Space Project; and

"Whereas, the people of Guam are deeply saddened because of our close relationship with the space program wherein Lt. Col. Ellison S. Onizuka visited Guam in 1980 to explain the Shuttle Mission to the people; and

"Whereas, the crew members dedicated their lives to their profession in the utmost professional manner: Now, therefore, be it

"Resolved, That the Eighteenth Guam Legislature, on behalf of the people of Guam, hereby express its condolences to the families of the crew members of the Space Shuttle Challenger; and be it further

"Resolved, That the Eighteenth Guam Legislature will always remember the crew members of Space Shuttle Challenger; and be it further

"Resolved, That the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to Mrs. June Kent Scobee and family; to Mrs. Jane Jarrell Smith and family; to Mrs. Cheryl Moor McNair and family; to Mrs. Irna Leiko Yoshida Onizuka and family; to the family of Ms. Judy Resnik; to Mrs. Marcia Jarboe Jarvis and family; to Mr. Steven J. McAuliffe and family; to the Administrator, National Aeronautics and Space Administration (NASA); to the President of the United States of America; to the President of the Senate and the Speaker of the House, Congress of the United States; to Congressman Ben G. Blaz and to the Governor of Guam."

POM-626. Joint resolutions adopted by the Legislature of the State of Idaho; to the Committee on Environment and Public Works:

"HOUSE JOINT MEMORIAL NO. 15

"We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Forty-eighth Idaho Legislature, do hereby respectfully represent that:

"Whereas, the State of Idaho has a vital interest in the costs of natural gas supply and transmission for the state regulated public utilities and its citizenry; and

"Whereas, Kern River Gas Transmission Company has applied to the Federal Energy Regulatory Commission for approval to construct an interstate pipeline in the State of Wyoming, delivery to various points within or adjacent to Kern County in the State of California as more particularly described in the application filed with the Federal Energy Regulatory Commission as Docket No. CP85-552-000; and

"Whereas, operation of the Kern River Pipeline Project would have substantial economic benefits to the State of Idaho, its natural gas distribution utilities and its citizens in the form of a reduction in gas supply costs and transportation costs to those utilities served by Northwest Pipeline Corporation: Now, therefore, be it

"Resolved by the members of the Second Regular Session of the Forty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Federal Regulatory Commission is requested and encouraged to grant a certificate of public convenience and necessity to facili-

tate the construction and operation of the Kern River Pipeline Project; and be it further

"Resolved, that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward copies of this Memorial to the Federal Energy Regulatory Commission, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States."

"HOUSE JOINT MEMORIAL No. 16

"We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Forty-eighth Idaho Legislature, do hereby respectfully represent that:

"Whereas, the transportation network is the most important component in the infrastructure of the United States; and

"Whereas, the Interstate Highways and other Federal-Aid Highway Systems are the very sinews of that transportation network; and

Whereas, construction of the Interstate Highway System has been the focus for massive funding for thirty years, during which time the Primary Highway System has been underfunded; and

"Whereas, it is essential to the Nation's mobility to preserve the investment of the past fifty years in the Primary Highway System: Now, therefore, be it

"Resolved by the members of the Second Regular Session of the Forty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho Legislature urge that, during forthcoming Congressional deliberations on the future of the Federal-Aid Highway Program, greater flexibility be developed for transferring apportioned funds from the Interstate Resurfacing (4R) Program to the Primary Highway System; and be it further

"Resolved, That the Idaho Legislature petition Congress to eliminate federal statutory mandates upon which regulations in 23 CFR 625 are based that require the blanket application of rigid safety standards to all Federal-Aid Interstate 4R Projects; and that the petition also require that all specified safety features be cost-justified in the case of each individual project; and be it further

"Resolved, That due to the economic restraints imposed upon the Federal-Aid Highway Program by the Gramm-Rudman-Hollings Amendment, roadway standards should be made more flexible in order to give the states greater discretion in their application; be it further

"Resolved, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward copies of this Memorial to President Ronald Reagan, Secretary of Transportation Elizabeth Hanford Dole, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States."

POM-627. A joint resolution adopted by the Legislature of the State of California; to the Committee on Finance;

ASSEMBLY JOINT RESOLUTION No. 55

"Whereas, Technological leadership is one of this nation's most important resources; and

"Whereas, Governmental policies that encourage the expansion of industrial research and development in the United States are appropriate and necessary; and

"Whereas, The federal government enacted the research and development tax credit in 1981 to stimulate the essential investment by private industry in research and development; and

"Whereas, Foreign governments frequently provide tax incentives, special allowances, export subsidies, and government sponsorship of collaborative research efforts in key technological fields; and

"Whereas, An analysis conducted by the Congressional Research Service, dated January 1985, and a study conducted by the Brookings Institution, dated February 1985, confirm that the research and development federal income tax credit has produced tangible increases in research and development spending; and

"Whereas, Research and development helps drive this nation's economy and is essential to the United States remaining competitive in international marketplaces; and

"Whereas, It is in the national interest to promote the research and development federal income tax credit because it directly benefits the American consumer by reducing the cost of goods and creating jobs; and

"Whereas, The existing research and development federal income tax credit is due to expire in 1985: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to enact legislation to make permanent the research and development federal income tax credit; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-628. A resolution adopted by School District No. 143 of Cook County, Illinois opposing certain provisions of the Tax Reform Act, H.R. 3838; to the Committee on Finance.

POM-629. A resolution adopted by the Texas Society Sons of the American Revolution, Inc. favoring the imposition of tariffs and duties on imported oil and petroleum products; to the Committee on Finance.

POM-630. A resolution adopted by the Council of the Borough of Ringwood, New Jersey, favoring the calling of a constitutional convention for the purpose of amending the sixteenth amendment to the Constitution; to the Committee on the Judiciary.

POM-631. A joint resolution adopted by the Legislature of the State of Indiana; to the Committee on the Judiciary.

"ENROLLED HOUSE JOINT RESOLUTION No. 3

"A Joint Resolution providing for the ratification of the proposed amendment to the Constitution of the United States relative to the compensation of Senators and Representatives.

"Whereas, in the city of New York, both Houses of the First Congress of the United States of America, during the first session of that Congress, which session began on March 4, 1789, resolved that the following Article, among others, be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States in the following words, to wit:

"The Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution:

"Resolved by the Senators and Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as Amendments to the Constitution of the United States, all or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution; viz

"Articles in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

"Article the second. . . . . No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened."

Be it resolved by the General Assembly of the State of Indiana:

"SECTION 1. That this proposed amendment of the Constitution of the United States of America is hereby ratified by the General Assembly of the State of Indiana.

"SECTION 2. That certified copies of this joint resolution be forwarded by the Governor of Indiana to the Administrator of General Services, as required by Section 106(b) Title 1, United States Code, as well as to the Secretary of State of the United States and the President of the Senate and Speaker of the House of Representatives of the Congress of the United States, and to all other federal officials as may be required by federal law."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DANFORTH, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 739. An act relating to the documentation of the vessel Marilyn to be employed in the coastwise trade (Rept. No. 99-284).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BENTSEN:

S. 2347. A bill to authorize the Corps of Engineers to issue permits under the Clean Water Act and the River and Harbor Act for construction of a water resource project in the State of Texas; to the Committee on Environment and Public Works.

By Mr. MOYNIHAN:

S. 2348. A bill to authorize the procurement and installation of cryptographic equipment at satellite communications facilities within the United States, and for other purposes; to the Committee on Armed Services.

By Mr. RIEGLE:

S. 2349. A bill to amend the Internal Revenue Code of 1954 to provide for the establishment of enterprise zones, and for other purposes; to the Committee on Finance.

By Mr. ABDNOR (for himself, Mr. ANDREWS, Mr. BAUCUS, Mr. BOSCHWITZ, Mr. DURENBERGER, Mr. ZORINSKY, and Mrs. KASSEBAUM):

S. 2350. A bill to extend the period for filing a claim for credit or refund of Federal income taxes with respect to certain changes made by the Consolidated Omnibus Reconciliation Act of 1985 with respect to insolvent farmers; to the Committee on Finance.

By Mr. EVANS (for himself and Mr. GORTON):

S. 2351. A bill to revise the boundaries of Olympic National Park and Olympic National Forest in the State of Washington, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CHILES (for himself, Mr. EVANS, Mr. WILSON, Mr. BOREN, Mr. MOYNIHAN, Mr. NUNN, Mr. GORTON, Mr. HOLLINGS, and Mr. DECONCINI):

S. 2352. A bill to amend the Internal Revenue Code of 1954 to provide for the reimbursement to State and local law enforcement agencies for costs incurred in investigations which substantially contribute to the recovery of Federal taxes; to the Committee on Finance.

By Mr. CHILES:

S. 2353. A bill to direct the Attorney General to develop a model statute for States to prohibit the establishment and use of freebase houses; to the Committee on the Judiciary.

By Mr. MITCHELL (for himself, Mr. PROXMIRE, Mr. HUMPHREY, Mr. RUDMAN, Mr. DURENBERGER, Mr. WARNER, Mr. TRIBLE, and Mr. KASTEN):

S. 2354. A bill to amend the Nuclear Waste Policy Act of 1982 to provide for the disposal of high-level radioactive waste and spent nuclear fuel in a single repository, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROTH:

S. 2355. A bill to amend title 10, United States Code, to require operational testing and evaluation before low-rate initial production, and for other purposes; to the Committee on Armed Services.

By Mr. ROCKEFELLER (for himself and Mr. BYRD):

S. 2356. A bill to offset the competitive advantage which foreign coal producers have as a result of not having to meet environmental, health, welfare, and safety requirements of the kinds imposed on U.S. coal producers, and for other purposes; to the Committee on Finance.

By Mr. BUMPERS (for himself and Mr. PRYOR):

S. 2357. A bill to direct the Secretary of the Army to lease certain lands at Fort Chaffee, AR, to the city of Barling for use by the city for the construction of a waste treatment facility; to the Committee on Armed Services.

By Mr. RIEGLE:

S.J. Res. 328. A joint resolution to designate the week beginning May 4, 1986, as "National Correctional Officers Week"; to the Committee on the Judiciary.

By Mr. BIDEN (for himself and Mr. ROTH):

S.J. Res. 329. A joint resolution to designate the period of December 1, 1986, through December 7, 1986, as "National Aplastic Anemia Awareness Week"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read and referred (or acted upon), as indicated:

By Mr. BRADLEY (for himself, Mr. MCCLURE, Mr. JOHNSTON, Mr. FORD, Mr. METZENBAUM, and Mr. WARNER):

S. Res. 386. A resolution to express the sense of the Senate that strategic petroleum reserve purchases and construction should be accelerated and that all funds deferred by the President should be immediately obligated; to the Committee on Energy and Natural Resources.

By Mr. DOLE (for Mr. DURENBERGER) (for himself, Mr. LEAHY, Mr. ROTH, Mr. COHEN, Mr. HATCH, Mr. MURKOWSKI, Mr. SPECTER, Mr. HECHT, Mr. MCCONNELL, Mr. BENTSEN, Mr. NUNN, Mr. EAGLETON, Mr. HOLLINGS, Mr. BOREN, and Mr. BRADLEY):

S. Con. Res. 133. A concurrent resolution to commend Deputy Director of Central Intelligence John N. McMahon for exceptionally distinguished service to the United States; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BENTSEN:

S. 2347. A bill to authorize the Corps of Engineers to issue permits under the Clean Water Act and the River and Harbor Act for construction of a water resources project in the State of Texas; to the Committee on Environment and Public Works.

CONSTRUCTION OF THE STACY DAM PROJECT IN TEXAS

● Mr. BENTSEN. Mr. President, I am today introducing a bill to assist in the construction of the Stacy Dam, reservoir, and pipeline in Texas.

This is a project of the Colorado River Municipal Water District, and it is an excellent example of local governmental bodies planning for the future. The Federal Government always urges local government to plan ahead, to conserve, and to do these things with their own local funds, and the Stacy Dam project fits this criteria perfectly.

In Texas, especially west Texas, the need now, and in the past, and in the future, is water. Contrary to popular opinion, water—not only oil prices—is a major key in determining the progress and destiny of Texas.

The Colorado River Authority came up with an excellent plan to construct a reservoir on the Colorado River in Coleman, Concho, and Runnels Counties, for the purpose of supplying municipal water to the cities of Midland, Odessa, Big Spring, Snyder, San Angelo, and Abilene. It is expected to extend an adequate water supply to these cities well into the 21st century.

The authority, in an orderly and constructive manner, first applied to the Corps of Engineers for a 404 permit in 1979. In 1982, it was decided that it would be in the best interests of all to suspend the efforts of preparing an environment impact statement until the district had in hand an unencumbered permit from the State of Texas authorizing the project.

In May 1985—after a lengthy and expensive effort—the authority received State approval and went back to the corps for action on the environmental impact statement which had been set aside since 1982.

Back on schedule, the authority plans to begin construction next year so that the dam can be ready for use in early 1990. This is a $66 million project financed solely through the issuance of revenue bonds—no Federal, State, or local tax funds are involved. This should be the end of it—and an example of what our localities should be doing to keep us with future growth.

But as we in this body know, nothing is ever simple when dealing with the Federal Government. The U.S. Fish and Wildlife Service is threatening to hold up construction because it says the project may—and I repeat, may—jeopardize the Concho River water snake.

This is because the dam would be located on the mainstem of the Colorado about 16 miles downstream from the confluence of the Colorado and Concho Rivers, creating a pool of about 19,200 acres of needed water in Concho, Coleman, and Runnels Counties. In this area is found the Concho River water snake, a reptile discovered in 1944 which grows to about 35 inches long. The Wildlife Service says the Concho water snake is a relative of the Brazos water snake, and that the Brazos snake is currently found in two reservoirs. The Concho snake has not been located in Colorado Basin reservoirs, according to Fish and Wildlife, and therefore they question the creation of Stacy Reservoir.

There is apparently a great number of these snakes. The Wildlife Service says they live along 200 miles of the Concho and Colorado. But because they say most of them live along a 105-mile stretch of river, the area affected by the Stacy Dam is proposed to be designated as a critical habitat.

The way the Wildlife Service sees it, Stacy would inundate about 48 miles of that 105-mile stretch where many, but not all, of the snakes live. Depending on circumstances, they say, Stacy Dam could eliminate them all. Frankly, they don't know. They do admit there are many Concho River snakes scattered along hundreds of miles. In fact, they say that through planned discharges the dam could actually "maintain or enhance" the downstream habitat.

Because of this speculation, the real or imagined threat to some unknown

percentage of snakes in the water, the Stacy project is threatened, and more than a snake is jeopardized. In this entire issue, the only certainties are that water is a critical necessity to people in the area, and that delays are penalties in the form of extra expenditures of local funds.

The Colorado Water District has already offered to spend $225,000 to study the snake and its problems while the dam is being built, but Fish and Wildlife has found this unacceptable. It is possible that the Service might accept some plan to physically move some of the snakes elsewhere, but at this point the Service has been unwilling to discuss such an option. Nor has the Service been willing to consider structural modifications to the reservoir that might make it more like the Brazos River reservoirs where the Concho River water snake's relatives have been able to live without difficulty. Regardless, if any option were to be acceptable, the cost would be high and it would be a cost that would ultimately be passed along to the consumer, not the government, the Fish and Wildlife Service, or advocates of the river snake. They could try to move the entire project, but that would entail the expenditure of many millions more, and is all but impossible.

Mr. President, the people of west Texas consider a threat against this important project by speculation over the effect on a specie of water snake as a serious case of misplaced priorities, and I agree with them. I don't think there is any evidence that the snake would be made extinct, or even any hard evidence that they don't exist outside the large, 200-mile range. I believe that reasonable efforts to mitigate the effects of the dam on the snake habitat should be undertaken.

This legislation is simple. It authorizes the Secretary of the Army to issue a permit under section 404 of the Clean Water Act and section 10 of the River and Harbor Act. It also directs the Secretary of the Army to issue the permit not later than November 30.

Mr. President, this is an important project that will benefit people for many years to come. I think we have a responsibility to act, and act promptly.

I ask unanimous consent that the bill be printed in the RECORD.

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

S. 2347

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. (a) The Secretary of the Army is authorized to issue a permit under section 404 of the Clean Water Act and section 10 of the River and Harbor Act of 1899 for the Stacy Dam, Reservoir, and Pipeline Project of the Colorado River Municipal Water District, Texas, notwithstanding the pendency of any proposal by the Secretary of the Interior regarding the listing of a threatened species or the designation of critical habitat of a proposed threatened species under the provisions of the Endangered Species Act, and notwithstanding any listing of a threatened species promulgated after the date of enactment of this section.

(b) The Secretary of the Army shall act to issue the permit for the Stacy Dam, Reservoir, and Pipeline Project, Texas, not later than November 30, 1986.●

By Mr. MOYNIHAN:

S. 2348. A bill to authorize the procurement and installation of cryptographic equipment at satellite communications facilities within the United States, and for other purposes; to the Committee on Armed Services.

SATELLITE COMMUNICATIONS SECURITY

Mr. MOYNIHAN. Mr. President, the Soviet intelligence collection facility at Lourdes, Cuba, enables the Soviets to monitor sensitive U.S. maritime, military, and space communications, as well as telephone conversations in the United States. So says a joint State and Defense Department publication, "The Soviet-Cuban Connection." The publication does not indicate how effective the facility is—our intelligence agencies can tell you a bit about that—but we do know that the facility is the largest of its kind in the world, and the most sophisticated Soviet listening facility outside of its national territory. Moreover, this facility continues to grow in size and capability—by 60 percent during the past decade. Today, approximately 2,100 Soviet technicians man the antennae and dishes which are spread over 28 square miles. That the satellite ground station at Lourdes allows instant communications with Moscow tells us a bit about the value of the information the Soviets are intercepting.

In 1977, and twice since, I have introduced legislation, the Foreign Surveillance Prevention Act, to curtail Soviet eavesdropping from their diplomatic establishments in Washington, San Francisco, and New York. Nelson Rockefeller reported this intelligence breach to the President in 1975, and Arkady Shevchenko, the highest ranking Soviet diplomat ever to defect to the West, detailed it in 1978. This legislation would deal with this eavesdropping simply and firmly. If a Soviet diplomat were suspected of eavesdropping, we would declare that individual persona non grata and expel him from the country. And mind you, the FBI estimates that 30 to 40 percent of the Soviet diplomatic personnel are engaged in espionage. The facility at Lourdes, however, is outside our territorial and legal jurisdiction. It must be neutralized by other—technical—means.

Mr. President, today I introduce legislation to put the multibillion-dollar facility at Lourdes out of business, as well as limit the damage from Soviet trawlers and other AGI's [auxiliary gathering intelligence]. This legislation will also provide for the protection of Government communications from interception by foreign governments and other unauthorized parties, and protect the privacy of Americans—you, me, our children.

I recall a comment Walter Deeley, formerly Deputy Director of Communications Security at the NSA, made to David Burnham of the New York Times. "They are having us for breakfast," he said "We are hemorrhaging. Your progeny may not enjoy the same rights we do today if we don't do something." Well, Mr. President, today I propose to take some of our communications off the breakfast table.

As you know, when you place a telephone call from point A to point B, there are three communications paths—or circuits—on which your call might travel: microwave, cable, and satellite. The telephone company will route your call to a switching station where computers will select the first available means of establishing a circuit. If it is a local call, the path will probably be made over cable. If your call is long distance, chances are it will be transmitted as a radiowave from a switching station and relayed via microwave or satellite. These radio waves follow prescribed routes through the sky. They are available for interception, just as a private dish satellite in the backyard can pull in cable television signals—and telephone signals. And yes, the Soviets have the range at Lourdes to grasp our satellite transmissions as they travel from New York to Los Angeles, or Washington to Omaha.

This legislation will provide for the procurement and installation of cryptographic hardware at satellite communications facilities within the United States. This hardware will encrypt telephonic signals before they are transmitted as radio waves from ground station to satellite to ground station, a technique analogous to the cable networks scrambling their signals. This would protect the domestic satellite transmissions of both the Federal Government and private citizens. Commercial interests utilizing direct satellite communications which are not switched through the common carrier system would not be covered under the provisions of this legislation. But, I might add, secure, dedicated satellite communication is already offered by some common carriers for commercial use.

This legislation will authorize $943 million in funding for the Department of Defense for use by the National Security Agency. A relative bargain, but still not cheap in this year of Gramm-Rudman-Hollings. But I voted against that legislation, and I am not ashamed to stand up today and discuss funding to meet a vital national security need.

In fact, I think it my duty. And, It would cost us a lot more not to do it.

Mr. President, we have an opportunity to stop Soviet eavesdropping from their facility at Lourdes. In so doing, we will suture a wound from which bleeds vital intelligence material, industrial secrets, and the private conversations of American citizens. And while only some of this material is classified, it all provides intelligence information to Soviets when pieced together. Just as importantly, by countering the facility at Lourdes we will protect American citizens from egregious violations of their privacy.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2348

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the purpose of this Act is to provide further for the security of satellite communications transmissions between facilities within the United States and to prevent the interception of, or access to, such transmissions by foreign governments or other unauthorized parties.

(b)(1) To carry out the purposes of subsection (a), the Secretary of Defense, acting through the National Security Agency and acting in cooperation with private enterprises engaged in satellite communications within the United States, is authorized to procure and install cryptographic equipment at satellite communications facilities within the United States.

(2) Any private enterprise owning a satellite communications facility at which equipment was installed under paragraph (1) shall be reimbursed by the Secretary of Defense for the costs incurred in operating and maintaining such equipment.

(c) The provisions of subsection (b) shall not apply to any communications system utilizing direct satellite transmissions which, on reception, are not switched through a common carrier system.

(d)(1) There are authorized to be appropriated to the Secretary of Defense for use by the National Security Agency such sums as may be necessary to carry out the provisions of this Act.

(2) Amounts appropriated under this subsection are authorized to remain available until expended.

(e) For purposes of this Act—

(1) the term "common carrier" has the same meaning as such term is defined in section 3(h) of the Communications Act of 1933 (47 U.S.C. 153(h)); and

(2) the term "United States" refers to the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

By Mr. RIEGLE:

S. 2349. A bill to amend the Internal Revenue Code of 1954 to provide for the establishment of enterprise zones, and for other purposes; to the Committee on Finance.

ENTERPRISE ZONE ACT

● Mr. RIEGLE. Mr. President, I am introducing today the Enterprise Zone Act of 1986 to stimulate the economic development of our Nation's most distressed communities.

This legislation will help attract private investment to economically hard-pressed areas. It can create jobs and aid industrial development. It could provide an important tool for cities like Detroit, Flint, Muskegon, Jackson, Benton Harbor, and many other localities across the Nation that want to revitalize areas of high unemployment and pervasive poverty within their communities.

In August of 1980, President Reagan set enterprise zones as one of the administration's legislative priorities. On numerous occasions since then he has challenged Congress to enact precisely the legislation I am introducing today. Together with a number of my colleagues, I have consistently suported the President in this initiative. In January of 1985 I wrote to President Reagan to express my willingness to work with him on this proposal. I am restating that commitment now.

Unfortunately, we are nearly a year and a half into the 99th Congress, and the administration has not yet submitted an enterprise zone bill. The Department of Housing and Urban Development seems incapable of bringing enterprise zone legislation to Congress. I see no reason why Members of Congress should continue waiting in frustration. That is why I take this action today.

Enterprise zone legislation is needed perhaps now more than ever. Although the recovery has been underway for 40 months, many communities have been left behind. Virtually every State has communities that are still in the throes of a deep recession. In fact, this is precisely the stage of the business cycle when an enterprise zone program would be most effective. The general climate for private investment is at its most favorable, and it is now that enterprise zone incentives would be most able to attract private investment to areas where it is most needed.

The enterprise zone program would help fill a large vacuum in distressed areas that has been created by sharp cutbacks in Federal economic development assistance. Federal budget cuts have undermined hundreds of efforts across the country in which local governments, banks, and private industry were cooperating to create stable jobs in depressed areas.

Enterprise zone legislation is not new to the Senate. In 1981 I joined Senator HEINZ to introduce the first enterprise zone bill in the Senate—the Urban and Rural Revitalization Act of 1981. Since then, enterprise zone legislation has been introduced in every session of Congress and has been the subject of extensive hearings in both the Senate and the House. The Senate has passed such legislation twice—most recently in 1984. There is no reason for further delay in enacting it into law.

The legislation I am introducing today is similar to legislation which passed the Senate during the 98th Congress and was later reintroduced as S. 2914. The bill has been modified only to reflect changes proposed by the Department of Housing and Urban Development [HUD] and the Department of the Treasury.

The Enterprise Zone Act would authorize the Secretary of HUD to designate up to 25 zones a year for 3 years. State and local governments would nominate areas from communities that meet certain criteria. The area would have to be in a jurisdiction or "pocket of poverty" that is eligible for the Urban Development Action Grant Program [UDAG]. It would also need a continuous boundary, and it would have to show signs of pervasive poverty and unemployment, such as an unemployment rate of at least 1.5 times that of the national rate and a poverty rate of at least 20 percent or more.

Once an area is designated, job creating economic activity in that area would receive various forms of targetted Federal tax relief. This would include: Eliminating capital gains taxes within zone; providing an additional investment tax credit; providing a 5-percent credit to zone employees for income earned in the zone; and crediting employers for wages paid to disadvantaged zone employees.

Mr. President, I ask unanimous consent that a short description of the bill be printed in the RECORD at the conclusion of my remarks.

In closing, I want to stress that this legislation has been carefully considered and developed in the Congress. This bill incorporates refinements suggested by the administration. It had the bipartisan support of 38 Senators in the last Congress. I believe that this is the time to enact enterprise zone legislation and that this bill gives the Senate a proven vehicle and a clear opportunity to take favorable action again this year.

I remain a strong supporter of enterprise zones and will continue to work to see that this valuable tool is available to our Nation's cities. I urge my colleagues in the Senate to join me as cosponsors and to insure prompt passage.

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

ENTERPRISE ZONE ACT OF 1986

The proposal authorizes the Secretary of HUD to designate up to 25 enterprise zones a year for 3 years—a total of 75 zones. Areas would be nominated by State and local governments and would have to meet certain criteria of economic distress and population, have a continuous boundary, and receive a

commitment from the State and locality to take a course of action designed to remove impediments to economic development in the area.

Once designated zones, they would receive the following Federal tax relief:

Additional investment credit of 3 to 5 percent for personal property and 10 percent for real property for capital investment in the zone.

10 percent credit to employers for increases paid to zone employees over the previous year, at a maximum of 2.5 times the employer's Federal Unemployment Tax Act (FUTA) wage base.

Credit to employers for wages paid to disadvantaged zone employees, equal to 50 percent of wages paid to such employees (not counting Federal subsidies for job training). This credit would be available for 7 years and drop 10 percent per year beginning in the fourth year.

5 percent credit to zone employees for income earned in zone employment, maximum $450 per employee.

Capital gains tax would not be imposed on the gain from sale of any interest in a zone business or any property used in the conduct of zone business.

Restrictions on the use of Accelerated Cost Recovery System (ACRS) for industrial development bond (IDB) financed property, and the 1987 sunset of the small issue exemption, would not apply with respect to IDB's used to finance zone small business.

Zones would be given preference in establishing Foreign Trade Zones, and could qualify for limited Federal regulatory relief. Federal contributions would last 20 years with a 4 year phaseout.●

By Mr. ABDNOR (for himself, Mr. ANDREWS, Mr. BAUCUS, Mr. BOSCHWITZ, Mr. DURENBERGER, Mr. ZORINSKY, and Mrs. KASSEBAUM):

S. 2350. A bill to extend the period for filing a claim for credit or refund of Federal income taxes with respect to certain changes made by the Consolidated Omnibus Budget Reconciliation Act of 1985 with respect to insolvent farmers; to the Committee on Finance.

TAX FILING EXTENSION FOR INSOLVENT FARMERS

Mr. ABDNOR. Mr. President, the Budget Reconciliation Act of 1985 made an essential change in our Tax Code as it affects the alternative minimum tax liability of insolvent farmers. The change provides that in the cases of first, the transfer of farmland by an insolvent farmer to a creditor in cancellation of indebtedness, or second, the sale of farmland by an insolvent farmer under threat of foreclosure, the capital gain realized as a result of such transfer or sale will not be included as an item of tax preference in the computation of the alternative minimum tax. The intent of the language in Budget Reconciliation was to make this change applicable going back to the 1982 tax year.

Unfortunately for many farm taxpayers, the normal 3-year statute of limitations for calendar year 1982 returns expired on April 15, 1986. Insolvent farmers seeking protection under the new law with respect to calendar year 1982 were required, therefore, to file an amended 1982 return on or before April 15, 1986, a mere 8 days after the tax changes were signed into law by President Reagan.

Further delays by the IRS in getting the word out to their local offices reduced that leadtime to 1 or 2 days. In my State of South Dakota, many tax lawyers and CPA's are still unaware of any changes. For that reason, I find it unconscionable to expect the farmers themselves to have been alerted soon enough to file before the April 15, 1986 deadline in order to qualify for a refund for the 1982 tax year.

Mr. President, numerous delays in passage of the Budget Reconciliation Act may have unnecessarily precluded many farmers from filing for a refund to which they clearly are entitled. The intent of the reconciliation language was to include transfers of farmland which occurred in 1982, and I believe it is incumbent upon Congress to insure that individuals engaged in transactions for that tax year are not disallowed the opportunity to file an amended form.

Mr. President, the legislation we are introducing here today would extend the statute of limitations for a period of 6 months thereby allowing deserving farmers an opportunity to take advantage of any credits or refunds to which they are entitled as a result of the changes made in Budget Reconciliation. This bill provides that if a taxpayer is prevented from claiming a refund or credit resulting from the insolvent farmer provision in the Budget Reconciliation Act anytime before October 15, 1986, then the refund or credit will nevertheless be allowed if claim therefore is filed within 6 months of the date of enactment of the bill.

I trust this body will work quickly toward passage of this measure.

By Mr. EVANS (for himself and Mr. GORTON):

S. 2351. A bill to revise the boundaries of Olympic National Park and Olympic National Forest in the State of Washington, and for other purposes; to the Committee on Energy and Natural Resources.

REVISION OF BOUNDARIES OF OLYMPIC NATIONAL PARK AND OLYMPIC NATIONAL FOREST

Mr. EVANS. Mr. President, today I am introducing with Senator GORTON a bill to revise the boundaries of the Olympic National Park in Washington State. The bill incorporates the recommendations of the National Park Service and the National Forest Service for modification of their common boundaries. The bill also authorizes two minor additions to the park as recommended by the National Park Service.

The Olympic National Forest and the Olympic National Park share many common boundaries. A high degree of cooperation has existed between these Federal land management jurisdictions on a variety of programs. But some of the existing boundaries separating park and forest have created problems for both agencies in fulfilling their respective missions. These are found in selected areas where existing boundaries do not follow natural topographic features and hydrographic divides.

Established earlier in the century, many of the boundaries are drawn on township and section lines which do not always meet logical resource management needs or serve the best interests of the public. Existing straight line boundaries do not protect complete watersheds. The upper portions of some park watersheds lie outside park boundaries thus allowing land uses that could affect the visual integrity within drainages. In other places, the existing park boundary effectively blocks access to portions of the Olympic National Forest since logging roads cannot be built through the park.

Mr. President, the bill we are introducing today incorporates the joint recommendations of the National Park Service and the U.S. Forest Service to modify further their common boundaries. The boundary adjustments would transfer 1,954 acres from the Olympic National Forest to the Olympic National Park and 1,236 acres from the Olympic National Park to the Olympic National Forest. The bill would also authorize the addition to the Olympic National Park of 263 acres of private land on the shore of Lake Crescent and along the Soleduck Road. The additions to the park were recommended by the National Park Service. These private lands were identified as critical acquisitions in the park's land protection plan.

Senator GORTON and I enthusiastically support this boundary adjustment proposal. Furthermore, we intend to examine carefully other proposals to modify the boundaries of the Olympic National Park. Finally, we will request that the Energy and Natural Resources Committee examine through congressional oversight other issues of concern to the Olympic National Park. These include the management by the State of Washington of tidelands adjacent to the coastal strip and the relicensing and operation of the Glines Canyon hydroelectric facility on the Elwha River just inside the National Park.

Mr. President, I have visited scores of the ocean beaches, hiked virtually every river valley, and climbed most of the Olympic Moutains during the last 45 years. Each visit is a return pilgrimage to a mountain paradise only gently touched by human hands. Vivid technicolor memories recall, instantly, the serenity and savagery of wilderness mountains.

The National Park which dominates the Olympic Peninsula has preserved a wilderness land virtually untouched by human habitation. In an increasingly technological and crowded world it is essential that we preserve these windows to the past. Our great grandchildren who may explore the stars must know their heritage and what their world was like before humans came.

Our responsibility to future generations requires our continued vigilance on issues of management of our national parks. This bill will help resolve some of these issues for the Olympic National Park. I hope that the Senate will respond favorably to our initiative.

● Mr. GORTON. Mr. President, today I am pleased to join my colleague from Washington, Senator DAN EVANS, in introducing legislation that would revise the boundaries of the Olympic National Park and the Olympic National Forest in the State of Washington. The bill implements the recommendations of both the National Park Service and the U.S. Forest Service which resulted from a detailed boundary study conducted by both agencies.

Located on the Olympic Peninsula in Washington, both the Olympic National Park and the Olympic National Forest contain a vast abundance of natural resources within the more than 1.5 million acres that are administered by both agencies. The Olympic National Park comprises over 900,000 acres and includes within its borders Mount Olympus, the highest peak on the peninsula, at 7,965 feet as well as steep, snow capped peaks and precipitous slopes falling away to the lush, verdant rain-forested valleys. President Grover Cleveland launched the effort to preserve this unique ecosystem in 1897. The most recent addition to the park came in 1976, when President Gerald Ford expanded the park boundaries to include lands along the northwestern coast of the peninsula.

The Olympic National Forest surrounds a majority of the National Park. Contained in the forest are lower elevation, densely forested mountain slopes. According to the National Forest Management Act and numerous other legal mandates, the National Forest is managed for a variety of multiple uses, including timber production, recreation, and wildlife.

Both the National Park and the National Forest share miles of common borders. As a result of this close juxtaposition, the two agencies work very closely and cooperatively. Both are to be commended for their efforts in developing the legislative proposal introduced today by Senator EVANS and me.

When boundaries were established years ago, much of the land was inadequately surveyed and boundaries, for want of a better alternative, were frequently drawn along township and section lines. Many of these boundary lines do not correspond with the natural topographic and hydrographic features of the land itself. Redrawing boundary lines along these natural features is far more logical in terms of enabling both these agencies to fully manage and protect their resources.

Mr. President, the bill we are introducing today will remedy many of the land management problems that both agencies face as a result of these illogical boundaries. These boundary adjustments will better enable the Park Service to protect entire watersheds and ecosystems. The adjustments will also allow the Forest Service to reach timber management sites that have had blocked access because park land separates the forest land. I fully support the effort of these agencies to revise boundaries along the land distinctions occurring in nature to better facilitate each agency's land management objectives. I hope that our colleagues on the Energy and Natural Resources Committee and in the full Senate will examine this proposal and concur with Senator EVANS and me.●

By Mr. CHILES (for himself, Mr. EVANS, Mr. WILSON, Mr. BOREN, Mr. MOYNIHAN, Mr. NUNN, Mr. GORTON, Mr. HOLLINGS, and Mr. DECONCINI):

S. 2352. A bill to amend the Internal Revenue Code of 1954 to provide for the reimbursement to State and local law enforcement agencies for costs incurred in investigations which substantially contribute to the recovery of Federal taxes; to the Committee on Finance.

By Mr. CHILES:

S. 2353. A bill to direct the Attorney General to develop a model statute for States to prohibit the establishment and use of freebase houses; to the Committee on the Judiciary.

AID IN FIGHTING ILLEGAL DRUGS

● Mr. CHILES. Mr. President, in this "era of the terrorist," drugs are the most pervasive form of terrorism facing the United States.

Illegal narcotics are insidious invaders chewing the fabric of our society. Underworld drug traffic yields enormous wealth to people, who, while they may claim American citizenship, are nothing more than mercenaries without either country or conscience.

Throughout the United States, the fight against drugs falls squarely on the shoulders of State and local law enforcement authorities. They devote both time and resources—often at great risk and always at substantial cost—in their effort to stem the tide of drugs.

The President's Commission on Organized Crime has documented the size of the threat. The Congress must respond to this assessment and provide law enforcement with the necessary tools. I am introducing two bills today which will benefit law enforcement in their war on drugs.

These bills are the result of a series of meetings I have had with law enforcement officials on ways to assist their efforts. The bills are designed to beat back the criminal forces and assist authorities in their fights against new drug threats in Florida, and around the country.

The aim of the first bill is very basic. It would amend the Internal Revenue Code to allow reimbursement to State and local law enforcement authorities for the costs they incur while investigating drug offenses which contribute to the recovery of Federal taxes.

In my own State, the Florida Department of Law Enforcement has been a willing—and successful—ally of the Federal Government. They have pursued drug traffickers, tracked them down, exposed them for prosecution, and, at the same, time, made it possible for the IRS to recoup substantial sources of revenue for the Federal treasury.

But while States like Florida do so much of the field work, they do not even get back their investigative costs. As a result, the financial benefits accrue to the Federal Government, but the States suffer from a drain on their resources.

My proposal amends the Internal Revenue Code to provide for the recoupment of investigative expenses incurred by local law enforcement agencies when those agencies provide information to the IRS which substantially contributes to the recovery of Federal taxes. The amount reimbursed shall not exceed 10 percent of the sum ultimately recovered.

Reimbursement of investigative expenses as provided for in this bill in no way reduces IRS recoveries since such expenses would be paid from revenues not otherwise forthcoming without local law enforcement assistance. In fact, IRS recoveries are likely to increase since reimbursement would result in an increase in resources available to continue and perhaps expand the scope of these complex investigations.

State and local law enforcement departments routinely work in conjunction with Federal agencies such as the Bureau of Alcohol, Tobacco and Firearms, the Drug Enforcement Administration, and the IRS. These cooperative efforts range from the informal sharing of intelligence or investigative information to formal task force agreements.

Because targeted crime organizations often purchase property or other assets, or attempt to disguise profits and income from illegal sources, the IRS is frequently interested in information developed during the course of local or State investigations. In many instances, the major investigative ex-

penses are borne by State agencies while the large money settlements belong to the Federal Government.

Often the greatest value of additional investigative effort is in the area of the tax impact for criminal activity. Understandably, local and State law enforcement agents are reluctant to devote their time and effort in developing information for the IRS since they will receive no compensation from the collected taxes to reimburse the expenses incurred.

Investigating the financial or economic aspect of criminal activity is time-consuming, expensive, and is a task requring investigative expertise. State and local agencies often leave such investigations undone. Frequently, the information obtained does not result in additional criminal charges or does not result in increased incarceration time for the subject, so local interest is limited. Therefore, to agencies with limited personnel and finances, the investigation of the financial dimension of a criminal operation is not worth the effort.

In States such as Florida or Washington, for example, where there is no income tax, the local interest in developing a tax evasion dimension of a case is limited. In California, where designer drug labs have flourished in recent years, efforts to investigate their financial illegalities have received little attention. These labs have no tangible assets to seize and interest in pursuing a possible tax case is minimal. Financial dimension investigations may develop significant information regarding Federal tax evasion or fraud charges but do not develop corresponding State charges. As a result, financial investigative efforts by local investigators may frequently be cut short because the end result is not worth the additional local effort.

There remains a desire, however, to "hit the criminal where it hurts"—in the pocketbook. The proposed legislation provides a guarantee to local and State law enforcement agencies of reimbursement for the expenses incurred in developing the financial dimension of criminal activity. If implemented, the proposal will allow local and State law enforcement agencies to devote efforts to trace funds and build the case—for local or Federal prosecution and for IRS collection activity. The additional effort would be valuable to local law enforcement because additional State charges might develop and in the least there would be a good chance of IRS investigation.

At a time when Federal revenues are falling short of needs, such a proposal could help generate additional revenue because it would provide the needed incentive to identify unreported or underreported revenues and allow the IRS to collect the funds. Since reimbursement to State and local agencies is paid only from that which is collected, and is capped at 10 percent of the collected tax amounts, the proposal has the dual effect of helping to deny criminals the benefits of their activity and to provide Federal revenues. The proposal provides a guarantee of reimbursement. This will serve as an incentive to local and State law enforcement agencies to expand their investigative efforts to include the financial dimension. The only loser in the proposal is the criminal.

Mr. President, the other bill I am introducing today addresses a new drug craze that has swept our Nation. "Rock" or "crack" cocaine is more dangerous and widespread than other drug forms because it is cheaper and available to a whole new class of people who cannot afford other drugs, including our young people.

The availability of rock or crack cocaine has increased tremendously over the past few years. Crack cocaine is cocaine in crystal or nugget form which is made by "cooking" powdered cocaine over a kitchen stove or a Bunsen burner. The base of the cocaine, hydrochloride is released. This purified cocaine is then mixed with common baking soda and water to form nuggets or crack cocaine. This crystal cocaine is then mixed often with marijuana or tobacco and smoked in a water pipe. Rock cocaine is absorbed into the body's system faster than powdered cocaine and has a more potent psychological impact.

Much of the activity around crack cocaine takes place in what is commonly called a "rockhouse" or "freebase house." The bill I am introducing today would call the Attorney General to develop a model statute for States to outlaw these houses and the various activities that take place inside.

Over the past few months, I have had numerous conversations with State and local law enforcement officials who are very frustrated about their inability to clamp down on freebase houses. They are frustrated because unless they apprehend persons inside of the house with drugs in their possession, they cannot arrest these persons.

Managers and operators who run freebase houses are currently safe from arrest and prosecution unless they have illegal drugs on them.

Salaried employees who takes admission fees, sell drugs, and process powdered cocaine into crack cocaine cannot be arrested unless they have drugs on their person.

Persons who frequent such houses with only one intent in mind—to smoke crack cocaine—are not apprehendable unless they have drugs in their possession.

Narcotics officers tell me that usually "we get the dope. But, its on a table or in a water pipe." Therefore, the drugs are confiscated but often no one is arrested.

I think this is a gross loophole in our laws. The owners and operators of these freebase houses have nothing to fear as they are usually not on the premises, or, if they are, they know better than to have drugs on them. So, they keep getting off scot-free.

People who frequent these houses are there for only one reason and know it is relatively safe because they usually never have drugs on them—they smoke the crack cocaine in a water pipe. Even if the drugs are confiscated, the customers are left untouched to find another freebase house.

My bill directs the Attorney General as Chairman of the National Drug Enforcement Policy Board to work with State and local law enforcement agencies in developing a model statute for States to use in prohibiting freebase houses. I believe the unique characteristics of crack cocaine and its epidemic potential warrants special attention and uniform standards from Federal drug enforcement authorities, similar to the model developed for drug paraphernalia. Included in such a statute should be prohibitions against owning, operating and/or managing a freebase house. It should also be illegal to work in such freebase houses and to frequent such houses. My bill also directs the Attorney General to make recommendations on procedures for allowing law enforcement officials to notify owners and managers of buildings where freebasing enterprises are taking place.

I want to put a stop to these insidious dens of dope. Freebase houses are attracting more and more of our youth because the price is cheap—only $5 or $10 a hit or puff. Young people are introduced to a whole array of drugs by this most addictive form of crack cocaine. It is a lethal drug. Drug experts say the health hazards of crack cocaine are the most destructive seen in years. Users rapidly lose interest in their school or work, eating, and friends. Use of crack cocaine has been associated with lung damage, epilepsy-like seizures, strokes and heart attacks.

I am hopeful that my colleagues will join with me in urging the Attorney General to recognize the need to outlaw freebase houses and work expeditiously to develop a model statute that will help States to prohibit these dangerous drug havens. The emergence of freebase houses is expanding—we must give law enforcement more authority to stop them.

Mr. President, the two bills I am introducing today will go far in helping our law enforcement authorities crack down on these in the drug trades. These officials deserve our help. I ask unanimous consent that the text of my bills be included at this point in the RECORD.

I also ask unanimous consent that an excellent series Cocaine Rocks: The New Epidemic published by the Palm Beach Post & Evening Times be printed in the RECORD. This series is a provocative account of the rock cocaine industry and those responsible for investigating, reporting and publishing this series should be commended.

There being no objection, the bills and articles were ordered to be printed in the RECORD, as follows:

S. 2352

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RECOVERY OF COSTS INCURRED BY STATE AND LOCAL LAW ENFORCEMENT AGENCIES.

(a) IN GENERAL.—Subchapter B of chapter 78 of the Internal Revenue Code of 1954 (relating to general powers and duties) is amended by adding at the end thereof the following new section:

"SEC. 7624. REIMBURSEMENTS TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES.

"(a) AUTHORIZATION OF REIMBURSEMENT.—Whenever a State on local law enforcement agency provides information to the Internal Revenue Service that substantially contributes to the recovery of federal taxes, such agency shall be reimbursed by the Internal Revenue Service for costs incurred in the investigation (including but not limited to reasonable expenses, per diem, salary and overtime) not to exceed 10 percent of the sum ultimately recovered. The Internal Revenue Service shall maintain records reflecting the receipt of information from the contributing agency, and shall notify the agency when a recovery has been effected. Following such notification, the agency shall submit a statement detailing the investigative costs incurred. Where more than 1 State or local agency has given information that substantially contributes to the recovery of federal taxes, the Internal Revenue Service shall equitably distribute the costs reimbursements among those agencies up to an aggregate sum of 10 percent of the taxes recovered.

"(b) REIMBURSEMENT.—Reimbursements under subsection (a) shall be made directly from the recovered funds prior to the deposit of such funds into the United States Treasury."

(b) CLERICAL AMENDMENT.—The table of sections for such subchapter B is amended by adding at the end thereof the following new item:

"Sec. 7624. Reimbursements to State and local law enforcement agencies."

S. 2353

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ATTORNEY GENERAL TO DEVELOP MODEL STATUTE.

The Attorney General as Chairman of the National Drug Enforcement Policy Board, in consultation with State and local law enforcement agencies, shall develop a model statute for States to prohibit the establishment and use of freebase houses.

SEC. 2. GOALS AND CONTENT OF MODEL STATUTE.

(a) GOALS OF MODEL STATUTE.—The model statute developed pursuant to section 1 shall—

(1) address the need to prohibit the use of houses, buildings, rooms, or apartments as places where manufacturing, processing, distributing, purchasing, and using illegal drugs takes place; and

(2) encourage coordination with the Controlled Substances Act, statutes on drug paraphernalia, and other relevant drug law enforcement statutes.

(b) CONTENT.—(1) The model statute shall clearly—

(A) define a freebase house and activities which take place in such dwellings;

(B) define the offenses which take place in such freebase houses;

(C) define penalties for such offenses; and

(D) allow for civil seizure and forefeiture of property confiscated in such offenses.

(2) The model statute shall include prohibitions—

(A) making it illegal for a person to own or operate a freebase house;

(B) making it illegal for a person to work in a freebase house which includes managing, selling drugs, collecting fees and admission, processing or preparing drugs, distributing drugs, or contributing to the overall drug enterprises in the dwelling with a knowledge of or having reason to believe that illegal drugs are present on the premises;

(C) making it illegal for a person to frequent a freebase house with knowledge or reason to believe that illegal drugs are present on the premises; and

(D) making it illegal for employers, employees, and customers to be present in freebase houses when they have knowledge or have reason to believe that drugs are on the premises.

(c) RECOMMENDATIONS.—The Attorney General shall include with the model statute recommendations for procedures to allow law enforcement officials to notify owners and managers of dwellings where freebasing and drug distribution is taking place.

SEC. 3. REPORT TO CONGRESS AND STATE AND LOCAL LAW ENFORCEMENT AUTHORITIES.

The Attorney General shall—

(1) develop the model statute and recommendations required by this Act within six months after the date of enactment of this Act; and

(2) make the report and recommendations available to the appropriate committee of Congress and to State and local law enforcement authorities in his capacity as Chairman of the National Drug Enforcement Policy Board.

SEC. 4. DEFINITION OF FREEBASING.

For purposes of this Act, the term "freebasing" is the conversion of cocaine crystals into a smokable base form of the drug.

IT'S CHEAP, IT'S AVAILABLE AND IT'S RAVAGING SOCIETY

(By Paul Blythe)

Men have given up their paychecks. Women have prostituted themselves. Children have stolen from their parents. Men and women have stolen appliances, jewelry and televisions from their families and friends.

Why? Over the past year in South Florida, a new marketing form for cocaine, packaged to give the drug its most seductive and addictive punch, has appeared in—and in some cases taken over—quiet residential neighborhoods of Palm Beach County and the Treasure Coast.

Cocaine rocks have turned thousands of Floridians into addicts whose cravings are so strong that, for some, crime becomes the only way to support their habit. Misery has always been a byproduct of drug abuse. But the ease with which cocaine rocks can be bought, combined with their grip on users, are causing new and severe problems.

In its more familiar powdered form, cocaine has been an expensive, fashionable drug of the rich. But cocaine rocks, a dirty-white crystal roughly the size of a pea, are relatively cheap at $20. Young people can afford the rocks hawked on street corners like so many flowers. It is a drug epidemic that law enforcement officials say they cannot cure.

"It's eating up my residential neighborhoods . . ." said Riviera Beach Police Chief Frank Walker, echoing the frustration of his counterparts in other cities. "You run to the neighborhood grocery store and have to run a gantlet of neighborhood pushers to get a carton of milk.

Addiction to the rocks is flooding treatment centers with more users than the centers can hold. Residents of West Palm Beach, Stuart and other cities are furious over increasing crime in their neighborhoods. Yet because the rocks are sold in such small quantities, law enforcement agencies are hard pressed to get court convictions and long sentences for sale of cocaine against the sellers.

Even though sellers usually set up shop in predominately black neighborhoods, their customers tend to be white. The ability to sell cocaine in rock form has lowered the price to a point where it is affordable to the middle class. And the market is there.

HOOK IS POTENT HIGH

Cocaine rock, also known as crack, is a type of free-base cocaine consumed by smoking in a pipe or a soft-drink can converted into a pipe. Cocaine hydrochloride, the powder form of the drug, usually is inhaled through the nose but can be taken orally or dissolved in a drink. Both are stimulants of the central nervous system.

Free-basing, or smoking, cocaine causes a quicker, more potent high than either snorting or injecting it. But that high also is followed by a deeper depression.

That is the hook of cocaine rock.

The low makes the user crave the high of another rock—and do anything to get it. Martin County sheriff's Lt. Jay King said one man hauled his family's refrigerator on his car hood to a dealer at 3 a.m.—for two rocks.

"The cocaine smoker will attempt to overcome that despair by returning to the pipe as long as his supply is available, or the money runs out, or the user collapses from exhaustion," said Jim Hall, executive director of the Up Front Drug Information Center, a statewide drug information center in Miami.

The immediate, intense impact and the initial cheapness of the cocaine rock makes it attractive to younger and less sophisticated users, treatment experts said. Thus, it expands the drug's market and almost guarantees regular customers.

"I've never seen anything like it," Palm Beach County sheriff's Capt. James Kersey said. "This is my third time around (in the unit that handles drug crimes). I've seen heroin, marijuana, acid (LSD), Quaaludes, barbs (barbiturates), amphetamines, and I've never seen anything like this. Never."

The problem is as bad in Palm Beach County as it is anywhere in the country. More than 70 percent of the cocaine users in Palm Beach County who have called the 1-

800-COCAINE Hot Line since it opened in November said they regularly smoked cocaine as opposed to snorting or injecting it, said Peter Gold, director of the hot line in Florida. (Not enough users in Martin, St. Lucie and Okeechobee counties have called for officials to record data.) And 51 percent of the Florida callers said they regularly smoked cocaine, as compared with only 20 percent of the callers in the rest of the country.

'ROCK' ARRESTS SURGE

As recently as a year ago, a lot of police officials in South Florida had never heard of cocaine rocks. The first arrests involving the rocks in Palm Beach, Martin and St. Lucie counties occurred around March 1985, police officers said. The surge of cocaine rocks onto the streets came in the late summer and hasn't stopped.

For example, charges involving cocaine rocks outnumbered all other types of drug charges in Lake Worth in the second half of 1985. A study of the Lake Worth Police Department's records showed 55 cocaine-rock charges filed in the last six months of the year compared with 43 marijuana charges, while marijuana charges outnumbered cocaine-rock charges 59-36 in the first six months. Only 35 charges involving cocaine powder and six charges involving other drugs were filed in the entire year.

Other departments do not note in their statistics whether an arrest involved cocaine rock or cocaine powder. Police said, however, that cocaine arrests overall have increased dramatically since last year.

West Palm Beach police filed 46 cocaine-related charges in January, compared with 27 such charges in January 1985. Cocaine-related charges in Riviera Beach increased from 13 in January 1985 to 35 this January.

According to Hall, reasons for the popularity of smoking cocaine rocks in Florida include:

Trafficking patterns that have introduced coca paste directly into the United States because of a shortage of ether in South American nations, where the coca paste previously was converted into cocaine powder. Cocaine must be in paste form before rocks can be made, though it is possible to return cocaine powder to paste.

Transfer of rock use from Caribbean island nations, such as the Bahamas and Jamaica, where it has been a problem for several years. These islands are steppingstones on the smuggling routes from South America to the United States.

The belief that smoking is safer than other uses, especially intravenous injection, because of the fear of AIDS, which can be spread by contaminated needles. Some authorities said there also is less chance of an overdose.

The marketing of cocaine in a rock form.

"Previously, free-base cocaine was made, whereas now the base rock is made by the seller and sold in the convenient packaging of the rock to the buyer/user," Hall said. "The rock is a handier product to dispense openly. There was no way to dispense free-base, but the rock is easy to market by counting pieces."

The marketing strategy appears to be the invention of the "midlevel user/dealer," Hall said. That's a person who buys an ounce of cocaine, uses part of it himself and sells the rest of it in diluted form to cover his costs.

One-eighth of an ounce of cocaine powder, costing about $240, can make 100-150 rocks, Hall said. At $20 each, they will make a dealer $2,000-$3,000. That's enough profit to pay for a whole ounce of the cocaine powder.

BUYING ROCKS EASY

Business seems to be booming.

Palm Beach County sheriff's undercover agents counted 150 sales in 90 minutes in December in the parking lot of Fred's Motel on Lantana Road west of Lantana, said Kersey, head of the sheriff's Organized Crime Bureau.

" 'Buy from me. My rocks are bigger and better,' " the dealers yell to passing drivers on West Eighth and West 31st streets in Riviera Beach, police Lt. Jerry Pareba said.

Such open solicitation was apparent to reporters from *The Post* and *Evening Times* who, in an effort to determine how easily cocaine-rock sellers can be found, drove West Eighth Street in Riviera Beach and in the Fred's Motel area. Men offering rocks approached the reporters' car as it made its first pass through those areas, and also neighborhoods of West Palm Beach and Lake Worth.

Tucker of the Palm Beach County Sheriff's Office said that dealers, young men in their 20s, have told him they are making $1,000 a day. But because the quantities of cocaine rocks that they carry are small, the dealers who are caught by police do not risk the long prison sentence that major traffickers in drugs risk.

Most of the dealers, as with past drug trends, are black or Hispanic, police said. Haitians also comprise a large number of those selling cocaine rocks, authorities said. That's new and disconcerting, police said, because they previously had not seen Haitians selling drugs. Whites rarely sell the cocaine rocks.

Street sales of cocaine rocks have occurred in the same neighborhoods where other drugs were sold in the past: run-down, black neighborhoods from Delray Beach to Fort Pierce. But the drug market also is creeping into other neighborhoods.

An interracial neighborhood east of Howard Park has become one of West Palm Beach's most highly visible cocaine rock areas. Less than a block from where unsuspecting white retirees play tennis, bands of young black men) push their rocks on passing motorists, interested or not.

"Rock houses," where the drug is sold but not smoked, also are appearing in all kinds of neighborhoods. Police said such operations are so numerous and so mobile that offices cannot estimate their numbers.

Whether cocaine rocks are sold by a dealer on a street corner or in a rock house, it usually is "a quick exchange," Tucker said. "You're there. You give them a twenty. Bam, they drop a rock in your hand. You're gone."

ADDICTION QUICKER

Good business for the drug dealer means bad news for the user as well as the community. Drug treatment experts find the cocaine-smoking trend to be alarming because it seems to cause addiction to the drug faster than other methods of use.

Hot line directors said callers who smoke cocaine have reported becoming dependent on the drug within five to six weeks. Experts said a person who regularly snorts the drug usually develops a dependency only after four to five years of use.

The reason is that the cocaine rock is a "more compulsive drug than cocaine hydrochloride," Hall said.

By smoking cocaine, the effect on the central nervous system is delivered in five to eight seconds, treatment experts said. Cocaine affects the nervous system in about eight to 14 seconds when it is used intravenously, 30 to 60 seconds when snorted, and about five minutes when swallowed.

The period of the high also is described by users as shorter, with a more concentrated jolt, Hall said. Each rock provides a two- to five-minute sensation, compared with the 20- to 30-minute high received from snorting the powder.

"It has a lower starting price, but once they (the dealers) get somebody hooked, it's just steady business," said an experienced undercover agent for the Palm Beach County Sheriff's Office. "(Sellers) know the customer is bound to be back soon to buy more."

The availability and initial cheapness has caused cocaine use to spread to all levels of society.

According to Gold's 1-800-COCAINE Hot Line statistics, 52.3 percent of the cocaine users who called the Florida number in January earned $10,000-$25,000 a year, and 35.3 percent made less than $10,000 a year. Less than 10 percent made $25,000-$50,000 a year.

But the average user in Florida spent about $403 a week on cocaine, according to Gold's statistics. That's nearly $21,000 a year—as much or more money than 80 percent of the users earn in a year.

Those numbers would seem to indicate that some users must resort to crime to buy the drug. Indeed, 31.4 percent of the hot line callers in Florida reported dealing cocaine, and 22.8 percent said they had committed other crimes.

Police admit they have no statistics to show that the rise in cocaine use is related to a rise in the crime rate. But they said they base their belief of a connection on confessions in which suspects arrested in burglary and robbery cases admitted that they stole to support a cocaine rock habit.

Police said they also frequently find stolen goods at houses where the rocks are sold.

"Most of them (arrested burglars) said they immediately barter the stolen items for cocaine rock," Lake Worth Police Capt. Marty Kerner said. "For that reason, they mostly want to steal money and jewelry, followed by TV's, stereos and VCR's, because they are movable."

The drug-buying situation itself often leads to crimes other than the drug transaction.

Police said dealers have told them that women freely will trade intercourse or oral sex for a single rock. Or dealers offer buyers the services of a prostitute at the same time they sell them rocks.

Dealers often sell buyers "rip"—a piece of gravel, wood, wax or any other substance that looks like the rock cocaine. Street dealers also have reached into passing cars to grab motorists' money and jewelry, police said. Often the driver is a drug buyer. Sometimes they are not.

Some buyers are prepared for trouble. Kersey of the Sheriff's Office said his agents often arrest buyers with guns or clubs on the front seats of their cars.

"Asked why, they say it's in case they get ripped off," Kersey said. "Yet, to me, the mere possibility of being ripped off, or the fear factor, would tell you don't go to someplace like that. I can conclude only one thing—that their addiction is so tremendous that they just throw caution to the wind."

THE LURE OF THE ROCK

Smoking cocaine rock is a different high from snorting cocaine powder, according to a 25-year-old man who said he formerly dealt and used both forms of the drug.

"When you snort, you get a shaky, wiry high," he said. "But when you're smoking it, you're more or less laid back, relaxed, mellow like you're in an oblivion. You get real friendly. That's why guys like to do it with girls."

After the high, though a deep depression sets in.

"You lose all good feeling about yourself, you get real depressed," he continued. "You get mean. I got very mean. My temper would flare. If someone said something to me at the wrong time, I'd snap.

"I wouldn't hit them, but I'd get to the point where I was on edge and wanted to get that good feeling back again."

He went on binges in pursuit of that good feeling.

"Sometimes I'd go eight or nine days without sleep," he said. "After I came down, I'd sleep maybe 48-72 hours, just straight through. I'd wake up three or four days later, and think 'Like wow, what happened to me?' "

POLICE FAST BEING EDUCATED ABOUT DRUG

(By Paul Blythe)

A South Carolina police officer called the Palm Beach County Sheriff's Office recently. He needed some information.

"What's this rock stuff?" he asked Sgt. Michael Tucker. "I never heard of it."

Tucker says, "I told him, 'You better gear up buddy, because it's coming.' "

Cocaine rock—already an epidemic some say, in South Florida—is an unknown commodity in some parts of the United States.

"It seems South Florida, being the gateway for drug importation, sees these problems first," Fort Pierce Police Chief James "Bo" Powell said.

But the cocaine rock problem, according to law enforcement officials, has spread faster than previous drug trends. Tucker, head of the sheriff's unit that concentrates on stopping street drug sales, admitted that even he didn't know much about cocaine rock a year ago. Now he knows only too well. It is the only drug he needs to worry about because it is fast becoming the only drug sold in the streets.

"The same places where you used to be able to go buy coke powder or reefer (Marijuana), now you can't buy nothing but rock," Tucker said.

Those are places like Fred's Motel, a rundown tenement for farm laborers on West Lantana Road until it closed last week, or what used to be The Tree bar on Indiantown Road west of Jupiter—places where in the last three months Tucker and his squad of several men have arrested more than 200 people trying to sell cocaine rock or buy it. He expects the total arrests of Operation Rock 'n' Roll to reach 500 before the next three months are up.

Dealers have continued to sell cocaine rocks in those two areas despite the frequent arrests, the closing of Fred's Motel and the demolition of The Tree, police said.

Other areas in unincorporated Palm Beach County for repeated cocaine-rock arrests have been the Tradewind Apartments at Southern Boulevard and Congress Avenue in suburban West Palm Beach, outside Sam's Grocery on Boynton Road at SR 441, and a pocket on Germantown Road near Swinton Avenue in Delray Beach, police said.

Other law enforcement agencies in Palm Beach County and on the Treasure Coast have noted that the sale of other drugs has decreased with the rise of cocaine rock. Marijuana arrests once far outnumbered arrests for possession or sale of cocaine. But police said that is starting to change.

Riviera Beach, for example, recorded 151 cocaine-related charges in 1985 compared with 67 that were marijuana-related. Cocaine-related charges also outnumbered marijuana charges in Boca Raton. West Palm Beach led municipalities in cocaine-related charges with 486 last year.

In Stuart, a one-day drug sweep netted nearly as many cocaine-related arrests as the Police Department made in all of 1985. Police Chief Charles White said. Sixty people were arrested Feb. 8; 77 were arrested last year. Furthermore, all of the arrests made in the sweep involved cocaine rock. White said.

Fort Pierce Police Chief Powell said his department made 254 drug arrests in 1985, compared with a total of 592 drug arrests in the previous five years. Attributing the increased arrests to the rise of cocaine rock, Powell estimated that at least half of last year's arrests involved the new form of cocaine.

Yet whatever tactics the police use, sales still increase.

Lake Worth police Sgt. Brad Cummings had undercover officers on bicycles and in taxicabs ride up to dealers to buy drugs and make arrests. He said he "used any excuse," like noting a traffic violation, to stop a car carrying whites out of the black neighborhood where cocaine rock was sold. Then he would check the car for drugs.

All it did, Cummings admitted, was cause some of the drug sellers to move from the Washington Avenue and Wingfield Street area that they had frequented to neighborhoods farther north.

A dealer on M Street near Howard Park in West Palm Beach stuck what appeared to to be a cocaine rock beneath the nose of reporters from the Palm Beach Post and the Evening Times who drove through some of the reputed drug areas one afternoon last week. "Taste it," he said, offering to prove it was cocaine.

Men also offered the reporters what they said were cocaine rocks at West Ninth Street and Avenue H in Riviera Beach and along Wingfield Street in Lake Worth. The men were loud and conspicuos, yelling and sometimes rushing at the car.

Other trouble areas reported by police are:

The area north of Avenue D and west of North Seventh Street in Fort Pierce

East Seventh Street and Tarpon Avenue in Stuart.

The Booker Park area of Indiantown.

The Dunbar area of Hobe Sound.

Fifth Street and B Place in Belle Glade.

West Eighth and West 31st streets west of Old Dixie Highway and the intersection of West 29th Street and Avenue S in Riviera Beach.

Broadway from 45th Street to Northwood Road, 10th Street and Tamarind Avenue, 19th Street and Tamarind Avenue, and the streets between Lake Avenue and Alabama Avenue south of Okeechobee Boulevard for about three blocks in West Palm Beach.

Dixie Highway from Fifth Street south to the city line in Lake Worth.

Marthin Luther King Boulevard between Northwest Fourth Avenue and Northwest 12th Avenue in Boynton Beach.

West Atlantic Avenue between Fifth Avenue and 12th Avenue in Delray Beach.

Such areas are where police concentrate their efforts. But there are other less obvious places where people buy cocaine rocks, such as bars.

LIVES ON THE ROCKS: "I JUST STARTED SCREAMING"

Jack, 37, once a successful financial adviser with a master's degree in psychology, had snorted cocaine for 15 years before he smoked his first rock. "I was using it socially," he said, "and I thought I could control it."

But the rock put him over the edge.

Jack's memory is not clear about when he first smoked his cocaine. That first experiment with the rocks left him in a coma after a brutal automobile accident. He was in and out of the hospital for a year after that.

Eager to celebrate after that year and 28 operations were behind him, Jack turned to something familiar—cocaine.

"I bought some rocks. It gave me a feeling of euphoria."

Before cocaine rocks, 15 years of casual cocaine abuse already had scarred Jack's life. His wife had left him, and a profitable clothing store had gone bankrupt. But the rocks made things even worse.

A $50,000 inheritance went up in smoke. Jack pawned his jewelry, then his furniture, his paintings and his clothes. "I wrote Publix one bad check for $100," he recalled. "Once I saw how simple it was, I proceeded to write bad checks at every Publix in Palm Beach County."

Jack and a drug-using friend started rolling pennies. With the electricity cut off and the bank about to foreclose on his home, the only thing Jack had left to see was his car—a Cadillac worth $6,000. He settled for $2,000.

Jack made one stop on the way home. He spent $100 on four rocks—a little boost to help him through the hard times. He still had $1,900 to apease his creditors.

"I smoked those four rocks at 6 p.m. At 4 a.m. I looked (for) the stack of $100 bills I had brought home, and they were gone." Jack had spent the money on cocaine, running out to his supplier, smoking and then making another run, over and over again.

"I just started screaming. I had lost everything I had worked a whole life to get."

That was the point when Jack found his way to treatment. He has been clean for six months and has a somber warning for others.

"I've done just about every drug in every way," Jack said. "Cocaine (rocks) are the most dangerous thing out there today. You get hooked faster.

"Only when I was free-basing did I get rid of everything and start lying and stealing. My whole value system broke down. It's deadly."

It started last summer, said the 17-year-old who says she's a senior at John I. Leonard High School in suburban Lake Worth. Her boyfriend got her to try cocaine rock one night.

"It was super," she recalled. "I mean, you can't imagine how good you feel. I loved it right away—what a high."

So it began. Mostly on weekends, but sometimes during the week. Never on campus, she said. They'd go off by themselves, sometimes to his apartment, sometimes to the beach . . . They'd free-base the rock—smoke it by heating the rock, melting it down in a soft-drink can and inhaling the fumes . . .

"I wasn't really addicted. Well, yeah, I guess I was. I started wanting it all the time. I'd beg my boyfriend to get me some. He thought I was getting carried away so he started backing off—wouldn't bring me any. God, I used to get so mad at him . . . Sometimes I hated him. Sometimes I thought I'd die without him and without (cocaine) rock."

So the pretty young girl with dirty-blonde hair, deep blue eyes and a model's figure says she started stealing. She needed money to buy the rock. She'd help herself to money from her mother's purse. She'd buy three or four a week, at $20 a rock. When her boyfriend left for college, it got worse. It was harder to buy, more difficult to get the money. Drug treatment came after she stole an heirloom from her mother. And she got caught.

"It was my great-great-grandmother's wedding ring, really beautiful. My mom never wore it, just kept it in her jewelry box. I didn't think she'd miss it—not right away at least . . .

"But my mom and dad had been watching me. They knew I was up to something. They finally cornered me about it, blasted me like you wouldn't believe. They got the ring back. Cost 'em $100. God, I thought my mom was going to kill me at first."

Robert tried to escape from heroin by moving to Palm Beach County and opening a newspaper stand.

But he also discovered cocaine. A friend showed him how to make free-base rock. Six months later, Robert had spent more than $50,000 on the drug and lost his newspaper stand.

"My free-basing period was very short compared to my 20 years out there (with other drugs)," he said. "It brought me to my knees very fast. I found it mentally more addictive than any drug I've ever used, heroin included."

During the first few months, he would count the minutes to the end of the business day. He would then rush home to make and smoke cocaine rock. He said he would smoke the cocaine until 7 a.m. the next day and then get too sick to go to work until noon.

"I mean, I got deathly sick," he said. "I would throw up after every puff and I still went back and smoked some more. I would lay down on my bed, and I couldn't sleep. It would call me back into the other room to light up again."

If it was paranoia about going to work that Robert suffered, he found a solution by taking his pipe to the newspaper stand.

"I was financially almost in ruin, was certainly physically in ruin and was an emotional vegetable," he said. "I was so sick of being sick all the time."

He told a customer he had a friend who needed help. The customer referred Robert, 40, to a treatment center.

"It's a little hazy as to how I got there, but I got there."

At age 14, the Joe his mother knew was his troop's Boy Scout of the Year for the second year in a row.

Three years later, the Joe his friends knew was a tall, wiry blond who on trips to buy cocaine rocks at Fred's Motel west of Lantana would pack a .357 Magnum handgun in the wasitband of his pants.

"He told me that when he was on the drug, he would do anything for more," his mother Roberta said. "He didn't care if he died. He didn't care if he got caught stealing. He had no conscience, I guess."

Joe started drugs shortly after his second Boy Scout award. A friend turned him on to marijuana at the bus stop one morning. From there it was alcohol and cocaine powder and several arrests for theft and minor crime. He dropped out of high school.

His mother and stepfather finally persuaded a judge to commit him to a drug treatment program last year. One week after completing the program, a friend at work introduced Joe to cocaine rock.

"The first time I tried it, I thought, 'Like, this is great. We got to get more,' " Joe said. "It was an instant high. It was the ultimate."

At work, where Joe drove a forklift, he and his friends smoked cocaine rocks and marijuana at lunch each day.

He was fired, and he hadn't been home for two days when Roberta received a phone call from a woman at a check-cashing business. She wanted to know if a check written by Joe was good. "I said it was, but I had to her give him a message. I said, 'Tell him to come home.' "

Joe returned home that night, had a talk with his parents and decided to return to treatment.

"I know if I don't make it this time, I'll just sink to a lower bottom," Joe now says.

His mother says: "the first time he learned all the right things to say to convince everyone he got the training. But now he's sharing his gut feelings with me . . .

"I've never felt closer to my son."—Compiled by Paul Blythe, Linda Lyon and Carol Smelser Perry.

ROCK SELLERS NEITHER SHY NOR UNAVAILABLE

[By Paul Blythe]

Two o'clock on a weekday afternoon. Retirees in white trunks and polo shirts play tennis at Howard Park in West Palm Beach.

Half a block away, eight men stand in the middle of M street. A sports car, carrying two reporters for The Post and The Evening Times, slowly cruises by. The men chase it and shout for it to stop.

It does. Two of them go to the driver's window, one to the passenger's.

"You want some rock, man? Buy my rock. I got the biggest rocks," says a man at the driver's window as he pulls a two-by-two-inch plastic sack from his pants pocket. It is full of off-white pebbles.

The driver asks if the cocaine is any good.

"Taste it," say another seller, holding out a square rock about four inches from the passenger's nose.

LIKE ASKING DIRECTIONS

Buying a cocaine rock can be as easy as asking for directions on the city street.

Snaggle, one of the eight men encountered by the reporters on M Street, was helpful when he heard the potential customers had never tried the drug. He leaned through the car window.

"I got some ear ring. You know, make yo' ears ring, it so good.

"See these right here. We goin' to smoke 'em good. Get you high. Show you how to do it. Can I tell you what to do? I'm goin' to leave the car and I'm goin' to meet you in the alley with my can (to smoke the rocks)."

He turns to leave, but whips back around to face the car. "Hey, you want girls? I'll get you girls, black girls. I can get 'em . . . I swear. I ain't jivin' you."

For the growing numbers of the white middle class who have become hooked on cocaine rock, buying the drug can be like stepping into a foreign culture.

The experience of a street buy is foreign enough. "When you like it, you treat me right. Don't need to go to nobody but me," Snaggle said.

Police have encountered several houses where Hispanics and Haitians sold cocaine rocks while surrounded by icons of Santeria, a Caribbean folk religion that mixes Catholicism and traditional African beliefs.

Lighted candles and red Christmas lights adorned the floor-to-ceiling Santieri altar that sheriff's officers discovered in a "rock house" in Westgate, a neighborhood just west of West Palm Beach. The statues were of Mary and Jesus, but Mary carried a sword and Jesus a club. Another statue, of a saint shriveled in pain, was at the foot of the altar.

"It's voodoo. They're supposed to keep cops away," a Palm Beach County sheriff's undercover agent said.

Sheriff's detectives have made arrests involving cocaine rocks at the Westgate house and another in suburban Lantana after searching each of them more than once. For each search warrant obtained, an undercover agent or confidential informant first must go into the house and buy a cocaine rock.

The Westgate house is down the street from a nursery school. The suburban Lantana house is less than a block from the home of a Lantana police officer.

In West Palm Beach, people are starting to sell rocks from behind doors opened only as much as safety chains will allow, police Lt. William McGinley said. Or they exchange rocks for dollars through an L-shaped slit in a screen door, he said.

In some alleys, these doorways are close enough to the street that a person can consummate a deal from his car seat.

Police breaking into these units recently have been finding mostly Haitian women with a roomful of children. That's bad for police, McGinley said.

"You can't go running over little kids," he said, "and it gives mom time to flush the drugs."

IT TAKES ALL TYPES

Although police said most dealers are black, cocaine rocks are sold in all types of neighborhoods by all types of people.

An ex-Marine, 25 and white, said he sold cocaine rocks out of his trendy townhouse in West Palm Beach for about six months before he got out of the business six months ago.

"People used to give me VCRs and TVs . . . One guy even brought me his mother's wedding ring and I told him, 'No. I can't do it.'

"But when it came to VCRs and things like that, sure. Easy money. I never even asked where they came from. I never wanted to know."

For each piece of electronic equipment, he gave the buyer an inch-long rock for which he usually charged $40. Then he sold the TVs and VCRs for $150 to $300 each.

"You'd be surprised when people get hooked on that stuff, what they'll do. They'll sell their wives. I had girls come up to me and give me (sex) just for a rock. No big deal."

Waitresses and topless dancers were his biggest customers, he said.

But he usually didn't allow them to come to his apartment. Instead, he paid a few other users to deliver the drugs to his other customers.

"A rule I made was there was no one at the house that I didn't know. If someone came to the house that I didn't know, I told them I didn't have anything."

SCHOOL OFFICIALS AMASS WEAPONS IN WAR ON DRUGS

(Carol Smelser Perry)

Thanks to drug-sniffing dog patrols on campus and intensive drug-education programs, Palm Beach County school officials are confident the rampant sale and consumption of cocaine rocks is largely an off-campus problem.

And they want to keep it that way. But they know if there is a trend out in the community, chances are it quickly will find its way into the schools.

I wouldn't say there's a problem, but we are very much concerned about cocaine and its availability on campuses," Johnny McKenzie, director of school security, said. "The school campus is just a small community. Whatever goes on in the community, whatever problems there are in the community, are reflected on school campuses."

In its most recent survey, conducted in November 1985, the University of Michigan's Institute for Social Research reported the five-year decline in drug use among high school seniors has stalled and that use of cocaine is increasing. The survey, conducted in 132 high schools around the nation, indicated the use of marijuana, tranquilizers, barbiburates, alcohol and cigarettes are no longer declining and the use of some drugs, including cocaine and opiates other than heroin, is increasing.

While the survey concludes marijuana still is the drug most abused by students around the nation, the availability of cocaine powder and rocks in Florida has local school officials worried.

"We know the drugs are out there and we know some of it finds its way onto school campuses," McKenzie said. "But it's ludicrous for them to take the risks they take when they carry drugs, buy or sell them on campus. That's why we're worried about this coke rock thing. It is so available out there. It doesn't identify any race, creed or economic background."

Last year at Suncoast High School in Riviera Beach, an undercover policeman posed as a student and arrested 10 students for selling marijuana on campus. Last month at Lake Worth High School, five students with failing grades and files filled with notations of disciplinary problems were arrested by another undercover policeman who posed as a student for a month and bought cocaine five separate times on campus. Two weeks ago, a Jupiter High School girl was carried out of her physical education class because of what police say were seizures caused by withdrawal from a drug they believe was cocaine. She is now in a treatment program.

For that reason, school security officials are boning up on the facts about the latest drug fad, cocaine rocks. In February, local School Board security officers attended a daylong workshop presented by agent Frank Torres of the Riviera Beach Police Department.

"Frankly," McKenzie says, "we don't know whether we've got a problem with cocaine rock or not. But we're hoping to forestall one by knowing what it's all about, what to look for."

The drug threat has school officials in nearby counties studying the problem too.

"We know we'll probably never completely eliminate all drugs on campus, but youngsters are aware of the penalty," says V. James Navitsky, Martin County schools superintendent. "The majority of the drugs we find are marijuana, a few pills, but not a lot. No cocaine or cocaine rock yet."

Five years ago, Navitsky said, stringent guidelines were established for students who are caught with drugs on campus.

"They get expelled, for at least a semester. It's as simple as that," Navitsky says. "There is no warning, there is no second chance. We don't bend."

As a result, about 350 students from Martin County's two high schools have been expelled over the past five years. This year, Navitsky says, there have been between 35 and 40 students who've been caught and expelled.

St. Lucie County school officials say they rely on on-campus security and student informers to stem the flow of drugs on their two high school campuses. Chuck Garrett, director of security for St. Lucie schools, said there are no other formal drug-control programs in effect in this district.

Two years ago, according to McKenzie, Palm Beach County school officials believed the drug problem on campus was getting out of hand. Some students, less than 2 percent McKenzie said, were smoking marijuana or talking pills on campus and going to classes high.

Last year, school officials hired an independent agency, D-Tek Enterprises of Boca Raton, to bring dogs onto campuses to sniff out drugs, alcohol and even firearms. Officials have been encouraged by the results. Although he doesn't have specific statistics, McKenzie says the number of drug-related campus incidents have been reduced to such a degree that he fears there could be a tendency to become complacent. But the new threat of cocaine rocks has dispelled that complacency.

"What we have tried to do is to make it very costly to buy, sell or use drugs on our campuses. We want the kids to know the risk they are taking once they do bring the drugs on campus," McKenzie said. "Our message: You do it at your own risk and the penalty is very severe if you get caught. We're injecting the fear factor: the fear of getting caught. With our sniffer-dog program, kids are thinking twice before bringing drugs or other substances on campus."

McKenzie refers to the recent Lake Worth High School drug bust as an example of the effectiveness of the sniffer-dog program.

"Our agent called and said, 'Take the dogs off campus. As long as the dogs are here, I can't buy anything.' "

When McKenzie removed the drug-sniffing dogs, he says, the agent had no problem buying the drugs.

McKenzie says surveys the district has conducted in the past indicate less than 2 percent of all the county's students use drugs on a regular basis, although they admit many more may have tried them. And while state law requires "a free and appropriate" education for all children, the school district's first responsibility, officials contend, is to the other 98 percent of students who are going to school to learn. Palm Beach County Schools Superintendent Tom Mills says students deserve a drug-free environment in which to learn.

"Our obligation is to keep the schools free of drugs and provide an environment conducive to learning," Mills said.

"I really don't think there's much on campus, but if a kid wants to buy a rock, I can't think of any school that the kids don't know where to go to buy drugs," McKenzie said.

Mills said the matter of open campuses and a uniform locker assignment system must be addressed before the drug problem is fully under control in the district.

Of the 14 high schools in Palm Beach County, 10 have closed campuses, meaning students are confined to school grounds for the entire school day. Only four, Twin Lakes, Forest Hill, Suncoast and North Shore, allow students to leave campus during lunch breaks. At Forest Hill, only juniors and seniors may leave campus. At Suncoast, only seniors have that privilege.

And there's the problem of lockers. Many of the high schools do not have a uniform system for assigning lockers.

"A dog can alert (signaling drugs) on a locker and we won't be able to find out who the locker belongs to," McKenzie said. "We need to have a uniform system for all the high schools where each child is assigned a locker and the administration has a master key to get into it."

School officials realize they have a long way to go to completely prevent the flow of drugs onto the campuses of Palm Beach County. But they're pinning their hopes on widespread, intensive drug-education programs, the sniffer dogs and their other beefed-up security measures.

McKenzie summarizes, "We know it's out there. We're realistic. All we're hoping to do is keep it out of the schools."

MANY STUDENTS IN PB COUNTY ARE WORLDLY WISE ABOUT DRUGS

(By Carol Smelser Perry)

Kids in Palm Beach County know a lot about drugs.

Sophisticated in ways that might amaze even their parents and teachers, these kids know where to buy drugs, how much they cost, how to use them and what kind of high to expect.

Nearly 300 students, ages 11-19, were interviewed at two public middle schools and eight public high schools from Boca Raton to Jupiter, as well as at some of their favorite hangouts.

Of them, 227 said they knew where they could buy drugs. Most refused to say whether they had ever tried marijuana, cocaine or cocaine rock. Many, when asked about drug use by themselves and their classmates shrugged and walked away without answering. Some stood and listened as friends talked. Others talked about what they believe is becoming a problem and possibly even a serious threat to their generation.

It's lunchtime at Twin Lakes High School in West Palm Beach. The campus is open, which means students can leave the school grounds during lunch breaks. Across the street, the Campus Shop is doing a brisk business selling fast foods and school supplies. The grounds in front of the school are covered with clusters of students sprawled out on the grass eating sandwiches, chatting with classmates or digging into textbooks.

A young sophomore girl sits with her friends on the grass. She's studying the Florida Driver License manual, preparing for a test.

"Cocaine rock? No way. I don't take any drugs," she said. "Man, you gotta be crazy to get messed up in that."

About 30 feet away is another group of students, clean-cut and well scrubbed in their blue jeans and crisp oxford cloth shirts.

"I'll tell you," said a baby-faced white senior boy, "you won't find much drugs on campus anyway. Off campus, that's another story. But most of the kids that are into drugs quit school. They don't belong here anyway, they aren't here to learn, they're here to make a buck. It burns me up."

"You wanna know about coke? Go over there. Ask the 'rockers'—the ones with the punk clothes and punk hair. They'll tell you about coke rock," said a student at Atlantic High School in Delray Beach.

The "rockers" were seated in a circle on the grass, hair sticking up in spikes around their heads and hanging scraggly down their backs. The kids don't want to talk. But they smirk when cocaine is mentioned.

"Wanna see my tracks?" jeers one boy. Injecting drugs into veins leaves marks called tracks. He pulls up the sleeve on his shirt.

It's the end of the day at Lake Worth High School. Students are streaming out of buildings, heading for the parking lot. Four black youths stand near the gym, waiting for basketball practice.

Yeah, they say. They know about coke rock. They haven't tried it, but they know where to get it. They know students who use drugs. But they do it at parties, not at school.

"Man," one boy says, "school is hard enough without that . . . Who needs it?"

DRUG OF FRUSTRATION CREATES "REVOLVING-DOOR JOKE"

(By Paul Blythe)

Men trying to sell cocaine rocks have gone door-to-door at the apartment house John Justiss owns in West Palm Beach. One tenant was startled when a dealer climbed into the cab of his pickup.

Potential tenants calling about his ads hang up the phone when Justiss tells them the eight-unit apartment house is on N Street. Less than two years ago, he could honestly tell them the drug problem was three blocks away. No more.

"I'm frustrated," Justiss said, "It's open, very open. Talking to the police, I sense they have a feeling that they can't contain it.

"But I don't buy that nothing can be done . . . as a property owner I feel I have a right to have the streets safe."

Cocaine rock is a drug of frustration, even for those who do not use it. The man in the street, the police, prosecutors and judges all are feeling it. They all know how to answer criticism for their failure in stopping the drug's spread. But most, like Justiss, admit thay don't know how to solve the problem.

"We, the authorities, the entire judicial system have failed in our efforts to combat the cocaine rock problem," Riviera Beach Police Chief Frank Walker said.

Justiss and other landlords in the neighborhood east of Howard Park have met to discuss measures such as hiring security guards and blacklisting suspected drug dealers from their rental apartments.

Residents of the northeastern section of West Palm Beach have formed the Northwood Citizens Association to apply pressure to politicians and police to clean up their area.

The police, in turn, say they are arresting as many cocaine-rock dealers as possible.

Ten men of the West Palm Beach police unit that concentrates on street drug sales filed 1,302 drug charges against 784 people from the time of the unit's May 1 creation until Jan. 31, said Lt. William McGinley, head of the unit.

The Palm Beach County Sheriff's Office has used fewer undercover agents in its Operation Rock 'n' Roll, which has resulted in more than 200 arrests in five target areas since it began Dec. 10.

"It has slowed down, but buyers are still coming to the areas despite heavy media coverage of the arrests," Palm Beach County Sheriff's Capt. James Kersey said.

Law enforcement frustration centers on what police say is a lack of public perception of the danger and complications peculiar to fighting the cocaine rock problem.

"I think it's probably the most dangerous situation of buying narcotics that I've ever seen," said a veteran undercover agent.

Cocaine users also are more dangerous than users of other drugs because cocaine is a stimulant that usually causes paranoia, police said.

"Heroin addicts used to stop and give up easy if you got them shoplifting, but catch a guy on cocaine rocks and you're apt to get in one hellacious fight," Belle Glade police Sgt. Dan Crist said.

The rocks themselves provide other difficulties for police. They are so small and so similar in appearance to real pebbles that they are easily hidden, police said.

Dealers on the street and in houses usually carry only a few rocks, police said. That way they can avoid arrest by dropping them to the ground.

If they are caught holding the rocks, they can be charged only with possession instead of the more severe charge of trafficking, which requires possession of a large amount of cocaine.

Suppliers circulate regularly to deliver more rocks and collect the drug money.

"The money don't stay there long, and the rock don't stay there long. There's never massive quantities, and it makes it very difficult" said Palm Beach County Sheriff's Sgt. Michael Tucker, head of the unit that concentrates on street sales.

For example, undercover sheriff's agents twice bought cocaine rocks at 130 Plum Tree Drive in suburban Lantana to obtain two search warrants within one week in March. Yet, when they served the warrants they found no rocks the first time and one rock the second time.

"But more than the arrest aspect of it," Kersey said, "the problem is the lack of recognition in the judicial system as to the severity of the drug."

The sentiment was echoed by police throughout Palm Beach County and the Treasure Coast.

"The judicial system doesn't seem to place much interest in the drug problem unless it is the massive big loads," Riviera Beach Chief Walker said. "We should concentrate on putting street-level people out of business and have the courts put them away so it's no longer a revolving-door joke."

Nearly one-fifth of the street dealers arrested by the West Palm Beach police tactical unit have been arrested before on drug charges, McGinley said.

The reasons, police said, are low bail bonds, light sentences and cases dropped by prosecutors or thrown out by judges.

Defendants in street-level drug cases often are released on low bail bonds or their own recognizance because the jails are overcrowded, spokesmen for judges and state attorney's offices said.

Moreover, there is a fundamental difference of opinion between police and judges about the role of the courts.

"We understand that the jails are overcrowded, but we kind of get the feeling that the courts just don't support us," Tucker of the Palm Beach County Sheriff's Office said. "We go out there and stick our necks out and the courts just don't back us up by giving these people some serious jail time."

Palm Beach County Circuit Judge Edward Rodgers said, "They're right about that. It has always been my feeling about our relationship with police officers that we're not on the same side."

Rodgers has devoted special attention to how the criminal justice system handles the cocaine-rock epidemic. As the circuit's probate judge, he handles the non-criminal cases in which a person is ordered to undergo drug treatment as an alternative to jail.

"You see, that is a fallacy that (police) believe that they think we ought to be on the same side . . . Besides, if they make an arrest it may or may not be a legal one. . . ."

Palm Beach County Assistant State Attorney Jerry Mendelsberg said the state usually reduces charges and offers light sentences—60-90 days in the county jail for possession of cocaine and six to seven months for selling cocaine—if a person agrees to plead guilty immediately.

To deter cocaine use, Mendelsberg said he believes the state needs mandatory minimum sentences for sale of cocaine, stronger sentences for defendants convicted of repeated burglaries and mandatory drug counseling for defendants convicted of possession of cocaine.

"Eventually I think the judges will get the message that we are asking for more jail time and that the public demands it."

Rodgers disagreed.

"I don't think the solution is to give everybody more time and put people in jail. I believe Florida puts more people in jail than 47 of the other states and yet our crime rate is no lower than anybody else's.

"For me, the real answer is to increase treatment, increase public funding of treatment and increase education to try to defuse this thing."

He proposed that police agencies contribute a portion of the money they derive from confiscated contraband to public drug treatment programs. Police agencies are permitted to keep the cash and property, such as boats, airplanes and motor vehicles that they confiscate in major drug arrests.

"My feeling is that the addict, untreated, provides the criminal the police are going to be looking for tomorrow," Rodgers said. "They have a vested interest in doing as much as possible to get these people treated . . ."

DRUG TREATMENT IS NOT EASY ROAD

(By Linda Lyon)

The scenario is all too familiar: They hear the ads on television first.

"You don't have to live like this. There is a solution."

Their lives devastated by cocaine, they want to believe in solutions. So they call.

The first question—Do you have insurance?

Too often the answer is no.

Private treatment for drug abuse can cost from $7,000 to $20,000. Most people don't have insurance to cover that. Even those who once had the resources are usually broke by the time they seek treatment. It is often the depletion of their own resources that has triggered the drug abuser's plea for help.

"They listen to the ads on TV promising help and then they call," said Eric Pidrman, director of admissions for the non-profit Comprehensive Alcohol Rehabilitation Programs Inc. based in West Palm Beach. They are told if they have $15,000 or a nice fat insurance policy, they're eligible."

Turned away by the private treatment centers, the addicts look to public clinics.

"Then we get a call from an irate person who wants instant help for free," said David Cueny, clinical director at the Drug Abuse Treatment Association in North Palm Beach.

There just aren't enough beds or therapists to respond to those calls. In District 9 of Florida's Department of Health and Rehabilitative Services, an area encompassing Palm Beach, Martin, St. Lucie, Okeechobee and Indian River counties, the state subsidizes only 50 beds for the treatment of drug abuse patients. Other non-profit treatment centers offer a low-cost alternative, but most have waiting list of as many as 200 people.

The need for treatment facilities in the midst of what experts describe as a cocaine rock "epidemic" is clear. The solution is not.

The debate seems to center on whose problem this is—the addict's or the public's. Some say the addict who has squandered thousands, sometimes even hundreds of thousands of dollars, on his habit should foot the bill. Others say taxpayers will pay eventually anyway, as addicts resort to crime and end up in the criminal justice system. Why not pull the addict in off the streets before that happens, treat him and save money in the long run?

The critical first step for many is often that first call to a crisis or information hot line. Peter Gold, administrator of the 1-800 COCAINE hot line, said he receives about 100 calls a day from addicts in Florida. The Florida headquarters for the national hot line was established in November at Fair Oaks Hospital in Delray Beach.

The hot line responds to a critical need, Gold said. "People on the street don't know where to go to get help when the crisis comes," he said. "All they're thinking about is where they will get their next high."

Gold tries to answer their questions about cocaine, then refers them to an agency or support group that can help. Other hot lines are involved in crisis intervention. They attempt to counsel callers and then refer them to someone who can help.

The help is not always there.

"One mother has been calling for two weeks," Cueny said. "In three to four weeks her 17-year-old son sold two televisions, a stereo, a home computer, all of his mother's jewelry and his brother's bike. He needed money to buy cocaine rocks."

Cueny, flooded with calls from equally desperate people, had to tell the woman to wait two weeks until they could schedule an appointment with her son.

That's a long wait for a family in "chaos."

"You need motivation to wait," said Margaret Mitchell, adult program director for the non-profit South County Drug Abuse Foundation.

"With cocaine addiction, the need for immediate response is so great and our ability to respond is so inadequate," Pidrman said.

According to Diane Spero, a former cocaine addict, the addict's own family can undermine the addict's willpower when it comes to waiting. The families of drug users sometimes want to keep the problem quiet, said Spero, founder of Prevention Connection, a local drug education and support group affiliated with the National Federation of Parents for Drug Free Youth. "If they go for help, word will get out," she said.

Even families who do want to respond to the problem often fail. When this happens, they face a tough decision as to how far to go to force treatment.

The option of last resort is the "drug act." In 1980, the Florida Legislature gave family members the option of filing a request for court-ordered treatment for drug abuse. One addict was treated under the drug act that year. Last year, 284 petitions were filed in Palm Beach County, Pidrman said, and at the current rate the number of petitions could jump to almost 900 this year. In Martin, St. Lucie, Indian River and Okeechobee counties, there have been 39 drug act petitions in the past 14 months.

Sometimes families misinterpret what they are seeing. "We get a lot of people with drug and alcohol problems whose families think they have mental disorders," said John Murphy, who screens patients for admission to the 45th Street Community Mental Health Center in West Palm Beach. "They are often just unhappy. People mistake self-pity for depression, but there is no pill for self-pity."

The center refers drug abuse clients to other agencies for treatment. If cocaine is the primary addiction with no alcoholic implications, users may have to wait three to four months for treatment with CARP, Pidrman said. Most of CARP's beds are set aside for alcoholics. But because most cocaine addicts also have a problem with alcohol, many of CARP's beds that have been designated for alcoholics now are occupied by cocaine addicts.

Since late last year, all of the non-profit drug treatment centers have had to put people on waiting lists. These centers offer treatment at lower prices generally established on a sliding scale. Treatment in a non-profit center can cost from nothing to $55 per day.

But waiting lists for all kinds of treatment are becoming "bigger than all of us," said Richard Mills, executive director of the Indian River Community Health Center.

"If someone comes in with a cocaine problem, the response is 'You've been doing cocaine rocks for the last two to three months. Who hasn't?' " Pidrman said.

Experts disagree on how best to respond to the problem. There are residential treatment programs, outpatient treatment programs and private counseling.

Some treatment programs start off with "detoxification," where the abuser is isolated and monitored medically for a few days as the drug wears off. But medical experts say the side effects of cocaine withdrawal are less dangerous and less dramatic (though no less uncomfortable) than withdrawal from other drugs. As a result, there are not many treatment beds set aside for detoxification.

In many programs, detoxification is less formal. Tranquilizers may be administered for a few days to ease the addict's hyperactive state. Whatever the detoxification procedure, it is only the first step in a residential treatment program. And most experts believe some kind of cloistered, inpatient treatment is essential. Cocaine is too seductive for drug abusers to withdraw in an unprotected environment.

Patients usually spend a minimum of four weeks in residential treatment. Some stay as long as 18 months. There they face a mix of therapy and education.

One common denominator is family therapy. "Family therapy is mandatory at DATA," Cueny said. "We try to give them examples of how a family can work and teach families how to operate better."

Ironically, cocaine addiction creates a crisis that brings a family together, with everyone trying to solve their mutual problem. Solving that problem can create new problems Cueny said. "Once the focus is off the kids, the parents resume their day-to-day battles."

That gives the child an incentive to go back to using cocaine.

The therapist tries to anticipate that problem and help the family prepare for it. There are religious treatment centers that utilize the "step" method pioneered by Alcoholics Anonymous. It is a self-awareness program that leads the drug abuser to believe that he can get help from "a higher power."

And there are alternatives to residential treatment. Most treatment centers also offer outpatient treatment—basically smaller doses of the inpatient routine. Robert Duncan, executive director of the New Horizons Specialized Cocaine Dependency Treatment program in Delray Beach, claims that the outpatient program there, "which costs about as much as it would to support the average cocaine habit for a week," works.

The key to that success is the emphasis on training drug abusers to stay clean at home. "Restructuring the environment works, but what happens when you get out?" he said.

New Horizons does not ask abusers to avoid situations where they have traditionally used cocaine, he said.

Duncan's program is also atypical in that it does not use group therapy. One of the symptoms of cocaine addiction is paranoia, Duncan said. Individual therapy preserves the patient's privacy and neutralizes the power of that paranoia.

Jerry Singleton, program director for Palm Beach Institute, a private treatment facility in West Palm Beach, questions the effectiveness of that approach to cocaine abuse. "The cocaine addict loves outpatient treatment," he said. "(The addict) says, 'I'm not that bad. I can handle it myself once a week.' "

With cocaine, ineffective treatment is worse than no treatment, said Ronald Catanzaro, chief medical officer for Palm Beach Institute.

Follow-up is critical in all treatment programs. It also is the weakest link in the low-cost non-profit care. Some patients go to halfway houses following intensive inpatient treatment. Others rely on support groups, such as Narcotics Anonymous, to get back on their feet.

Those for whom cocaine was just the last drug taken up after years of abusing other substances often find that they have to learn or relearn basic survival skills.

Most cocaine users before the inexpensive rocks came on the scene were affluent. They had the discretionary income to squander on drugs. Now most of the patients CARP sees are younger and poorer.

Therapists do what they can, but the first month of treatment is often unsuccessful. "We tend to get them on the rebound. Maybe they haven't hurt enough."

When they have hurt enough, the troubling question becomes, "Who is going to pay?"

Statistics compiled by Gold indicate that users who called the hot line in January had spent over $15,000 to support their habit. Most had depleted all their resources.

But there is some resistance to the notion that the taxpayers should foot the bill for helping the addict overcome that habit.

Carlton Turner, director of the White House Office on Drug Policy, puts it bluntly. "I resent my money going to some guy who has been making more than I do. I don't think the government is responsible for not letting you destroy yourself."

But according to Catanzaro, chairman of the board of the Palm Beach Institute Foundation, that argument misses the point.

"If you took the money it costs to lock people up and put those dollars into treatment, you would have a much greater impact on the cocaine problem," Catanzaro said.

Florida's Cocaine Task Force, which issued a report in January, found that it cost $23,000 to lock up a user for a year, he said.

"For half that, you could put a person into . . . treatment for four weeks and a halfway house for a few months," Catanzaro said.

It's "misguided and insane" to use what resources we have to build more prisons, he said. Most cocaine users are "rehabilitatable," said Catanzaro, who was chairman of the state task force. The alternative is to put users in prison and make criminals of them, he said.

DISASTROUS ADDICTION FOLLOWS COCAINE'S SEDUCTIVE ALLURE

(By Linda Lyon)

Once the balm of the chic and elegant, cocaine has turned on the well-heeled sophisticates who discovered it in the 1970s, stripping them of their resources and self-esteem.

All that's left is the myth that cocain is not addictive. It is, by all expert accounts, one of the most addictive of all known drugs. Yet the aura of respectability lingers. Women tip their hair stylists with a gram of cocaine. Businessmen excuse themselves to "free-base" before that first lunchtime martini. Teenagers exchange cocaine rocks in the gymnasium.

"There is a myth in the community that this is a very sexy, attractive drug—a champagne of drugs with no consequences," said Robert Duncan, excutive director of New Horizons Specialized Cocaine Dependency Treatment program in Delray Beach.

Cocaine once seemed harmless enough. Medical experts warned of the danger of psychological addiction, but they had no evidence to challenge the denial of physical addiction. Users at first reported few side effects, no obvious physical deterioration and no pain on withdrawal—the perfect recreational drug.

"It has taken 10 years for us to understand that cocaine is addictive, and only in the last year have researchers defined addiction and understood the chemical process," said Erl Exstein, medical director at Fair Oaks Hospital in Delray Beach.

Fair Oaks here and the sister hospital in New Jersey have pioneered in the treatment of cocaine addiction.

Cocaine is "an extremely seductive drug." Exstein said.

"One of the effects of cocaine is a tremendous feeling of well-being, great confidence," said Joseph Amato, director of the Western Palm Beach County Mental Health Center in Belle Glade. "For people concerned about their competence, there is a lot of motivation to use."

Eric Pidrman, director of admissions for the Comprehensive Alcohol Rehabilitation Programs Inc., said the high is "so pleasurable the response has been described as an orgasmic high."

The drug, whether snorted, smoked or injected, stimulates what Exstein describes as the brain's "pleasure centers." The brain releases a chemical called dopamine, which transmits electrical responses between nerve endings. Stimulated by cocaine, the brain produces extra dopamine, which lingers a little longer in the brain, enhancing the response.

How fast the chemical reaches the brain depends on how it is taken—five to eight seconds when smoked, eight to 14 seconds when injected, two to four minutes when snorted, and five minutes when swallowed.

How long the high lasts also depends on how it is taken. When cocaine is snorted, the high can last from 20 to 30 minutes. Smoking a cocaine rock—a purified version of the drug—triggers a more intense, shorter-lived high of two to five minutes.

Addiction also strikes much more quickly with the rocks. "If a user is snorting every two weeks, the decline into addiction is much less rapid," said Peter Gold, administrative coordinator of the 1-800-COCAINE hot line based at Fair Oaks Hospital in Delray Beach.

That kind of casual abuse may not become compulsive for several years. * * * body's system with cocaine," Gold said. As a result, the addiction strikes in a matter of months. "It is absolutely insidious," Pidrman said. Most people we see have been using for three to six months. They're already into behavior they couldn't have imagined six months ago.

Hot line volunteers report that some callers say they are addicted after using it for only five to six weeks.

"The tailspin into addiction is faster and reinstatement of normal life is much more difficult with cocaine than with other drugs," said Ronald Catanzaro, medical director for the Palm Beach Institute in West Palm Beach.

Research into that addiction has identified some frightening patterns. Rats, exposed to other addictive drugs, including heroin, take them for a time and then stop, to eat or rest. Rats afforded free access to cocaine take it over and over again without sleeping or eating until they die.

"Cocaine is probably the most addictive substance known to mankind," Duncan said.

Cocaine users often take the drug to counter negative feelings they have about themselves and their lives. "The common denominator with all drug users is low self-esteem," said Charles Hamilton, director of marketing for the Palm Beach Institute.

"Even people who are feeling fairly good about themselves can go from no contact at all with the drug to daily contact," Hamilton said. "That's how serious it can get very fast."

The chemical provides instant gratification, but when the effect wears off, the user falls into a depression that takes him a little lower than where he started out. The next high is lower and the next low is deeper than the last. "You never quite get back that first good euphoric high," Hamilton said.

This "elevator syndrome" drives the user to counteract the lows with another drug—usually alcohol. "Every cocaine user we treat also has a problem with alcohol," Hamilton said.

Researchers now know that cocaine does tremendous damage to the body. It is "a powerful nervous system stimulant," according to "800-Cocaine," a book written by Mark S. Gold, founder of the national hot line for cocaine users and abusers.

Chronic use can lead to nasal bleeding, perpetual coldlike symptoms, erosion of nasal cartilage, damage to the vocal cords and blurred vision. Cocaine is an appetite suppressant, and addicts often lose huge amounts of weight. Eventually, cocaine can stop respiration, trigger high temperatures and lead to seizures. Ultimately, it will kill.

Of 695 deaths investigated by Palm Beach County in 1985, 65 involved cocaine in the victim's system. There were 10 where cocaine could be said to contribute to death.

The rocks are dangerous, but less likely to cause an overdose than is the powder, which can be taken in larger doses, according to Tom Carroll, chief toxicologist for the Palm Beach County Sheriff's Office. "(Smoking) is preferred by the connoisseurs to be a better, a faster high—probably less chance of an overdose."

An inadvertent overdose is easier with cocaine than with heroin, but a cocaine overdose is less likely with the rocks than with the power.

There is also, according to David Cueny, clinical director at the Drug Abuse Treatment Association in North Palm Beach, a connection to the AIDS virus. Drug usage lowers the body's immunity, he said.

Smoking is the most dangerous method of use, with potential to damage the lungs and throat. The cocaine, when it is smoked, gets into the system so fast that it can pose a risk of overstimulation to the heart.

Experts report an unusual number of deaths when users have been picked up and arrested by police. "Cocaine and excitement just overload their hearts," Cueny said.

Unlike the alcoholic, the cocaine user faces no great physical danger in withdrawal, no shakes or dramatic symptoms. But the cocain tends to deplete the supply of dopamine in the brain. On withdrawal, users experience low energy, depression and an extreme craving for cocaine. Withdrawal also often triggers extreme paranoia.

Medical experts have only recently begun to use drugs to ease the withdrawal of cocaine abusers. They were driven to that not by any physical risk to the users, but, rather, by the sheer hopelessness of getting anyone to give up cocaine without that extra help.

A TWO-PRONGED STRATEGY

We must convince people who do not use cocaine rocks not to start, and help people who do use them to stop.

That may sound utopian, but there is no other answer. As long as there is demand there will be people willing to satisfy that demand, no matter how many penalties we enact or how many law officers we put into the field.

The drug problem has been with us for a long time, but cocaine rocks introduce a disturbing new aspect, as explored by The Post in a series of articles by Staff Writers Paul Blythe, Carol Smelser Perry, and Linda Lyon.

Rocks are cheap enough to be within the reach of thousands of people, including children, who could not afford powdered cocaine. And rocks produce addiction much more quickly, subjecting the users to depressions in which they will do just about anything to get the money for their next rock.

Remedies fall generally into two categories, designed to cut off supply or halt demand. Police and prosecutors fall generally into the former camp; a complaint voiced repeatedly to the Post writers was that the judicial system is too soft on concaine dealers. Assistant State Attorney Jerry Mendelsberg wants to see mandatory minimum sentences for sellers and stronger sentences in other cases.

There are a couple of problems here. For one, Florida's jails and prisons already are at or over capacity. More importantly, as long as people can make $1,000 a day peddling cocaine rocks, they are going to do it, no matter how severe the penalties.

This is not to suggest that enforcement should cease. If periodic sweeps do nothing except make the dealers move on, that at least provides some respite for the people who live in "hot spot" neighborhoods, 21 of which were identified by police in Palm Beach, Martin and St. Lucie counties.

Further, such tactics as the use of drug-sniffing dogs and undercover agents seem to have minimized the trafficking on school campuses, thus improving the climate for learning.

All of this, however, is no substitute for increased education about the dangers of drug use and more facilities for the treatment of users. We must reach those who have too little of anything to be able to build self-esteem, and those who have too much in a material sense and too little otherwise. We must get them to understand that the instant gratification of drug use comes at too high a price.

As for those who didn't learn in time, we have to help them. Mendelsberg's suggestion for mandatory drug counseling is a good one, but only if enough counselors are provided to make the programs meaningful.

A lot of people believe that only inpatient treatment will work, but facilities are hopelessly inadequate to the task. Private nonprofit centers have long waiting lists and the state subsidizes only 50 beds in the five counties (Palm Beach, Martin, St. Lucie, Indian River and Okeechobee) of District 9.

Education and treatment cost money, but so does confinement and the crimes that addicts commit to get drug money. Yet while the state is going to spend $347.6 million this year on corrections, it is spending only $147.3 million on alcohol, drug abuse and mental health services.

Ronald Catanzaro, chief medical officer for Palm Beach Institute, notes that it costs $23,000 a year to lock up an addict whereas he could be treated for half that much. That makes treatment a good deal all around for those who have slipped through the net of prevention.●

● Mr. MOYNIHAN. Mr. President, I rise today to cosponsor legislation, S. 2352, introduced today by my distinguished colleague from Florida, Mr. CHILES, to enhance State and local drug enforcement efforts.

The provisions of this bill are really quite simple: Whenever a State or local law enforcement agency provides information to the Internal Revenue Service that substantially contributes to the recovery of Federal taxes, that agency will be reimbursed by the IRS for costs incurred in the course of the investigation. Reimbursement would not exceed 10 percent of the recovered amount.

When more than one State or local agency supplies information that leads to the recovery of Federal revenues, then the IRS would divide up to 10 percent of the money among the various organizations.

The problem this legislation addresses is most serious. The most recent study on the loss of Federal tax dollars caused by illegal drug traffic appear in a 1983 Internal Revenue Service report, "Income Tax Compliance Research," which notes that for 1981 illegal narcotics sales in the United States generated approximately $23.4 billion in unreported income, and a resulting tax gap of approximately $6.1 billion. A 1984 report by the President's Commission on Organized Crime entitled "The Cash Connection: Organized Crime, Financial Institutions, and Money Laundering" noted that the annual revenue form illegal drug trafficking in the United States is between $50-$75 billion.

Under current law, in many instances, the major expenses of such investigations must be borne by the States and localities undertaking them. Partial reimbursement of these expenses will increase the capacity to undertake such investigations. This legislation, which has been endorsed by Governor Cuomo of New York, will create additional incentives to undertake them, and generate additional revenues in time of dire need.

Mr. President, I do ask my colleagues to give this important legislation the serious consideration that it merits.●

● Mr. EVANS. Mr. President, I join the distinguished Senator from Florida, Senator CHILES, in searching for more effective ways to combat the growing problem of drug smuggling.

The legislation we are offering today, S. 2352, takes a step in the right direction. It adds one more weapon to the Federal, State, and local arsenal of programs to stop the spreading concern of drug smuggling.

This legislation amends the Internal Revenue Code to provide for the partial reimbursement to State and local law enforcement agencies, of the costs incurred in investigation that substantially contribute to the recovery of Federal taxes.

At the outset, Mr. President, it should be understood that the partial recoupment of investigative expenses would be paid from revenues not otherwise collected without the assistance and initiation of local law enforcement agencies—making this legislation at a minimum revenue neutral, or more accurately termed "revenue positive."

This amendment provides for the recoupment of investigative expenses incurred by local law enforcement agencies when those agencies provide information to the IRS which substantially contributes to the recovery of Federal taxes. The amount reimbursed shall not exceed 10 percent of the sum ultimately recovered.

This bill is a companion bill to H.R. 3136 introduced last session by Representative SAM GIBBONS. The idea for this legislation was initially developed by the Florida Department of Law Enforcement.

Mr. President, my interest in this type of legislation stems from the increasing levels of drug smuggling in the State of Washington. While it is difficult to measure illegal drug activity, Seattle and its surrounding area are commonly referred to as a "substantial growth area."

Recent incidences support these concerns. In January of this year, the Coast Guard's seizure of a small Honduran coastal freighter with 447 pounds of cocaine hidden aboard has helped to confirm some officials' suspicions that the Puget Sound is a new, major entry point for drugs.

In a concealed space that had been welded closed, searchers from the Customs Service, the DEA, and the local police found 205 plastic bags filled with pure cocaine. The officials' estimates of the value of the cargo ranged from $14 million wholesale to $100 million retail.

In another local occurrence last fall, ice buckets brought through Seattle-Tacoma International Airport by a Hong Kong businessman were found to be insulated with heroin, and 212 pounds was seized.

The regional Customs Service Commissioner, Quintin Villanueva, has indicated that he believed that increased pressure by law enforcement agencies in the Southeast has caused drug and smuggling rings to shift operations to the Pacific Northwest. The Commissioner has also indicated that the areas on the West Coast are becoming a smuggler's paradise.

Mr. President, we should be promoting this type of legislation which encourages stronger partnerships between all levels of government.

Currently, State and local law enforcement departments routinely work in conjunction with Federal agencies such as the Alcohol, Tobacco, and Firearms Bureau, the Drug Enforcement Administration, and the IRS. These cooperative efforts range from the informal sharing of intelligence or investigative information to formal task force agreements.

Beyond the development of drug smuggling evidence, investigating the financial or economic aspect of criminal activity is time consuming, expensive, and is a task requiring investigative expertise. State and local agencies often leave such investigations undone. Frequently the information obtained does not result in additional criminal charges or does not result in increased incarceration time for the subject, so local interest is limited. Therefore, to agencies with limited personnel and finances, the investigation of the financial dimension of a criminal operation is not worth the effort.

Particularly in a State such as Washington, where there is no State income tax, the local interest in developing a tax evasion dimension of a case is limited. Financial dimension in-

vestigations may develop significant information regarding Federal tax evasion or fraud charges but do not develop corresponding State charges. As a result, financial investigative efforts by local investigators may frequently be cut short because the end local result is not worth the additional local effort.

Under current law, the Comprehensive Forfeiture Act of 1984 provides that the Attorney General shall ensure the equitable transfer of any forfeited property to the appropriate State or local enforcement agency to reflect generally the contribution of any such agency participating directly in any of the acts which lead to the seizure or forfeiture of such property. While this does much to compensate State and local law enforcement agencies for their contributions in joint investigations with Federal agencies, it does not cover those investigations conducted by State and local agencies that are referred to the IRS and subsequently result in large tax assessments. The proposed amendment corrects this situation and enhances the current forfeiture act, particularly from the State and local perspective.

Mr. President, in my home State of Washington, I compliment the efforts of the State patrol and county and city law enforcement agencies in their exemplary efforts declaring war against illegal drugs. Hopefully, this legislation will help.●

● Mr. WILSON. Mr. President, today I join the Senator from Florida, Mr. CHILES, in introducing a bill that will grant State and local law enforcement agencies compensation when they help the IRS find tax evaders.

The bill, S. 2352, will require reimbursement to State and local tax enforcement agencies for costs incurred in investigations that substantially contribute to the recovery of Federal taxes. This bill, already introduced in the other body as H.R. 3136, will provide a well deserved reward to the State or local authorities of no more than 10 percent of the sum ultimately recovered. These funds would help the numerous local law enforcement authorities financially, especially during these belt-tightening times—all in recognition of the fact that their work made a recovery possible.

Mr. President, when a State or local law enforcement agency makes a narcotics arrest, Federal authorities invariably initiate a tax investigation. Such investigations have led to the discovery of large sums of unreported income, which in turn have led to the assessment and collection of large tax deficiencies.

And, Mr. President, while payments made to State and local officials in recognition of their assistance may be called a reward, in many ways such payments constitute simple compensation for their assistance.

Current law, Mr. President, authorizes the IRS to pay up to 10 percent of the amount recovered in back taxes to any person that assists in uncovering a tax evader. The amount of the individual reward depends upon the extent of the information provided. However, there is no authorization to provide such payments to State or local law enforcement agencies. Since they are not considered persons, present regulations do not allow them to be rewarded. Our bill will change this.

Mr. President, enactment of this legislation will provide additional incentives for State and local police officials, for they will know that the costs of successfully pursuing an investigation—particularly the high costs of uncovering the illegal activities of organized crime—will be partially defrayed. For example, in my State of California, where illegal narcotic sales and designer drug labs are a growing problem, this bill will have a major impact and encourage State and local authorities to redouble their efforts against the drug trade.

Mr. President, this legislation would not be necessary if the IRS would adopt a new regulation making State and local law enforcement agencies eligible for a 10-percent recovery reward. However, it is my understanding that the IRS has rejected previous requests to make such a change. I hope that the Service will reconsider its position in light of the bill we are introducing today. However, should the IRS maintain its position, I urge the Finance Committee to carefully review this bill so that it might be considered by the full Senate this year. In either case, a change is long overdue.

Mr. President, I ask unanimous consent that a letter that I received from California Governor Deukmejian in support of this legislation be printed in the RECORD at this point.

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

STATE OF CALIFORNIA,
GOVERNOR'S OFFICE,
Sacramento, January 29, 1986.

Hon. PETE WILSON,
U.S. Senator,
Washington, DC.

DEAR PETE: I am writing to express my support for H.R. 3136, which would authorize the Internal Revenue Service to reimburse state and local governments for a portion of the cost of drug enforcement efforts.

When drug trafficking investigations by state and local law enforcement agencies result in the collection of additional federal tax dollars, I believe it is appropriate to share a portion of this new revenue to help offset the costs of law enforcement.

Such a policy would put additional funding into the fight against drug abuse and provide an incentive for increased enforcement which can result in the collection of more revenue for the federal treasury.

As you may know, I strongly support the efforts of law enforcement agencies in combatting drug trafficking. On behalf of the State of California, I urge your support of H.R. 3136.

Most cordially,

GEORGE DEUKMEJIAN.●

By Mr. MITCHELL (for himself, Mr. PROXMIRE, Mr. HUMPHREY, Mr. RUDMAN, Mr. DURENBERGER, Mr. WARNER, Mr. TRIBLE, and Mr. KASTEN):

S. 2354. A bill to amend the Nuclear Waste Policy Act of 1982 to provide for the disposal of high-level radioactive waste and spent nuclear fuel in a single repository, and for other purposes; to the Committee on Energy and Natural Resources.

NUCLEAR WASTE POLICY REFORM AMENDMENTS ACT

● Mr. MITCHELL. Mr. President, today I am introducing legislation to amend the Nuclear Waste Policy Act of 1982. I am pleased that Senator PROXMIRE, Senator HUMPHREY, Senator RUDMAN, Senator DURENBERGER, Senator WARNER, Senator TRIBLE, and Senator KASTEN are joining me in this effort.

For four decades, the United States produced nuclear wastes as a byproduct of the generation of electricity and the maintenance of a defense capability, without adequate consideration of the need to properly and safely dispose of this waste. Gradually, the need for comprehensive disposal legislation became more apparent.

Among the most important milestones in the act are those which require the DOR, first, to sign contracts with waste generators by June 30, 1983, to take title to the waste and, second, to begin disposal of the waste in the first repository by January 31, 1998. The first requirement has been met, because a standard contract has been promulgated by DOE and signed by many, if not all, waste generators.

Progress toward siting the repository in the Western part of the United States is being made. In the near future, DOE will nominate three potentially acceptable sites for characterization to determine their suitability to host a repository. These three sites are expected to be in the States of Nevada, Texas, and Washington.

After characterization is completed, DOE will nominate a site to the President, who may accept or reject it. If he rejects it, DOE must go back and select another site. If he accepts it, he must submit the recommended site to Congress by March 31, 1987, with a possible 1-year extension.

DOE now estimates that the President will make this recommendation in 1991. Within 90 days of the President's submission to Congress, DOE is required to submit a construction authorization application to NRC, which must make a final decision on the application within 3 years. DOE anticipates that NRC licensing will be complete by 1994, that construction of the

repository will occur between 1994 and 1998 and the repository will begin operation in 1998.

The 1982 act also requires DOE to search for a site for second repository. DOE is considering crystalline rock—granite—formations for a possible second repository. In January of this year, DOE published a draft area recommendation report [ARR] which identified 12 areas—including two in Maine—that DOE considered potentially acceptable sites for a second repository.

The other 10 sites under review by DOE are in granite formations located in New Hampshire, Virginia, North Carolina, Georgia, Wisconsin, and Minnesota.

Those State governments and their citizens were able to submit comments on the site selection until April 16. DOE will review the comments for 90 more days, or longer, depending on the number and detail included in the comments, before issuing a final ARR later this year.

At that time, DOE will begin to make onsite field assessments of each potentially acceptable site listed in the final ARR. That area phase is expected to take until 1991. DOE will then nominate five areas, and recommend three for site characterization.

Characterization of those potential sites for a possible repository would take at least 5 years. At this point, now estimated to be 1996, the process will stop until Congress acts to authorize construction of a second site, because DOE has no such authority under current law.

As can be seen, the process involving a possible second repository differs from the first in two major respects:

First. Under current law a first repository must be built, but a second repository cannot be built.

Second. The selection process for a second repository is about 6 years behind the first.

An analysis of the act, including a history of its adoption and a review of the Department of Energy's compliance, present and anticipated, with the act have led me to conclude that the construction of more than one repository would be unnecessary and unwise.

The legislation I am introducing today terminates the crystalline repository project through which DOE is currently undertaking its search for acceptable sites for a second deep geological repository.

In addition, it would remove the volume limitation of the repository authorized in the Nuclear Waste Policy Act; limit the geologic medium in which a repository could be built and operated by DOE; impose a moratorium on all high-level waste disposal activities if DOE does not meet its January 1998 deadline for the acceptance of high-level waste; and establish an independent scientific commission to report to Congress upon deep geologic disposal and available alternatives.

There is widespread concern in Maine about the possibility that a national high-level waste repository could be located in Maine. After careful review of the available information, I believe Maine is not suitable as a site for such a repository. The general geology, geography, and hydrology of the State are such that the people of Maine cannot be assured that any repository constructed in the State would sufficiently protect the public and the environment from radioactive contamination. Whatever the conditions in Maine, a second repository is not needed.

A second repository cannot be operational in time for this country to begin disposing of high-level nuclear waste by the 1998 deadline for DOE to take title to the waste. The necessary scientific research on the sites for a potential repository are several years behind the search for the first repository. It is impossible to accelerate that research to a degree which would allow crystalline site to be the site for a repository. Therefore, construction of a second repository as a backup to a first repository would not allow the waste disposal program to meet the underlying deadline of the Waste Policy Act, which is disposal of waste beginning January 31, 1998.

But, more importantly, a second repository is not needed to dispose of the country's high-level waste and spent reactor fuel.

Current law limits the maximum amount of waste that can be stored in the repository to 70,000-metric tons. There is no technical or scientific basis for this limit. Its purpose was to assure the State selected for the first repository that it would not be the only State having a high-level waste repository.

Without this limit there would be no need for a second repository. And it was based on estimates of the total amount of high-level waste that are proving to be exaggerated.

DOE's latest estimate, included in the December 1985 document, "Spent Fuel and Radioactive Waste Inventories, Projections, and Characteristics" is that 126,000-metric tons of high-level radioactive commercial spent fuel will need to be disposed of in a high-level waste repository. This estimate is lower than previous estimates.

It is likely that the actual amount of high-level waste will be even lower for several reasons.

First, it is probable that no new commercial nuclear power plants will be ordered in this century. Many utilities are extending the useful life of their powerplants in order to avoid having to make capital investment in a new facility.

Second, utilities are choosing to use the fuel rods which make up a major portion of the high-level waste for a longer time, thus producing less spent fuel. The DOE estimates that spent fuel burnup will increase at about 3.5 percent each year for the next several years.

Finally, some of the sites currently under consideration by DOE for the first repository may safely accommodate all the high-level waste expected to be generated through the first quarter of the next century.

There is no compelling technical reason for having two repositories. If a second repository is not technically necessary, there is no benefit to constructing one. In contrast, there are compelling fiscal reasons for constructing only one.

While waste estimates have been declining, the program's cost estimates have been increasing at a rate of $400 million per month.

As of January 1985, total program costs, including total costs for two repositories, one monitored retrievable storage facility, and transportation, were estimated at about $26.7 billion. In July 1983, just 1½ years earlier, DOE had estimated these costs to be $19.6 billion.

Thus the estimated cost of the program increased by a third in less than 2 years. Each of these estimates is in constant dollars, not taking into account inflation. If inflation and other contingencies are factored in, the total program could cost up to $150 billion, according to the Director of the DOE high-level waste program.

The crystalline project still faces the most expensive part of the siting process, the so-called characterization of three sites nominated in 1991. Characterization is an expensive, time-consuming, detailed analysis of each site.

It is expected to cost between $500 million and $1 billion for each site. It will take 5 years, from 1991 to 1995.

Under this bill, the U.S. Department of Energy is required to proceed in its process to select a site for and to construct and operate one high-level nuclear waste repository. But it would be prohibited from proceeding with its present consideration of sites for a possible second repository.

And if the Department is unable to meet the 1998 deadline for operation of a repository to accept the high-level waste it has agreed to take title to, this bill would halt all activity under the Nuclear Waste Policy Act until Congress has had an opportunity to review the recommendations of an independent scientific commission on the available options for safe, permanent disposal of the waste.

Does it make sense to spend tens of billions of taxpayers' dollars for the siting and characterization of crystalline sites when it is not necessary to do so? The answer is clearly no.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2354

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Nuclear Waste Policy Reform Amendments Act of 1986".

SEC. 2. LIMITATION ON FEDERAL ACTIVITIES WITH RESPECT TO GEOLOGICAL REPOSITORIES.

(a) IN GENERAL.—Subtitle A of title I of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10131 et seq.) is amended by adding at the end thereof the following new sections:

"TERMINATION OF FEDERAL ACTIVITIES WITH RESPECT TO SECOND REPOSITORY

SEC. 126. (a) Department of Energy.—The Secretary may not carry out any activity under this Act with respect to more than 1 repository. Any activity commenced or decision made by the Secretary with respect to a second or subsequent respository before the date of the enactment of the Nuclear Waste Policy Reform Amendments Act of 1986 shall be terminated or rescinded.

"(b) NUCLEAR REGULATORY COMMISSION.—The Commission may not authorize the construction of more than 1 repository under this act.

"IMPOSITION OF MORATORIUM ON REPOSITORY DEVELOPMENT

"Sec. 127. If the Secretary has not commenced the disposal of high-level radioactive waste and spent nuclear fuel under this Act by January 31, 1998, as provided in section 302(a)(5)(B), the Secretary shall cease all activities under this Act with respect to any repository until—

"(1) the Nuclear Waste Repository Review Commission submits to the Congress the report required in section 307(f); and

"(2) the Congress by law, after review of such report, specifically authorizes the continuation of such activities.".

(b) CONFORMING AMENDMENT.—Section 1 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 prec.) is amended by inserting after the item relating to section 125 in the table of contents the following new items:

"Sec. 126. Termination of Federal activities with respect to second repository.

"Sec. 127. Imposition of moratorium on repository program.".

SEC. 3. REMOVAL OF DEADLINES FOR SECOND REPOSITORY.

(a) RECOMMENDATION OF CANDIDATE SITES FOR SITE CHARACTERIZATION.—Section 112(b)(1) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10132(b)(1)) is amended—

(1) by striking out subparagraph (C); and

(2) in subparagraph (D), by striking out "subparagraphs (B) and (C)" and inserting in lieu thereof "subparagraph (B)".

(b) RECOMMENDATION OF SITE APPROVAL.—Section 114(a)(2) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(a)(2)) is amended—

(1) in subparagraph (A), by striking out the second and fourth sentences; and

(2) in subparagraph (B)—

(A) by striking out "deadlines" and inserting in lieu thereof "deadline"; and

(B) by striking out the following: "for the first site, and March 31, 1989, for the second site,".

(c) APPROVAL OF CONSTRUCTION AUTHORIZATION.—Section 114(d)(1) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(d)(1)) is amended by striking out the following: ", for the first such application, and January 1, 1992, for the second such application".

(d) ENVIRONMENTAL IMPACT STATEMENT.—Section 114(f) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(f)) is amended in the fifth sentence by striking out "and by July 1, 1989,".

SEC. 4. LIMITATION ON GEOLOGIC MEDIUM OF REPOSITORY.

Section 112 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10132) is amended by adding at the end thereof the following new subsection:

"(g) LIMITATION ON GEOLOGIC MEDIUM OF REPOSITORY.—The Secretary may not nominate or recommend any crystalline rock site for site characterization under this section for the repository to be developed under this Act.".

SEC. 5. REMOVAL OF VOLUME LIMITATION ON REPOSITORY

Section 114(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(d)) is amended by striking out the last two sentences.

SEC. 6. NUCLEAR WASTE REPOSITORY REVIEW COMMISSION

(a) ESTABLISHMENT.—Title III of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10221 et seq.) is amended by adding at the end thereof the following new section:

NUCLEAR WASTE REPOSITORY REVIEW COMMISSION

"SEC. 307. (a) ESTABLISHMENT.—If a moratorium on repository development takes effect under section 127, there shall be established a commission to be known as the Nuclear Waste Repository Review Commission.

"(b) FUNCTION.—The function of the Review Commission shall be—

"(1) to review the available scientific information on the suitability of repositories for the disposal of high-level radioactive waste and spent nuclear fuel; and

"(2) to compare such disposal with alternative means and technologies for the permanent isolation of such waste and spent fuel.

"(c) MEMBERSHIP.—The Review Commission shall be composed of 7 members appointed by the President, by and with the advice and consent of the Senate, from among individuals recommended for appointment to the Review Commission by the President pro tempore of the Senate or the Speaker of the House of Representatives—

"(A) 1 of whom shall be knowledgeable in civil and mining engineering;

"(B) 1 of whom shall be knowledgeable in hydrogeology;

"(C) 1 of whom shall be knowledgeable in geology and geophysics;

"(D) 1 of whom shall be knowledgeable in public health;

"(E) 1 of whom shall be knowledgeable in meteorology; and

"(F) 1 of whom shall be knowledgeable in nuclear physics.

"(2) No present or past employee of the Department of Energy may serve as a member of the Review Commission.

"(3) The members of the Review Commission shall receive a per diem compensation for each day spent in meetings or other work of the Review Commission, and shall be compensated for their necessary travel and other expenses while engaged in the work of the Review Commission.

"(4) 4 members shall constitute a quorum of the Review Commission.

"(5) The Review Commission shall designate 1 of its members as chairperson, who shall serve in such capacity through the remainder of the term of such member.

"(6) The Review Commission shall meet at the call of its chairperson or a majority of its members.

"(d) STAFF.—(1) Subject to such rules as may be prescribed by the Review Commission, and without regard to section 5311(b) of title 5, United States Code, the Review Commission may appoint and fix the pay of such personnel as it considers appropriate.

"(2) The staff of the Review Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

"(3) Subject to such rule as may be prescribed by the Review Commission, the Review Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

"(4) Upon request of the Review Commission, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of such agency to the Review Commission to assist the Review Commission in carrying out its duties under this section.

"(e) POWERS.—(1) The Review Commission may, for the purpose of carrying out this section, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Review Commission considers appropriate. The Review Commission may administer oaths or affirmations to witnesses appearing before it.

"(2) Any member or agent of the Review Commission may, if so authorized by the Review Commission, take any action the Review Commission is authorized to take in this section.

"(3) The Review Commission may secure directly from the Department of Energy, or from any other Federal agency, information necessary to enable it to carry out this section. Upon request of the chairperson of the Review Commission, the Secretary, or the head of such other agency, shall furnish such information to the Review Commission.

"(4) The Review Commission may accept, use, and dispose of gifts or donations or services of property.

"(5) The Review Commission may use the United States mails in the same manner and under the same conditions as other Federal agencies.

"(6) The Administrator of General Services shall provide to the Review Commission on a reimbursable basis such administrative support services as the Review Commission may request.

"(f) REPORT.—The Review Commission shall prepare and submit to the Congress, by not later than January 31, 1999, a report setting forth the findings of the Review Commission as a result of its activities under subsection (b). Such report shall include any recommendations of the Review Commission for legislation or agency action

relating to the matters considered by the Review Commission under such subsection.

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for expenditure from amounts in the Waste Fund such sums as may be necessary to carry out the provisions of this section.

"(h) TERMINATION.—The Review Commission shall terminate upon the submission of its report under subsection (f).".

(b) CONFORMING AMENDMENTS.—

(1) Section 1 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 prec.) is amended by inserting after the item relating to section 306 in the table of contents the following new item:

"Sec. 307. Nuclear Waste Repository Review Commission.".

(2) Section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101) is amended—

(A) by redesignating paragraphs (20) through (29) as paragraphs (21) through (30); and

(B) by inserting after paragraph (19) the following new paragraph:

"(20) The term 'Review Commission' means the Nuclear Waste Repository Review Commission established in section 307.".

SEC. 7. REVISION OF MISSION PLAN.

Section 301 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10221) is amended by adding at the end thereof the following new subsection:

"(c) REVISION OF MISSION PLAN.—The Secretary shall make such revisions in the mission plan as may be necessary to carry out the amendments made to this Act by the Nuclear Waste Policy Reform Amendments Act of 1986. In making such revisions, the Secretary shall comply with the procedures established in subsection (b), except that—

"(1) the draft of the revisions shall be submitted in accordance with subsection (b)(1) not later than 6 months after the date of the enactment of the Nuclear Waste Policy Reform Amendments Act of 1986; and

"(2) the revisions shall be submitted in accordance with subsection (b)(3) not later than 8 months after the date of the enactment of the Nuclear Waste Policy Reform Amendments Act of 1986.".●

● Mr. RUDMAN. Mr. President, I rise today to join with my colleagues Senator MITCHELL, Senator PROXMIRE, and Senator HUMPHREY in support of legislation which would amend Public Law 97-425, the Nuclear Waste Policy Act of 1982.

The act instructed the Department of Energy to develop guidelines and an agenda by which the Federal Government would study, select, construct, and operate a high level nuclear waste repository that will safely hold radioactive waste for 10,000 years or more.

Congress deliberated for 5 years on this critical issue before passage of the Nuclear Waste Policy Act. The law authorized the Department of Energy to build a first repository site in either salt basalt or tuff medium with a capacity for holding up to 70,000 metric tons of radioactive waste. While the law instructs DOE to recommend a second repository to be located in crystalline rock, Congress did not authorize the construction of a second repository site.

The bill I have cosponsored today would require DOE to proceed with the selection of one repository site, removes the 70,000-metric-ton cap on the first repository sites storage capacity, and prohibits DOE from considering a second unauthorized repository site. In addition, the current law requires the Federal Government to take title to all commercial spent fuel by 1998. If the DOE is unable to meet the 1998 operational deadline for the first repository site, all DOE activity under the Nuclear Waste Policy Act would stop until an independent scientific commission reviewed available options for the safe permanent disposal of high level waste.

In 1982 the Department of Energy projected that the accumulated amount of spent fuel from commercial nuclear powerplants would total 146,000 metric tons by the year 2020. DOE's latest estimate, included in the December 1985 document, "Spent Fuel and Radioactive Waste Inventories, Projections, and Characteristics," concludes that the amount of commercial spent fuel would be 126,000 metric tons by the year 2020. We can already see a substantial reduction in the estimated amount of nuclear waste to be generated in the next 35 years.

I believe we will see lower projections in the years to come for several reasons. First, it seems highly unlikely that new commercial nuclear powerplants will be ordered in this century due to their expense and the availability of other energy resources. In 1985, 16 percent of electricity used in the United States was generated by nuclear powerplants. Second, utilities are extending the use of their fuel rods, thus producing less spent fuel. Current law limits the first repository's storage capacity to 70,000 metric tons. I believe technology can be developed to safely store an increased capacity in one repository with an increased capacity, while saving billions of tax dollars.

The future will demonstrate no need for construction of a second repository site. However, while our waste projections are declining, DOE expense for the repository program is escalating dramatically. The current projected costs for developing two repositories is approximately $26.7 billion, up 36 percent from the July 1983, cost estimate of $19.6 billion.

DOE's schedule for the crystalline project, the siting of a second repository in granite, would cost in the range of $500 million to $1 billion for each of 5 sites DOE will characterize in detail between the years 1991-95. Before five sites are selected, DOE will spend up to $1 million on each of the 12 sites DOE is considering as potential candidates. It is quite illogical for billions of taxpayers' dollars to be invested in the analysis of a second repository site when current data demonstrates that one repository may be sufficient to hold all of the Nation's nuclear waste projected at this time.

Mr. Chairman, I have serious doubts about DOE's interpretation and implementation of the Nuclear Waste Policy Act. I believe DOE has deprived the State of New Hampshire of a meaningful role in the siting process, and has acted contrary to congressional intent as expressed in the Nuclear Waste Policy Act. DOE's arbitrary decision to choose 12 potentially acceptable sites for a second repository site when by its own analysis the top 9 sites are clearly superior to the next 3 is an abuse of the agency discretion. We are all very aware that the act required that the Federal Government consult with affected States during the siting process. This requirement is supported by a rich legislative history which make it abundantly clear that Congress intended that the opportunity for public and State participation in the siting process must be meaningful, not merely theoretical. Because DOE has failed to properly consider many important factors in evaluating the acceptability of a second repository site, the agency has cast doubt on the credibility of the entire site selection process.

The only way DOE can restore public confidence in this process is for Congress to swiftly put a halt to the waste of millions of tax dollars in siting a second repository. We should instruct DOE to focus its energy and personnel on one repository site, expand the capacity of that site, and have an independent scientific commission evaluate DOE's implementation of the guidelines set forth under the Nuclear Waste Policy Act.

This legislation is not intended to remove one State from the selection process. It is to get the DOE program back on track and within the intent of Congress. We must be fiscally prudent and careful to ensure the public's confidence with DOE's repository program. I believe it is in the best interest of the American public to revisit this issue to ensure the safest and most cost-effective disposal of our Nation's high level radioactive waste.●

● Mr. HUMPHREY. Mr. President, I am pleased to join Senator MITCHELL and others in the introduction of legislation that would make important amendments to the Nuclear Waste Policy Act of 1982.

The Nuclear Waste Policy Act authorized the construction of one geologic repository for the disposal of nuclear waste to be built in this country as well as the study and activities leading up to construction for a second repository. Actual construction of a second repository, however, is not authorized under present law. At present, five sites in the West and South are under consideration for lo-

cations of the first repository. Twelve sites in seven Northeastern and North Central States with crystalline rock formations are under consideration for the location of the second repository.

The purpose of the Nuclear Waste Policy Act was to provide a permanent solution to a longstanding and unresolved policy dilemma: What to do with ever-growing inventories of high level nuclear waste. Inventories of waste were, as they are today, scattered at all of the Nation's operating nuclear reactors, and they promised to grow as existing facilities continued to operate and as more facilities came on line. But several important parts of that picture have changed, and they have changed to such an extent that I believe we need to reevaluate fundamentally where we are going with this program.

First, the scope of the problem of nuclear waste has changed. In March 1982, shortly before the full Senate considered the Nuclear Waste Policy Act, utilities were planning to construct 159 nuclear reactors. Since then, 32 of those reactors have been cancelled. In 1982, it was thought that by the year 2000 there would be 56,000 metric tons of spent fuel. Today, the estimate is considerably lower, 41,600 metric tons. Overall, it was estimated in 1982 that there would be an inventory of 140,000 metric tons to be emplaced in the repositories. Today, that figure is considerably smaller. Indeed, a recent Department of Energy estimate put the figure as low as 87,449 metric tons. Further, improvements in fuel-burning technologies, such as extended burn, the improvement of fuel storage capabilities, and the likelihood that no additional nuclear generating capacity will come on line before the end of the century, suggest that we will have less and not more nuclear waste in the coming years than was originally anticipated.

Second, the process of selecting a repository is both timely and enormously expensive. The Department of Energy has missed every major milestone date in the repository program, and now the Department is more than 4 years behind schedule. And, latest estimates by the Department of Energy indicate that constructing the first repository alone will cost between $6 and $11.3 billion. It was less than 4 years ago that the Department of Energy estimated that the total cost of siting and constructing the first repository would be between $3 and $3.4 billion. At that time, CBO said:

> It is not unusual for major government capital projects—defense systems, dams, rail systems, space programs, etc.—to cost substantially more than originally estimated, due to delays, overruns, changes in specifications, higher than anticipated inflation and other factors.

Indeed, cost estimates for what would become the Nation's single largest public works project have increased substantially over the years. In July 1983, the total cost of constructing both repositories was estimated to be $19.6 billion. Last year, DOE estimated that figure to be $28.3 billion. Now, the same estimate is $33.4 billion.

Do we have to spend this much money? Why, after having spent more than $10 billion, will the Department of Energy turn around and spend at least as much, and probably more, again? It is because the existing statute mandates the construction of two repositories. Specifically, section 114 of the act, sets an overall limit of 70,000 metric tons on the amount of nuclear waste that can be emplaced in the first repository. This is not a figure based on any technical or scientific information. In fact, the Department of Energy admits that there is no technical reason prohibiting the design and construction of the first repository large enough to accommodate waste volumes of up to 140,000 metric tons.

If the construction of a second repository makes little fiscal or technical sense, are there any other goals which would be served by having one rather than two facilities? It seems unlikely. Will protection of the public's health and safety be enhanced with the construction of one rather than two repositories? Will there be greater protection of the natural environment?

The answers are "No." It is time to stop the wasteful and senseless pursuit of a repository which we do not need, and cannot afford. This legislation proposes to do just that. In addition to lifting the overall cap of 70,000 metric tons, the bill will suspend all activities relating to the second repository program. In addition, the bill proposes to establish a commission to report to the Congress on the Deep Geological Disposal Program and the alternatives available.

Mr. President, I am pleased to join in support of this legislation. I am hopeful that the important changes to the Nuclear Waste Policy Act proposed in the legislation will receive thorough and expeditious consideration in the Senate.●

● Mr. DURENBERGER. Mr. President, I join with my good friend and colleague, Senator MITCHELL, in introducing this legislation to amend the Nuclear Waste Policy Act.

In passing the Nuclear Waste Policy Act of 1982 it was Congress' intent to dispose of high level nuclear waste in a manner which assures public health and safety for many generations to come. The Nuclear Waste Policy Act authorizes the selection and construction of one disposal site, but requires that the Department of Energy study and select a second site, whether or not the second site will be needed. Congress then must approve the site and authorize construction funds.

The Nuclear Waste Policy Act required that at least three of the potential sites for the second repository not be included in the selection process for the first repository. And that they come from a different geological formation. Since the rock formations being considered for the first site were basalt, volcanic tuff and different salt formations, the Department established the Crystalline Rock Program.

In January the Department of Energy announced the selection of 20 areas from the Crystalline Rock Program to be advanced to the next stage of the siting process for the second high level waste repository. We in Minnesota were astounded to learn that we had eight areas under consideration as potentially acceptable sites.

In determining that Minnesota's crystalline rock formations were suitable for long-term storage of nuclear waste, the Department failed to take into account the vast quantities of water resources which make Minnesota the land of 10,000 lakes.

Minnesota's water resources are of national and international significance. It is the source of three major continental drainage basins and contains the headwaters of the Mississippi River, the Great Lakes, and the Red River which flows through Canada to Hudson's Bay. Not only does Minnesota contain great amounts of surface water in its 15,000 lakes and 90,000 miles of rivers, but it enjoys plentiful and clean ground water Minnesotans depend on for domestic, agricultural, and commercial use.

Not only do I have great difficulty believing that Minnesota is a suitable location but I am very doubtful as to whether or not the Department is capable of developing technology which will protect, beyond the shadow of a doubt, Minnesota's water resources.

The Department's January announcement has caused a great deal of anxiety among Minnesotans and at eight area hearings they have appeared in the thousands to let the Department know that they are overwhelmingly opposed to a nuclear waste site in Minnesota.

Yesterday I received drawings from schoolchildren in Crookston, MN. These drawings revealed a group of children who are terrified of a nuclear waste future. Fear of this type and the anxiety felt by all may be unnecessary since the need for a second site is questionable. And now is the time to stop it.

There has never been a clear need for two repositories because the projected amounts of waste could be accommodated in a single repository. Annual estimates of the spent fuel generation through the year 2020 show a sharp decline since the passage

of the Nuclear Waste Policy Act in 1982. If a second repository is unnecessary, expenditures on the second repository siting program are wasteful. Funding for the second repository is at a watershed—it will more than double with the initiation of field investigations in 1987—and cost estimates are in the billion dollar range. If we do not need a second one, now is the time to bring it to a halt.

That is why the legislation being introduced today is so important. It would terminate the second repository program, remove the volume limitation on the first repository, limit the geological medium of the repository and impose a 1-year moratorium on high level waste disposal if DOE does not meet its 1998 disposal deadline to allow an independent scientific commission to review the whole nuclear waste program.

Mr. President, we do not need a second nuclear waste repository. I urge my colleagues to support this effort and save billions of rare Federal tax dollars.●

By Mr. ROTH:

S. 2355. A bill to amend title 10, United States Code, to require operational testing and evaluation before low-rate initial production, and for other purposes; to the Committee on Armed Services.

OPERATIONAL TESTING OF MAJOR WEAPONS SYSTEMS

● Mr. ROTH. Mr. President, today I am introducing a bill to require operational testing of major weapons systems before they can be considered for production and to expand the role of the independent Office of Test and Evaluation [OT&E].

Mr. President, my bill will not allow the Department of Defense [DOD] to begin low-rate initial production of a major weapons system until the Director of Operational Test and Evaluation has submitted to the Secretary of Defense and Congress an analysis of the results of operational test and evaluation on the weapon.

Mr. President, the independent Office of Test and Evaluation [OT&E] was created by law in 1983. One significant reason for the creation of the office was to guarantee better quality control and safety in the weapons issued to American troops. Then, and still true today, the purpose of operational testing is to make certain that weapons systems do what they were intended to do. It is not only important that they operate effectively under combat conditions, but it is also critically important that they can be operated and maintained by the typical GI. After all, the bottom line is the protection and assurance to our GI's in the field that they have weapons that are operational.

Mr. President, this bill would strengthen the OT&E by requiring their review of operational test and evaluation results on weapon systems before the decision on the weapon's production. Current law states that a final decision within the Department of Defense to proceed with a major defense acquisition program beyond low-rate initial production may not be made until the Director of OT&E submits to the Defense Secretary and Congress a report with the Director's analysis of the Operational Test and Evaluation results.

This bill would leave that requirement intact and further require the Director of OT&E to analyze operational tests and evaluations on weapons, key components, equipment, or munitions before their consideration for production in order to decide whether the test and evaluation results substantially justify and determination that production items or components will be effective and suitable in the field. What could be the most important part of the bill is the requirement that the Director's report be submitted to the appropriate congressional committees.

Mr. President, the President's blue ribbon Commission on Defense Management, otherwise known as the Packard Commission, issued their report on the defense acquisition process. Part of the report analyzed successful programs to identify what the report explained to be "management features that they had in common and that could be incorporated in the defense acquisition system."

One management feature identified was prototyping and testing. The Commission's report had this to say about prototyping and testing:

> Prototyping and testing. In commercial programs, a system (or critical subsystem) involving unproven technology is realized in prototype hardware and tested under simulated operational conditions before final design approval or authorization for production. In many cases, a program manager establishes a "red team", or devil's advocate, within the program office to seek out pitfalls—particularly those that might arise from operational problems, or from an unexpected response by a competitor. Prototyping, early operational testing, and red teaming are used in concert for the timely identification and correction of problems unforeseen at a program's start.

Mr. President, I believe we can take a page from commercial practice and make significant progress to end the "buy it now, fix it later" approach to weapons purchases. It is my hope that this bill will lead to greater use of production representative prototypes for operational testing. It is critical to uncover the high risks in weapons systems before production, particularly when the weapons involve state-of-the art hardware.

If operational testing if found important on systems or subsystems in the commercial sector, it certainly should be important for weapons on which lives of soldiers depend.

Mr. President, let me emphasize again that this legislation is designed to improve and ensure the reliability of the operational testing conducted on weapons systems and other highly technical military hardware before production. Such tests are designed to determine exactly how well a given system would perform in actual combat, usually by testing the system in simulated but realistic combat conditions. Other tests are conducted on the system to determine whether it meets the specifications and tolerances it was designed to meet and are called developmental tests. Together, developmental and operational tests, done separately, correctly and thoroughly, can tell the Defense Department and the Congress whether or not what we plan to buy will work as advertised, both in battle and as measured by the specifications it was designed to meet.

Developmental tests are begun from the very moment a system is conceived. They are used to help define the concept of a weapons system and they establish how the weapon will have to be designed to meet the board specifications set for it when it was initially approved for development. Engineering tests are conducted to determine what materials and system configurations will need to be built to ensure that a weapons system will satisfy its design requirements. At some point in the development process, a complete prototype is usually built and tested.

Mr. President, accurate and realistic operational tests are crucial to the ultimate success of a weapons program. In most cases, these tests are conducted too late in the process of acquiring the weapon. Operational tests are not done in time to determine whether to build a weapon and, consequently, many concepts for new weapons are approved before it is actually determined whether a proposed system could realistically work on the battlefield as well as it works on paper. Unfortunately, paper cannot stop bullets and a weapon which passes the grade as an idea may never be able to meet the true test in actual use.

This lack of adequate forethought with respect to operational testing is aggravated by pressure from defense contractors, project managers, and service chiefs to push ahead with a new program. Decisions are often made years in advance by Pentagon planners on what weapons system they want to have in their arsenal. The pressure on the program manager to ensure that a particular weapon is developed and built to fill the niche left for it is so intense that making sure a weapon works may lose out to making sure it is built.

Such pressure not only affects the effectiveness of weapons systems, it also affects their costs. It is much more efficient to build it right the first time than it is to build it any way you can and be forced to come back later to fix up your mistakes. Effective operational tests can indicate whether it is realistic to expect a new weapon to be capable of performing in a certain way under battlefield conditions and can indicate where changes should be made before the concrete has set. The efficiency which results from effective operational tests can save taxpayer dollars from being spent on costly, unnecessary repairs.

Mr. Chairman, the General Accounting Office [GAO] recently issued a report I requested on the Army's highly mobile multipurpose wheeled vehicle [HMMWV]. Their report and findings show that the HMMWV is a good example how ineffective operational testing is costing the vehicle important reliability and could cost the taxpayer millions of dollars in cost overruns.

The GAO findings revealed several problems with the vehicle, including:

The vehicles are too heavy to be airlifted by helicopter in certain environmental conditions.

While the HMMWV has met the Army requirement to run on two flat tires for 30 miles, the metal device which enables the tires to run flat shortens the life of the tire. As a result, it is necessary to change a tire an average of about every 3,600 miles.

The weapons carrier version of the HMMWV is equipped with a gun turret which did not fully rotate consistently in the 1984 tests. After some modification by the contractor and a retesting in May 1985, the turret still did not work properly. The Army has decided to field the vehicle despite the problem.

Mr. President, there are numerous cases in which ineffective operational testing has cost weapons important reliability and millions of taxpayer dollars in cost overruns to fix weapons after their production. It is time to put an end to this costliness.

Mr. President, I would ask unanimous consent to insert for the RECORD at this point a letter I received from Hon. John E. Krings, Director of OT&E, that refers specifically to the matters I just mentioned.

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

OFFICE OF THE SECRETARY OF DEFENSE,
Washington, DC, April 14, 1986.

Hon. WILLIAM V. ROTH, Jr.,
Chairman, Committee on Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I have recently met with Secretary Weinberger and David Packard to identify the role of test and evaluation in DoD reorganization efforts. Secretary Weinberger, Mr. Packard, and I strongly support continued independence in T&E reporting as currently embodied in the provision of law which established this office and which you worked as hard and effectively to enact.

Recent DoD directives and Packard Commission recommendations specify mission performance, operational effectiveness, and operational suitability as the basis for procurement decisions. These directives and recommendations further specify that operational testing begin early in advanced development and continue through full-scale development. They strongly endorse your efforts in this critical area.

Although most think it best to complete developmental testing first and then conduct operational testing on more mature items, this is not always possible or desirable in rapidly advancing technology areas. In such cases, combined developmental and operational testing—"independent procurement testing"—must be conducted. Moreover, to insure candid, independent reporting as well as adequate planning for meaningful, challenging testing focused on the true goal of operational effectiveness and suitability, I believe responsibility for oversight of all such test and evaluation should be placed under the only legislatively established independent OSD test and evaluation oversight organization, DOT&E.

I respectfully urge you to make every effort to insure that DOT&E's critical independency is maintained and give consideration to extending the office's purview to all combined test and evaluation planned, executed, and reported in support of procurement decisions.

I am enclosing a short paper I have written on streamlined independent test and evaluation, a recent memo of mine to Dave Packard regarding his commission's recommendations on the DoD acquisition system, and a letter I sent to Senator Goldwater concerning the importance of maintaining DOT&E's independency. Together they make a package elaborating the issues I have summarized here. I hope you find them informative and useful.

Sincerely,

JOHN E. KRINGS, *Director.*

STREAMLINED INDEPENDENT TEST & EVALUATION—STREAMLINED ACQUISITION REQUIRES STREAMLINED INDEPENDENT TEST & EVALUATION

TRADITIONAL TESTING

Traditional phased testing, where dedicated, single-purpose, serial, phased acquisition activity is scheduled, allows clearly delineated test and evaluation responsibility. This approach dictates that developmental testing is completed prior to operational testing and that operational testing is done in isolation with a mature, fieldable production article in a near-real-world realistic field environment. The result of this OT is a pass/fail grade leading to full-rate production or program termination.

STREAMLINED TESTING

The decision to fund long-lead efforts for full-rate production expresses a commitment to enter a full-rate production contract. In concurrent programs, where operational testing is combined with developmental testing and operational effectiveness is required, the operational tester must have the dominant role in the evaluation process.

Streamlined testing is necessary to support streamlined acquisition. Independence must be present throughout the entire process. To insure discipline in the current direction of acquistion, and to facilitate consolidated testing to candidly answer both technical compliance and operational effectiveness questions, a single independent organization must be responsible for all T&E policy and oversight. I propose an independent Executive for Test and Evaluation having responsibility for all acquisition-decision T&E. The current legally prescribed independence of DOT&E creates the necessary atmosphere and basis for this role. All interested parties—Congress, SecDef, Service Secretaries, Acquisition Executive—would thus have an independent evaluation of all acquisition-decision test results.

A note of caution; the acquisition-decision T&E must in no way interfere with the freedom of the engineering development community. Both contractor and government developers must be free to test the progress and success of their efforts, separate from the acquisition-decision T&E observed or accomplished by the government. Engineering development and test must be vigorously protected. This iterative process, usually dominated by the contractor-engineering side of the development team, must be given the time and freedom necessary to accomplish its difficult task. Acquisition-decision T&E (technical or operational) monitored or performed by the government must be done in a manner that will not adversely interrupt, delay or prejudge the engineering process.

Technical progress and achievement is measurable by either the contractor or the government. It is verifiable by the government. Operational effectiveness is only measurable by the government user/tester and is the singular final acquisition-decision output of the T&E process. Current trends toward contractor assumption of risk during development are very positive. Engineering development and the iterative process of engineering testing should be carried out by the contractor whenever possible. Of course, the government must monitor this activity closely to insure the product will meet the operational requirements through both specification compliance and operational effectiveness.

Contractor organizations have always had separate independent testing organizations. Engineering is separate from and balanced by independent testing. Production is separate from and balanced by independent quality assurance. The Acquisition Executive should be separated from and balanced by an equivalent independent Testing Executive.

Now is the time. Concurrency is proliferating. Congress is moving forward with DoD reorganization proposals that, with the impetus of the Packard Commission report, will certainly be enacted in some form. This is an ideal opportunity to create the independent, combined T&E authority needed to balance sound acquisition decision-making.

Coordination of test resources, support and facilities would be consolidated and multi-use would be a primary consideration in future test investments. The expressed congressional, Packard Commission, and DoD goal of operational test enhancement so vitally necessary would now be possible. Enough testing is the goal. Duplication of effort and investment in testing activity and facilities would be reduced. The DoD T&E investment and overhead is gigantic. These valuable assets and capabilities in and out of the government could be optimized to productively support the goal of making the earliest most confident decision based on an independent evaluation of meaningful tests.

Significant opportunities are available to reduce cost while improving the quality of the answers. My lifetime of involvement to government and industry weapon system testing makes me confident these efficiencies can be achieved.—John E. Krings.

Mr. ROTH. Mr. President, this bill would also redefine the meaning of operational test and evaluation in an effort to expand the role of the independent Office of Test and Evaluation [OT&E].

There are very few word changes to the original definition, Mr. President, but the redefinition would give OT&E additional roles that I believe are very important to the office's successful operation.

The first change in the definition would allow OT&E to play a role in a weapon's acquisition beginning with the concept exploration phase where justification is provided for initiating development of a new weapon system. In many cases, it is important to involve OT&E at the beginning of a weapon's acquisition because this is where a program management office establishes, among other things, the technical specifications and economic basis for the proposed weapon and develops a statement of the objectives, responsibilities, resources, and schedule for all test and evaluation efforts.

Having OT&E involved in the early acquisition stages of a weapon can provide the office with invaluable experience and data when it comes time to conduct separate operational tests on the weapon before the weapon is considered for production, and when it comes time for operational tests after low-rate initial production of a weapon.

Another change in the definition would expand operational tests to military equipment not just used by military but by civilian operators.

Diagnostic equipment, support equipment, simulators, and trainers, and other military equipment are in some cases used today solely by civilians. This equipment should not be excluded from operational tests and this redefinition allows OT&E to analyze operational tests and evaluations on these types of equipment in order to assess their suitability and effectiveness for combat use and other use.

Mr. President, I urge my colleagues to support this bill that could greatly improve the reliability and quality control of U.S. weapons before the weapons are built, and enhance the important role of OT&E.●

By Mr. ROCKEFELLER (for himself and Mr. BYRD):

S. 2356. A bill to offset the competitive advantage which foreign coal producers have as a result of not having to meet environmental, health, welfare, and safety requirements of the kinds imposed on U.S. coal producers, and for other purposes; to the Committee on Finance.

COAL TRADE EQUALIZATION ACT

Mr. ROCKEFELLER. Mr. President, today I am introducing, along with the distinguished senior Senator from West Virginia, a bill that would establish a national policy on coal imports. Although it contains a few minor modifications, this bill is a Senate companion to H.R. 1905, the Coal Trade Equalization Act, as reported by the House Interior and Insular Affairs Committee. I commend the House Interior Committee for exercising their foresight in this proposal and I congratulate Mr. RAHALL from West Virginia for his fine work in moving it through the committee.

Mr. President, over the last 2 years the perspective on coal imports has drastically changed. The combination of an intensely competitive marketplace and a new source of coal in this hemisphere has caused serious concern about coal imports into the United States. Two Government studies have concluded that coal imports will continue to grow and electric utilities have shown increasing interest in foreign supplies.

Now is the time to stop imported coal dead in its tracks, not 10 years from now, not 20 years from now. We must all learn from our recent history in other industries and rally the political forces to recognize this problem for the potential threat that it is.

Thirty years ago, when imports of steel amounted to a mere 1 percent of the market, I am sure that few saw the coming onslaught. Today, with steel imports running about 25 percent in the U.S. market, most people in the steel industry are still looking for the truck that hit them. The impact on the domestic steel economy and the States that produce steel has been devastating, and the ripple effects on the coal industry have hit more like a tidal wave.

Coal imports won't ever reach 25 percent, or even 10 percent. But at levels that other industries might call insignificant, the domestic coal industry could be badly hurt. In today's intensely competitive coal market, the line between profitability and bankruptcy is razor thin; and for the coal miner the difference between jobs and the unemployment lines could be a contract with a utility tempted by cheap foreign coal.

Mr. President, some of the most promising new and expanding markets for West Virginia and Appalachian coal, and markets we badly need to capture—Florida, the Gulf Coast, and areas up and down the East Coast—are those targeted for foreign coal. Jacksonville Electric and Florida Power, New England Electric, even Virginia Power in the heart of coal country, either have test burned or have written contracts for foreign coal.

It is almost inconceivable that the United States, possessing fully 25 percent of the world's coal reserves, would consider importing coal. It is absolutely appalling that the greatest threat would come from a mine operation run by America's largest corporation. In search of profits, Exxon abandoned its commitment to American coal miners at their Wayne County, WV mine in 1983 and went south to Colombia to produce coal of virtually identical quality.

Mr. President, I doubt that any legislation can completely stop coal imports. But I do think we have to send a strong and clear message—that we will not allow the foundation underlying America's most abundant natural resource to be shaken. I have already cosponsored with Senator FORD from Kentucky a bill that would deny future Federal coal leases to any company that develops foreign coal for import into the United States. Today I am introducing the Coal Trade Equalization Act, to impose an $8 per ton duty on imported coal.

Mr. President, as we all know, there are many problems that beset the coal industry—excessive rail rates, considerable regulatory pressures, a hostile political environment and much, much more. The coal industry in West Virginia and throughout Appalachia has been under intense competitive pressures. And the industry is responding, adjusting, and modernizing. The improvement in labor-management relations in the coal fields has been nothing short of remarkable. There has been extensive mechanization of the mines—at great cost and loss of jobs—because it was necessary to compete. Everybody involved in the coal industry is doing their share to meet the challenge.

Mr. President, in my view, coal imports are primarily a symptom of excessive railroad rates which have already hurt our coal export business. Now the situation has lead our domestic utilities to consider imports of sizeable quantities of foreign coal. Congress must amend the Staggers Rail Act to bring coal shipping rates down and make Appalachian coal again competitive. I have been working hard in the Senate Commerce Committee toward that end, and I know the chairman has done the same on this side.

Coal imports were at 1.2 million tons in 1984 and rose to 2 million tons in 1985. The Energy Information Administration predicts they might rise to 5 million tons; the Commerce Department has said they might be as high as 17 million tons. With all due respect to some of the experts, we must continue to press forward with our concern on this issue and not be lulled to sleep by one snap-shot statistical prediction of imports. Producers of foreign coal have unmistakably targeted some of our coal markets. We cannot be indecisive for very long, allowing

our coal industry to sit in the crosshairs—we must react now.

Mr. President, this legislation would accomplish this task and I commend it to my colleagues for consideration. The coal industry in the United States is absolutely vital to our country, to our industrial infrastructure and to our electric utility industry. We cannot allow the threat of foreign coal to undermine our ability to produce this vital national resource.

Mr. BYRD, Mr. President, last year the Congress enacted amendments to the Energy Policy and Conservation Act. They included a provision which I authored directing the Energy Information Administration to conduct an analysis of the potential markets for foreign coal in the United States. The EIA was directed to report its findings to the Congress.

That report has been completed, and it indicates that by 1995, foreign coal imports into the United States could more than double from the current level of about 2 million tons per year to at least 4.8 million tons per year, and, if world demand for coal is low, could be as high as 7.7 million tons. The report also indicates that coal from Colombia will dominate U.S. coal imports. For example, if U.S. coal imports in 1995 are 4.8 million tons, Colombia will supply 2.9 million tons, 60 percent of total imports. If coal imports reach 7.7 million tons, Colombian coal will account for 5.8 million tons, over 75 percent of the total.

Even more disturbing, last year the International Trade Administration of the Department of Commerce estimated that the potential market for imported coal could be as high as 17.7 million tons by 1990. This is significantly higher than the EIA estimate, and I am inclined to view the EIA estimates as the lower boundary for U.S. imporr. President, the domestic coal industry is facing double trouble. Not only have falling oil prices cast a cloud of uncertainty over the future for domestic coal use, but increased competition from other coal-producing nations for world coal markets in Western Europe and the Pacific rim, and the restructuring of the world steel industry, also have cast a cloud of doubt over the future of U.S. coal exports.

One effect of such market conditions is to burden the American coal industry with about 100 million tons of unused production capacity. Foreign coal imports will add to these burdens by displacing U.S. coal in domestic markets. The displacement of domestic coal by foreign imports will cost the jobs of coal miners, and will have a negative impact on the economies of communities which depend upon coal production for their livelihood. This would only add to the current economic burdens of many coal-producing States, such as my State of West Virginia.

The legislation which is being introduced today by Senator ROCKEFELLER, my distinguished colleague from West Virginia, represents a major step forward in preventing the slide of Appalachian coal-producing States such as West Virginia into further economic decline as the result of foreign coal imports, particularly coal from Colombia.

I believe that we must act now to stem the tide of coal imports before they reach a level which causes greater economic damage to Appalachian coal-producing States in the future. Therefore, Mr. President, I am pleased to join my distinguished colleague as a cosponsor of this legislation.

By Mr. BUMPERS (for himself and Mr. PRYOR):

S. 2357. A bill to direct the Secretary of the Army to lease certain lands at Fort Chaffee, AR, to the city of Barling for use by the city for the construction of a waste treatment facility; to the Committee on Armed Services.

LEASE OF CERTAIN LANDS AT FORT CHAFFEE, AR

● Mr. BUMPERS. Mr. President, I am introducing today a bill along with my distinguished colleague from Arkansas, Senator DAVID PRYOR, to require the U.S. Army to lease a portion of land on Fort Chaffee, AR to the city of Barling, AR. This legislation is absolutely necessary for the city of Barling to construct and operate a long-awaited waste treatment facility, and I see no reason at this time for the Army to refuse this lease.

The facts in this case are simple. The city of Barling, population 3,761, is completely surrounded by Fort Chaffee, the city of Fort Smith and U.S. Corps of Engineers land along the Arkansas River. The corps land is unsuitable for the stated purpose, and the necessary size of parcel, soil composition, elevation, and many other Environmental Protection Agency and local health department requirements make it impossible to construct a waste treatment facility inside the corporate limits of Barling or Fort Smith. All other possibilities have been exhausted, so there is no other place for Barling to construct such a facility except on Fort Chaffee land. The Army is reluctant to lease the land, and thus I am introducing this legislation to require them to do so.

Barling does not want something for nothing. They have offered to pay the going rate—$1,600 per year for 320 acres. I have investigated this matter throughly, and I fail to see why the military is unwilling to negotiate this lease voluntarily. There is no military necessity that would prevent this land from being leased. I understand that the land is presently leased for grazing on a short-term basis. The lease called for in my bill would last 55 years, and would cover the northeast quarter and the northwest quarter of section 34, township 8 north, range 31 west. The city does not expect title or mineral rights to the land, nor do they expect to have exclusive use. Also necessary is a 40-foot-wide strip of land from the above described 320 acres to allow an outfall easement from the northern line of the leased tract to the Arkansas River. The bill allows the Army to charge the city up to $1,600 per year.

I would prefer to have this problem worked out voluntarily, but the Army without sufficient justification in my judgement, has refused. The city of Barling has no other alternatives for a waste treatment facility. Mr. President, I urge the adoption of this legislation at the first possible opportunity.●

By Mr. RIEGLE:

S.J. Res. 328. Joint resolution to designate the week beginning May 4, 1986, as "National Correctional Officers Week"; to the Committee on the Judiciary.

NATIONAL CORRECTIONAL OFFICERS WEEK

● Mr. RIEGLE. Mr. President, today I am introducing a joint resolution to designate the week beginning May 4, 1986, as "National Correctional Officers Week." My colleague, Mr. FAZIO, has introduced identical legislation in the House of Representatives.

This joint resolution is identical to legislation I introduced last year which was enacted by Congress. This commemorative week serves to honor our correctional officers around the country for their tireless commitment of staffing the Nation's correctional facilities.

Our Nation's correctional officers work under highly stressful conditions, where exposure to risky or dangerous situations is a daily part of their jobs. Presently, these officers are responsible for the safety and welfare of over 600,000 inmates in the country, and are also integral to the protection of surrounding communities. Since we sometimes overlook the contribution our correctional officers make to help maintain an orderly society, I feel strongly that National Correctional Officers Week is a way to show our support and appreciation for these dedicated men and women. I urge my colleagues to support this legislation.●

By Mr. BIDEN (for himself and Mr. ROTH):

S.J. Res. 329. Joint resolution to designate the period of December 1, 1986, through December 7, 1986, as "National Aplastic Anemia Awareness Week"; to the Committee on the Judiciary.

NATIONAL APLASTIC ANEMIA AWARENESS WEEK

● Mr. BIDEN. Mr. President, public education plays a vital role in raising awareness on important health and disease findings which affect the American public. Aplastic anemia is a case in point—it is a medical emergen-

cy and the public should know about it.

Aplastic anemia has been termed the "orphan disease" although it fatally strikes more than over 2,000 people yearly. It has no known cure and its cause is uncertain. Aplastic anemia is a rare disease that results in the inability of bone marrow to produce blood cells. Anemia, infection, and bleeding result when blood cells are reduced to low levels.

In the 1960's there was virtually no hope for victims of aplastic anemia. No therapy existed and patients with severe cases had a life expectancy of no more than several weeks or months.

However, the 1970's brought hope with the introduction of bone-marrow transplantation which was successful only in young patients—under 40 years old. This disease does not discriminate—it affects the young, the old, men and women in any race or socioeconmic status.

The Aplastic Anemia Foundation of America gives this explanation regarding the importance of aplastic anemia:

Aplastic anemia is an important problem in human biology. Most organs grow to their adult size and change very little throughout life. the bone marrow grows throughout life in a carefully regulated way, ordinally producing neither too many cells (as in leukemia) nor too few cells (as in aplastic anemia). Since aplastic anemia is essentially the converse of leukemia, many scientists believe that an understanding of aplastic anemia is essential to an understanding of leukemia.

Public knowledge of aplastic anemia will be of assistance in increasing the understanding of how it is an integral part in the battle against other bone-marrow diseases.

"National Aplastic Anemia Awareness Week" is just a beginning—we still have a long, long way to go in assuring a better awareness of this little-known killer.●

● Mr. ROTH. Mr. President, I rise with my colleague from Delaware, Senator BIDEN, to introduce Senate Joint Resolution 329 which designates the week of December 1-7, 1986, as National Aplastic Anemia Week.

Aplastic anemia is a rare disease of the bone marrow which fatally strikes 2,000 Americans each and every year. It occurs when the bone marrow stops producing blood cells—red cells, white cells, and platelets. We do not know the cause and have only a very limited understanding of the treatment of this dread disease.

Delaware has had some painful experience with aplastic anemia. Eleven-year-old Nicole Cherchio passed away in January 1985, even after receiving a rare bone-marrow transplant—the only known effective treatment for aplastic anemia. Her family and physicians searched literally the world over to find a suitable donor. A donor was eventually found in England. Unfortunately, the transplant was performed too late to save her life. The difficulty in locating a donor illustrates the need to make people aware of the disease.

It is also clear that more research is needed to attack this little-known killer. In the face of budget necessitated reductions in Federal research funding, private contributions must be increased. The Aplastic Anemia Foundation of America tells me its research fundraising efforts are difficult because much of the public has never even heard of aplastic anemia.

Senate Joint Resolution 329 can assist the private, charitable efforts which are required to conquer this tragic disease. Research can then be done, and potential bone-marrow donors can be made aware of the real need that exists. I ask your support of this worthwhile endeavor.●

ADDITIONAL COSPONSORS

S. 100

At the request of Mr. KASTEN, the names of the Senator from North Carolina [Mr. EAST], the Senator from North Carolina [Mr. HELMS], the Senator from Indiana [Mr. LUGAR], the Senator from South Dakota [Mr. ABDNOR], the Senator from South Dakota [Mr. PRESSLER], the Senator from Utah [Mr. GARN], and the Senator from Indiana [Mr. QUAYLE] were added as cosponsors of S. 100, a bill to regulate interstate commerce by providing for a uniform product liability law, and for other purposes.

S. 262

At the request of Mr. BYRD, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of S. 262, a bill to provide for the preservation of the ferroalloy industry in the United States.

S. 524

At the request of Mr. ARMSTRONG, the name of the Senator from Hawaii [Mr. MATSUNAGA] was added as a cosponsor of S. 524, a bill to recognize the organization known as the Retired Enlisted Association, Inc.

S. 1617

At the request of Mr. WALLOP, the name of the Senator from Nevada [Mr. HECHT] was added as a cosponsor of S. 1617, a bill to provide for more effective management of lands of the United States which are subject to conflicting claims or disputes, and to require the Secretary of the Interior to report annually thereon.

S. 1622

At the request of Mr. MELCHER, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 1622, a bill to promote the development of Native American Culture and Art.

S. 1654

At the request of Mr. STEVENS, the name of the Senator from Georgia [Mr. MATTINGLY] was added as a cosponsor of S. 1654, a bill to amend title 18, United States Code, to provide for criminal forfeiture of proceeds derived from espionage activities and rewards for informants providing information leading to arrests in espionage cases.

S. 1900

At the request of Mr. ROTH, the names of the Senator from Minnesota [Mr. BOSCHWITZ] and the Senator from Pennsylvania [Mr. HEINZ] were added as cosponsors of S. 1900, a bill to amend the Foreign Agents Registration Act of 1983 by providing for the 5-year suspension of exemptions provided to an agent of a foreign principal convicted of espionage offenses.

S. 1901

At the request of Mr. ROTH, the names of the Senator from Minnesota [Mr. BOSCHWITZ] and the Senator from Pennsylvania [Mr. HEINZ] were added as cosponsors of S. 1901, a bill to amend the Foreign Missions Act regarding the treatment of certain Communist countries, and for other purposes.

S. 1917

At the request of Mr. BRADLEY, the name of the Senator from Utah [Mr. GARN] was added as a cosponsor of S. 1917, a bill to amend the Foreign Assistance Act of 1961 to provide assistance to promote immunization and oral rehydration, and for other purposes.

S. 1937

At the request of Mr. STEVENS, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 1937, an original bill to restrict smoking to designated areas in all U.S. Government buildings.

S. 2166

At the request of Mr. DURENBERGER, the names of the Senator from Arkansas [Mr. BUMPERS], the Senator from New Mexico [Mr. BINGAMAN], the Senator from Texas [Mr. GRAMM], the Senator from Tennessee [Mr. GORE], and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 2166, a bill to amend the Internal Revenue Code of 1954 to modify the tax treatment of tax-exempt municipal bonds, and for other purposes.

S. 2181

At the request of Mr. D'AMATO, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 2181, a bill entitled the "Construction Industry Labor Law Amendments of 1986."

S. 2209

At the request of Mr. DOLE, the name of the Senator from North Dakota [Mr. ANDREWS] was added as a cosponsor of S. 2209, a bill to make permanent and improve the provisions of section 1619 of the Social Security Act, which authorizes the continued payment of SSI benefits to individuals

who work despite several medical impairments; to amend such act to require concurrent notification of eligibility for SSI and Medicaid benefits and notification to certain disabled SSI recipients of their potential eligibility for benefits under such section 1619; to provide for a GAO study of the effects of such section's work incentive provisions; and for other purposes.

S. 2220

At the request of Mr. CRANSTON, the names of the Senator from Rhode Island [Mr. PELL], the Senator from Hawaii [Mr. MATSUNAGA], and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of S. 2220, a bill to provide for a mutual verifiable moratorium on the testing of nuclear warheads, and for other purposes.

S. 2226

At the request of Mr. BENTSEN, the names of the Senator from Alabama [Mr. HEFLIN], the Senator from West Virginia [Mr. ROCKEFELLER], and the Senator from Tennessee [Mr. GORE] were added as cosponsors of S. 2226, a bill to prevent unfair international trading practices, including unfair trade concessions requirements, which undermine U.S. international trade agreements, from burdening U.S. trade and commerce.

S. 2229

At the request of Mr. DODD, the names of the Senator from Ohio [Mr. METZENBAUM] and the Senator from North Dakota [Mr. BURDICK] were added as cosponsors of S. 2229, a bill to amend the Impoundment Control Act of 1974 to provide that deferrals of budget authority by the President shall not take effect unless within 45 legislative days Congress completes action on a deferral bill, and for other purposes.

S. 2266

At the request of Mr. WALLOP, the names of the Senator from Alaska [Mr. MURKOWSKI] and the Senator from Montana [Mr. MELCHER] were added as cosponsors of S. 2266, a bill to establish a ski area permit system on national forest lands established from the public domain, and for other purposes.

S. 2333

At the request of Mr. DURENBERGER, the names of the Senator from Maine [Mr. MITCHELL], the Senator from Pennsylvania [Mr. HEINZ], and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of S. 2333, a bill to amend title XIX of the Social Security Act to strengthen and improve Medicaid services to low-income pregnant women and children.

S. 2335

At the request of Mr. DOLE, the name of the Senator from Georgia [Mr. MATTINGLY] was added as a cosponsor of S. 2335, a bill to protect United States citizens from terrorism.

S. 2342

At the request of Mr. KASTEN, the name of the Senator from Wisconsin [Mr. PROXMIRE] was added as a cosponsor of S. 2342, a bill to authorize the Secretary of Agriculture to issue a nationwide marketing order applicable to milk and milk products, and for other purposes.

SENATE JOINT RESOLUTION 143

At the request of Mr. GORE, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of Senate Joint Resolution 143, joint resolution to authorize the Black Revolutionary War Patriots foundation to establish a memorial in the District of Columbia at an appropriate site in Constitution Gardens.

SENATE JOINT RESOLUTION 220

At the request of Mr. MATTINGLY, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of Senate Joint Resolution 220, joint resolution to provide for the designation of September 19, 1986, as "National P.O.W./M.I.A. Recognition Day."

SENATE JOINT RESOLUTION 241

At the request of Mr. DOLE, the names of the Senator from California [Mr. CRANSTON], the Senator from Hawaii [Mr. INOUYE], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Montana [Mr. BAUCUS], and the Senator from Nebraska [Mr. ZORINSKY] were added as cosponsors of Senate Joint Resolution 241, joint resolution designating the week beginning on May 11, 1986, as "National Asthma and Allergy Awareness Week."

SENATE JOINT RESOLUTION 280

At the request of Mr. HEINZ, the name of the Senator from California [Mr. CRANSTON] was added as a cosponsor of Senate Joint Resolution 280, joint resolution designating the month of November 1986 as "National Alzheimer's Disease Month."

SENATE JOINT RESOLUTION 305

At the request of Mr. SIMON, the names of the Senator from South Carolina [Mr. THURMOND] and the Senator from Illinois [Mr. DIXON] were added as cosponsors of Senate Joint Resolution 305, joint resolution to designate the week of April 27, 1986, through May 3, 1986, as "National Arts in the Schools Week."

SENATE JOINT SESOLUTION 310

At the request of Mr. HELMS, the name of the Senator from Tennessee [Mr. SASSER] was added as a cosponsor of Senate Joint Resolution 310, joint resolution to proclaim June 15, 1986, through June 21, 1986, as "National Agriculural Export Week."

SENATE JOINT RESOLUTION 311

At the request of Mr. CRANSTON, the name of the Senator from South Dakota [Mr. ABDNOR] was added as a cosponsor of Senate Joint Resolution 311, joint resolution designating the week beginning November 9, 1986, as "National Women Veterans Recognition Week."

SENATE JOINT RESOLUTION 323

At the request of Mr. D'AMATO, the names of the Senator from Florida [Mrs. HAWKINS], the Senator from Massachusetts [Mr. KERRY], the Senator from Vermont [Mr. LEAHY], and the Senator from Utah [Mr. HATCH] were added as cosponsors of Senate Joint Resolution 323, joint resolution to designate May 21, 1986, as "National Andrei Sakharov Day."

SENATE JOINT RESOLUTION 327

At the request of Mr. ROCKEFELLER, the name of the Senator from Georgia [Mr. NUNN] was added as a cosponsor of Senate Joint Resolution 327, joint resolution to provide for the President to report on the status and implementation of the recommendations of the President's Commission on Industrial Competitiveness.

SENATE CONCURRENT RESOLUTION 115

At the request of Mr. TRIBLE, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of Senate Concurrent Resolution 115, concurrent resolution expressing the opposition of the United States to the forcible resettlement and systematic oppression of the Ethiopian people.

SENATE CONCURRENT RESOLUTION 117

At the request of Mr. SIMON, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of Senate Concurrent Resolution 117, concurrent resolution expressing the sense of the Congress in support of RIAS, the Radio in the American Sector of Berlin.

SENATE CONCURRENT RESOLUTION 125

At the request of Mr. HEINZ, the names of the Senator from New York [Mr. D'AMATO], the Senator from Michigan [Mr. LEVIN], the Senator from Minnesota [Mr. DURENBERGER], and the Senator from Illinois [Mr. DIXON] were added as cosponsors of Senate Concurrent Resolution 125, concurrent resolution recognizing the achievements of the Ireland Fund and its founder, Dr. Anthony J.F. O'Reilly.

SENATE RESOLUTION 381

At the request of Mr. DECONCINI, the names of the Senator from Florida [Mrs. HAWKINS] and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of Senate Resolution 381, resolution expressing the sense of the Senate with respect to United States corporations doing business in Angola.

SENATE CONCURRENT RESOLUTION 133—COMMENDING DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE JOHN H. McMAHON

Mr. DOLE (for Mr. DURENBERGER, for himself, Mr. LEAHY, Mr. ROTH, Mr. COHEN, Mr. HATCH, Mr. MURKOWSKI,

Mr. SPECTER, Mr. HECHT, Mr. MCCONNELL, Mr. BENTSEN, Mr. NUNN, Mr. EAGLETON, Mr. HOLLINGS, Mr. BOREN, and Mr. BRADLEY) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 133

Whereas, John McMahon has devoted his entire professional career to the intelligence service of his nation, performing with dedication, honor and distinction for nearly 35 years since his graduation from the College of the Holy Cross in 1951;

Whereas, John McMahon's career has been one of outstanding accomplishment in diverse intelligence duties spanning the full range of technical, operational and analytical intelligence activities;

Whereas, John McMahon has an unparalleled record of service in key Central Intelligence Agency positions, including Executive Director, Deputy Director for Intelligence and Deputy Director for Operations, and also has had key management responsibilities for Intelligence Community affairs;

Whereas, John McMahon's career progression from communications clerk to Deputy Director of Central Intelligence personifies the finest traditions of our nation's professional intelligence officers;

Whereas, John McMahon's many commendations and awards, including two Distinguished Intelligence Medals, testify to his extraordinary skill and outstanding leadership;

Whereas, during a period of increasingly varied and complex international developments of concern to the United States, in which demands for timely, accurate intelligence information to support national policymakers are becoming simultaneously more intense and diverse, John McMahon has been instrumental in preparing the Intelligence Community for the challenges of the future and has thus made a major and lasting contribution to the national security of the United States;

Whereas, John McMahon has earned the respect, admiration, and trust of the highest officials in the executive and legislative branches of our Government, and particularly of the present and former Members of the Intelligence Committees of the Senate and House of Representatives for his integrity and positive approach to Congressional oversight of our nation's intelligence activities: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That on the occasion of his retirement from an extraordinary career of public service, the Senate and House of Representatives of the United States of America express and record on behalf of the American people, their deep appreciation to John N. McMahon for his exceptionally distinguished service to the United States.

SENATE RESOLUTION 386—WITH RESPECT TO STRATEGIC PETROLEUM RESERVES

Mr. BRADLEY (for himself, Mr. MCCLURE, Mr. JOHNSTON, Mr. FORD, Mr. METZENBAUM, and Mr. WARNER) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources.

S. RES. 386

Whereas the Senate has repeatedly supported the development and completion of the Strategic Petroleum Reserve;

Whereas the Senate has appropriated almost $644,000,000 for petroleum purchases and construction of the Reserve, which the President has deferred;

Whereas petroleum markets are in disarray due to excess oil supply;

Whereas the Administration's Energy Information Agency projects that oil imports could grow to one-half of domestic consumption by 1995;

Whereas over 60 percent of the world's proven oil reserves lie in the politically volatile Middle East;

Whereas the Energy Information Agency and other industry experts also project long-run oil prices to be substantially higher than today's levels; and

Whereas Strategic Petroleum Reserve purchases remain an extremely cost-effective national security measure and will bolster hard-hit domestic producers: Now, therefore, be it

Resolved, That it is the sense of the Senate that petroleum purchases for and construction of the Strategic Petroleum Reserve should be accelerated and that the $644,000,000 deferred by the President should be obligated immediately to contract for the development and expansion of the Strategic Petroleum Reserve.

● Mr. BRADLEY. Mr. President, today I am submitting a resolution which is cosponsored by Senators MCCLURE, JOHNSTON, FORD, METZENBAUM, and WARNER. It directs President Reagan to release $644 million which Congress has already appropriated for the fill of the U.S. strategic petroleum reserve. The President is currently deferring those funds.

The Senate has voted repeatedly and consistently to support a substantial SPR. Quite simply, continuing to expand the SPR is good energy policy, it is sound national security policy, and it is prudent budget policy.

The U.S. oil market is a reflection of the world market: As world oil prices move, so do U.S. prices. This market orientation is the keystone of U.S. energy policy. U.S. prices no longer depend on the level of oil imports, they fluctuate based on the conditions in the world market. The danger we face from a free market policy is that sudden swings in price or supply—caused by panic, speculation, or some natural disaster—can have severe economic impact. The best way we have to cushion our economy from sudden changes is an adequate SPR.

The SPR is an essential component of a sound national security strategy. As we have seen in the past, a swing in the market can also result from hostile action. Oil is a stategic commodity necessary for our military capability as well as our industry. We have seen in the Iraq-Iran war that oilfields, refineries and tankers are prime targets for attack. A large SPR counters this threat to national security. Again, however, our confidence in the reserve is directly related to its size.

Investment in the SPR is a prudent budgetary decision. In today's oil market, with prices at an historic low in real terms, it makes no sense that the U.S. forgo this opportunity to increase our long-run security and add to the reserves. As an asset, the value of oil will only increase. I would not be surprised if future analysis showed that the taxpayer actually made money on SPR oil purchases made today.

Finally, expanding the SPR will have a salutary impact on the economy of a number of hard-pressed States. We are all aware of the effects that the recent drop in oil prices has had on domestic producers: the layoffs in the oil producing States, the shut-in marginal producers, and the declining expenditures for oil exploration and production. We are also very aware of the immense beneficial effects of low oil prices on the U.S. consumers: heating oil and gasoline prices well under $1 per gallon, a Dow Jones average heading toward 2000, and a boost for high-economic growth and low inflation.

This resolution directs President Reagan to take the one action which can benefit both consumers and producers. The $644 million being deferred by the President could buy over 50 million barrels of oil. Such a large purchase would help stabilize oil markets. It would show producers that the U.S. Government recognizes a bargain and can act accordingly. Additionally, a larger SPR means increased energy security for domestic consumers. With over 70 percent of the world's proven reserves in the Middle East or Communist nations, the value of such security should be as obvious to the President as it is to the Congress.

The arguments are many, and the conclusion is not subtle. We need a large SPR and now is the time to fill it. President Reagan has the funds available to add to the SPR and he should use them.●

AMENDMENTS SUBMITTED

TO HONOR WOMEN WHO SERVED WITH, AS WELL AS IN, THE ARMED FORCES

CRANSTON AMENDMENT NO. 1796

(Ordered referred to the Committee on Energy and Natural Resources.)

Mr. CRANSTON submitted an amendment intended to be proposed by him to the joint resolution (S.J. Res. 156) authorizing a memorial to be erected in the District of Columbia or its environs; as follows:

On page 2, line 3, insert "or with" after "in".

Mr. CRANSTON. Mr. President, I am today submitting an amendment to Senate Joint Resolution 156, a resolution Senator MURKOWSKI and I intro-

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duced on July 10, 1985, to authorize the establishment of a memorial to honor women who have served in the Armed Forces of the United States. The measure currently is cosponsored by 59 of our colleagues. This amendment would conform this measure to the House-passed resolution, House Joint Resolution 36, by providing that the memorial would honor not only women who served in, but also women who served with, the Armed Forces.

Through the years, hundreds of thousands of women have played vital roles and made enormous contributions to our Nation's defense through such organizations as the American Red Cross and in civilian capacities in various Federal agencies. This amendment would ensure that the memorial would provide recognition of those contributions, as well as honoring the brave and unselfish deeds of those women who served this Nation in the uniformed services.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON RULES AND ADMINISTRATION

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Tuesday, April 22, to consider the procurement of a new telephone system for the Senate and other pending business.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, April 22, to hold a hearing to consider S. 2073, to encourage the standardization of nuclear powerplants, to improve the nuclear licensing and regulatory process, to amend the Atomic Energy Act of 1954, and for other purposes.

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

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Agriculture, be authorized to meet during the session of the Senate on Tuesday, April 22, 1986, in order to conduct a hearing on amendments to the Federal Insecticide, Fungicide, and Rodenticide Act.

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

SUBCOMMITTEE ON WATER RESOURCES

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Subcommittee on Water Resources, of the Committee on Environment and Public Works, be authorized to meet during the session of the Senate on Tuesday, April 22, 1986, in order to conduct a hearing on S. 1696, a bill to establish a federally-declared floodway for the Colorado River.

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

ADDITIONAL STATEMENTS

DISARMING AMERICA'S WILL TO DEFEND ITSELF

(By request of Mr. DOLE, the following statement was ordered to be printed in the RECORD:)

● Mr. GOLDWATER. Mr. President, appearing in the April issue of Government Executive is a very interesting and excellent article entitled, "Disarming America's Will To Defend Itself." It was written by Dr. John A. Howard, president of the Rockford Institute and I am asking that it be placed in the RECORD so that all of my colleagues, in both Houses, can have the opportunity of reading it.

It is good to read this and then reflect upon history because history can tell us more about the future than probably any other source. It was just 25 years ago that the President of the United States turned his back on men who had been trained to protect Cuba from a dictator and by doing this, we lost Cuba as a friend and as an ally. By doing this, we contributed to the long list, starting back probably before World War II, but certainly traceable to immediately after World War II, of decisions made by our leaders, particularly our Presidents, which indicated the United States had no courage to make hard, tough decisions. These decisions are still being needed in this world, but we are not receiving them as regularly as we would like.

Yes, we showed the American natural courage by attacking Libya because of the anti-American, anti-freedom antics of its leader. Yet, watch the television. Commentator after commentator apologizes for the United States. Read the press. Item after item blames the United States, not the source of the trouble.

I want to put this in the RECORD because it is a beginning of a number of statements I intend to make based on thoughts of mine accumulated over the years which I hope might help to explain to America just what is happening to us.

Mr. President, I ask that this article be inserted in the RECORD at this point in my remarks.

The article follows:

DISARMING AMERICA'S WILL TO DEFEND ITSELF

(By Dr. John A. Howard, President, the Rockford Institute)

"How does a society prevent war against itself and still protect the values by which it lives? Or, if forced to, win a war that threatens those values? The kicker is the word 'values'. If we could just eliminate those values from the equation, then preventing war is easy—just don't fight."

This formulation of the two options, readiness to defend cherished values, or peace by pre-emptive surrender, is by Dan McMichael, a key figure in the analysis of America's defense and foreign policies. Let the country set aside its values, he says, and we won't have to worry about war. This is the equivalent, at the national level, of the confrontation between a bully and a person whose foremost concern is not getting hurt. He simply yields to the bully's threats. If the primary common concern of the citizens is their own lives, then their government cannot take actions which involve high risk. That is McMichael's thesis. And I think it is correct.

NEW WAYS OF THINKING

Americans are not accustomed to thinking in these terms. War and peace, defense and foreign policy—these are matters which are dealt with and determined by the President and the Congress. Or so we suppose. Well, Presidents Lyndon Johnson and Richard Nixon learned that isn't so. They discovered that an impassioned body of citizens, supported by a sympathetic press, was able to mobilize sufficient public sentiment to overrule the judgments of the government.

In a recent interview, historian David Horowitz said, "America's withdrawal from the battle front in Vietnam because of domestic opposition is unique in human history: there is no other case on record of a major power retreating from a war in response to the moral opposition of its own citizenry." Horowitz, by the way, was one of the most influential young radicals in the Vietnam era. He is now a biographer and, surprisingly, an advocate of American support for other governments which are fighting for freedom.

VALUES

Was what happened with Vietnam a fluke, an aberration in America's traditional support for their government in time of crisis, or are the values, interests and emotions which prevailed in the 1960's still dominant today? Some observers are encouraged to believe that the public rejoicing over our Grenada intervention, echoed in the strong support for the President's recent economic sanctions against Libya, are signals that our country is back on course. Other, who have some knowledge of the fervent support which the nuclear freeze and peace movments command within organized religion and among college professors, are less sure.

Will our nation stand firm, against the ravages of fanatical terrorism and dictatorial Soviet expansion or is it now dominated by the my-interests-come-first mid-set we have seen among Americans over Libya and Nicaragua? Whatever may happen in the short term, I suggest that those who have a regard for perpetuating the American experiment in freedom would do well to ponder the implications of the McMichael equation, and give heed to the condition of the value system on which freedom rests.

What are the values which Americans hold dear, values for which they would risk their lives? The nation's Bicentennial was surely an occasion for us to remind ourselves of, and rejoice in those values. What do you remember about that celebration? Best-selling patriotic books? Memorable editorials? Television specials? Stirring historical festivities in your community? For the most part, the Bicentennial was more hoopla than substance. We did not dwell on the values that have distinguished and vital-

ized America. And people didn't seem to notice or care. Patriotic contemplation has been in a prolonged bear market.

UNDERSTANDING FREEDOM

Freedom is a little like electric power in a city. When you have it, you take it for granted. It is only in a power outage that you are forced to realize the magnitude of importance electricity plays in every aspect of your life. A generation which has experienced the oppression of tyranny in every aspect of its life and then arduously earned its freedom, does not undervalue freedom. That preciousness can be transmitted to the children and perhaps the grandchildren, but in time the devasting experiences and the glorious triumps of one generation fade from the collective memory.

Moreover, when a value as complex as liberty falls away from the general conciousness, its nature as well as its worth, becomes hazy in the public understanding. Americans do not have a very clear idea about how freedom operates and what is required to sustain it. Many suppose that the free society is simply a political entity in which the individual may do pretty much as he chooses with little interference from the government. If it were only that simple!

As the astute French political philosopher Montesquieu recognized, and elaborated at great length, a republic can be sustained only by virtuous people. The privilege of steering one's own course must be balanced by a decent regard for the other person and a willingness to accept some responsibility for the well-being of the community. Without a solid social fabric of lawfulness, fairness, self-reliance, self-discipline and integrity, the innumerable human interactions of everyday life readily degenerate into exercises of guile, greed and manipulated guillibility.

Because self-interest is a fixture in human nature, there seem to be only two basic options for rising above the every-man-for-himself savagery of the jungle. On the one hand, group activities can be regulated and order maintained by a central authority that enforces its judgments with fear, deception, brainwashing and imprisonment, as we see today in the Soviet Union and allied Marxist regimes.

Apart from coercive control by rulers, the only other means through which society can conduct its common enterprise is by voluntary submission to the rules of the game. In the free society, each generation must be systematically trained and acculturated into the ideals, the obligations and the taboos which enable people to live together amicably and productively. This culturally induced voluntary acceptance of the norms of civil conduct is the virtue which Montesquieu recognized as the *sine qua non* of liberty.

REQUIREMENTS OF LIBERTY

Imagine, for a moment, what would happen if a free society, forgetful of the requirements of liberty, failed to instill in its people a decent regard for their neighbors. Terrible things might happen. Crime, for instance, could increase to the point that everyone would need to have an electronic alarm system for his home. Citizens might exploit the judicial system for personal advantage, with lawsuits proliferating, even to the point that one could not buy enough liability or malpractice insurance to protect himself. The situation could even degenerate to the point that an individual might campaign for public office on a platform of promising to his voters rights and benefits and privileges that he knows he can't deliver.

By contrast, let us remind ourselves of what freedom meant to those who earned it for us. The fifty-six men who signed the Declaration of Independence pledged "their lives, their fortunes and their sacred honor" in support of that Declaration. Concludes a book, *Greatness to Spare*, by T. R. Fehrenbach:

"Nine signers (of the Declaration of Independence) died of wounds or hardships during the Revolutionary War. Five were captured or imprisoned, in some cases, with brutal treatment. The wives, sons and daughters of others were killed, jailed, mistreated, persecuted or left penniless. One was driven from his wife's deathbed, and lost all his children. The houses of twelve signers were burned to the ground. Seventeen lost everything they owned.

"Every signer was proscribed as a traitor: every one was hunted. Most were driven into flight; most were at one time or another barred from their families or their homes. Most were offered immunity, freedom, rewards, their property and release of loved ones to break their pledged word . . . (and) take the King's protection. Their fortunes were forfeit, but their honor was not. No signer defected or changed his stand throughout the darkest hour."

Consider, now, justice, like freedom, another of America's cardinal values. In earlier times, it was believed that a just political system was one in which all citizens were guaranteed fair and equal treatment under the laws of the nation. America's performance according to that definition, even granting the now appalling exclusion of slaves and women, was so remarkable that justice and liberty were pole stars that guided millions of immigrants to this land.

With the rise of socialism as a political force in America, and with the powerful reenforcement of the social gospel as articulated by Walter Rauschenbusch and others early in this century, the concept of political justice was gradually transformed from the limited scope of fair treatment by the courts to include governmental responsibility for delivering equality in the conditions of life. Once that Pandora's Box was opened, the principles of virtuous self-discipline and self-reliance slowly gave way to the principles of infinitely expandable rights, and this new notion of justice became the rallying cry for every conceivable interest and ambition.

JUSTICE AND RIGHTS

Because the Bill of Rights is a cornerstone of the edifice of our freedom, and properly so, the term, rights, stands high on our scale of values. The mere assertion of a right captures the high ground for the asserter, and commands a certain amount of unthinking allegiance. Once a group has formulated its goals as a right, it is then free to redefine justice to serve its purposes. This is a very difficult strategy to counteract except by meeting fire with fire, and proclaiming a contrary right. Today we are awash in a sea of contention about innumerable rights with the result that justice as a value has been debased to the point that many people simply tune it out as tiresome, scarcely a value in our time that will inspire the citizens to rally to freedom's flag.

This thumbnail history of the attenuation and adulteration of the values of freedom and justice is a tale of damage self-inflicted by negligence and intellectual inadequacy. That, however, is not the whole story.

LESSONS FROM LEFT

However dunderheaded the Soviets and other Marxist-Leninist regimes are about economics and productivity, they have, with dire clarity, understood the McMichael equation and have supported and orchestrated with increasing skill through agents and fellow travelers, a massive campaign of ideological warfare against the value system of free nations. Indeed, they have no choice in the matter. It is forced upon them. Under their system of government, they are obliged to stifle the individual judgments and individual responsibilites which are the essence of freedom.

One aspect of the Soviet's ideological warfare is to mask the gross inhumanity of their own political system. The illusion must be sustained and reenforced in the outer world that Soviet Russia is the champion of oppressed people everywhere and the one true advocate of peace. Their peace song is played to different tunes for different folks. In the nations where democratic capitalism prevails, the Soviets trumpet only their incessant initiatives to prevent war and the unwillingness of free governments to respond. In the developing nations, it is a song of ultimate peace after the Soviets have triumphed over capitalism, an evil system, they say, that drains the resources of lesser economies and dooms them to poverty, famine, and sickness. Dare one, in today's climate, say theirs is a "peace" which passeth all understanding?

DEMEANING HUMAN WORTH

By definition, Marxist-Leninism relegates the individual human being to insignificance. Any person who stands in the way of the government's ideological objectives must be neutralized by intimidation, brainwashing, or more severe treatment. Human worth, human dignity, human rights are non-concepts under that system. Thus, religion is the arch-enemy of Marxism. There is only one channel of obligations for the Soviet citizens, and that leads directly to the state. God is not permitted any "Shalts" and "Shalt nots." In the same manner, only the official view of reality is permitted. Thus, there is no free press, and concealed facts lies, half-truths and deceptions are woven into the entire operation of the system, both in dealing with their own people and with outsiders.

Each of these features is so totally foreign to the beliefs, the values, and the expectations of free citizens that the mind simply cannot take it in, the brain's computer has no programming to precess the principles of such a system, and rejects the evidence; the hope that it is not so prevails over the revealed reality. We read of the report just issued by he United Nations Commission on Human Rights, documenting the atrocities of Soviet troops in Afghanistan adding booby-trapped children's toys to the run-of-the-mill cases of torture, rape, mutilation and so on.

We are shocked by the eradication of a straying Korean airplane loaded with innocent passengers; we listen in astonishment to the broadcast of a Russian military expert solemnly pronouncing an immediately refutable lie that the silhouette of the Korean airliner is identical with a U.S. miliary intelligence plane; we read the account of the Gulag Archipelago; we have the certain knowledge of Soviet support for international terrorism; but the mind boggles. We cannot comprehend that these are not isolated instances of waywardness, by the day to day operations of a system that flatly

rejects the worth of a human life and all the other values which are treasured by free people.

Nor do we understand much better the extents to which Soviet Russia, supporting and working through sympathetic or unsuspecting American organizations, has had a hand in the debilitation of our value system, although Arnaud de Borchgrave, Rael and Jean Isaac, Jeane Kirkpatrick and numerous other responsible and knowledgable authors have given us chapters of that history.

SOURCES OF DEBILITATION

Consider two major phenomena, one from two decades ago and one of today. If you examine the issues of the *Berkeley Barb*, the *Black Panther* and some of the lesser known Marxist underground publications of the 1960's, you discover that the student protest movement was not a spontaneous eruption of idealistic youth; but, to a certain extent, the manipulation of a generation according to a skillfully designed strategy. The encouragement to resist the military draft and to take up the use of marijuana were openly acknowledged in these publications as tactics to alienate young people from their society.

By exploiting both the disinclination to go to war and the attractiveness of forbidden fruit, innumerable students were drawn into the status of lawbreakers. In that position, they were vulnerable to the assertion that it was an unjust war and it was an unjust legal system that allowed their parents to drink booze but prevented them from using pot. For those who have enlisted in activities on the far side of the law, it is a short step to the next level of radicalism, the conviction that America is an unjust society. This was the core theme of the Students for a Democratic Society (SDS), which had 100,000 members when it self-destructed over the question of the continued use of violence in pursuing its goals.

ATTACKING THE MECHANISM

Another aspect of the student radical plan was to attack the mechanism by which a free society fairly adjudicates conflicts of interest and conflicts of judgment. Rather than presenting a case for their views on an issue with facts and logic so that it could be judiciously weighed against the case made by the other view, they mobilized public fear and scorn and hostility against those who disagreed with them. Facts and reasons were overwhelmed by street theater. Later we saw this strategy deployed with devastating effect against the development of nuclear energy in America, and today the outcome of all too many issues seems to depend more on the decibel level than on mature, informed judgment.

The contemporary twisting of the value of justice I wish to cite is the strange singling out of the South African Government as the one nation in the world where we must rally all our forces to impose human rights. By any objective standard, the human rights shortcomings of that government, as grave as they are, are substantially less grievous in mature, in magnitude and in rigidity than is the case with numerous other governments including the Soviet Union, Iran, Libya and Ethiopia.

Let us look back eight years. The headline of the May, 1978 issue of the *The Guardian* reads, "Africa: The Cutting Edge, A Continent In Struggle Against Imperialism." *The Guardian* which calls itself an "independent radical newsweekly," is a Marxist publication which predated the Institute for Policy Studies and the SDS, but has had a close association with the Institute and has enlisted as editors and writers numerous SDS alumni. The May 24th issue is the radical left manifesto calling for the overthrow of the governments of Rhodesia and South Africa. Of the twenty-five articles listed in the Table of Contents, all but three are focused on the revolutionary struggles in Rhodesia, South Africa, and Angola, including such titles as "U.S. Bank Loans Bolster South Africa Economy," "Angola Gains Build Base for Socialism," and "Women Fight To Free South Africa."

"SUPPORT GROUPS"

The centerfold provides a listing of 112 American organizations and their addresses, some of them with chapters throughout the country, designated as "support groups" working in one way or another toward "Southern Africa liberation against the white settler regimes of South Africa and Rhodesia." The same page lists fifty-four allied "African Resources," which are think tanks, publishing houses, film centers, periodicals and liberation movements.

The full-page editorial declares, "As this movement grows—and it will—the necessity for information and propaganda clearly targetting the U.S. role in Africa will likewise increase as will the actions, demonstrations and mass protests of every kind. This newspaper will redouble its efforts to make the truth about the struggle in Southern Africa known in the U.S. . . . We call upon our readers, supporters and all progressive, anti-imperialists and communists individuals and organizations to do the same." The people reaped quite a harvest.

Where does all this leave us? Are we stuck with the unthinkable option of war with Soviet Russia or peace at any price? No, I think not. President Nixon answered that question in a recent speech. "Reagan and Gorbachev understand each other," he said, "but they do not want the same thing. Gorbachev wants to defend the extend communism. Reagans wants to extend and defend freedom. The United States and the Soviet Union have irreconcilable differences. They have only one common interest, to avoid nuclear war over those differences. But even in this respect, our goals are different. Reagan wants peace as an end in itself. Gorbachev wants victory without war.

Have we the will to make the sacrifices necessary to deny him that victory? Fifteen years ago in the response to the Nobel Prize which Solzhenitsyn prepared, but was not permitted to deliver, he summed up the circumstances which would be the cause of our failure to prevail, if we should fail. "The spirit of Munich is in no sense a thing of the past, for that was no flash in the pan. I would go so far as to say that the spirit of Munich is the dominant one of the twentieth century. The civilized world quailed at the onslaught of snarling barbarism, suddenly revitalized; the civilized world found nothing with which to oppose it, save concesssions and smiles. The Spirit of Munich is an illness of the willpower of the well-to-do, it is the usual state of those who have surrendered to materialism as the main aim of life on earth. Such people—and how many there are in the world today—choose passivity and retreat just so that normality can last a bit longer and the onset of brutishness be put off another day (when) the price of cowardice will be all the higher."

AN AGENDA

Finally, what is our agenda? We must relearn and refurbish and impart to new generations of Americans the values which define and unite the free society. We must rediscover Montesquieu, de Tocqueville, Edmund Burke, George Washington and countless other teachers of those values. And I think we could be well advised to become the student of the refugees from tyranny, not just an Alexander Solzhenitsyn, but the countless Cubans and Poles and Laotions and others among us who can teach us with passion to appreciate our great good fortune in living in a free land.

The Sandinista government closed down the Catholic radio station in Nicaragua for two days because Cardinal Obando y Bravo used in a broadcast sermon a sentence that had been forbidden by the Sandinista censor. What was the sentence? "Liberty is the most precious blessing that God gave to mankind."●

JOSEPH H. KANTER JOGGING AND FITNESS FACILITY

● Mr. CHILES. Mr. President, one of Florida's leading businessmen is also an ardent fitness enthusiast. Joseph H. Kanter has donated to the people of the United States a new jogging and fitness facility on the Mall. On April 23, at 11 a.m., this new facility, located at Fourth Street and Independence Avenue SW., will be dedicated.

All of my colleagues and their staffs are invited to attend the dedication and use the exercise equipment. I hope to see them there.

Joe Kanter, a prominent banker and movie producer, has been jogging for over 40 years—long before the sport gained its current popularity. His commitment to the promotion of exercise and his commitment to philanthropy have been genuine and enduring over the years.

I know that the new facility will be used and appreciated by all.●

MAKING BETTER USE OF THE SCC

● Mr. SIMON. Mr. President, the Arms Control and Disarmament Agency [ACDA] recently released yet another "half-compliance" report on Soviet treaty violations. I say "half-compliance" because the administration has yet to give us a true compliance report: One where alleged violations and ambiguities are set alongside Soviet observance of the treaties in question. But even Mr. Adelman's ACDA, not noted for its commitment to arms control, feels compelled to state that "the Soviets have adhered to many, if not most, provisions of the treaties to which they are a Party."

There are several good reasons for the Soviets to adhere to most treaty provisions, and one of the best is the Standing Consultative Commission [SCC]. The Commission composed of United States and U.S.S.R. representatives. The SCC was set up in the ABM [Anti-Ballistic Missile] Treaty of SALT I in order to raise questions about ambiguous events and resolve differences between the two parties.

Its record before 1981 was excellent, in large part because both Moscow and Washington had enough political will to allow the SCC to function smoothly. All major questions were settled to both sides' satisfaction.

Since 1981, with one exception, the SCC has been sorely hampered by an administration ill-disposed toward arms control. That exception occurred last year, when an agreement was reached on what constitutes concurrent testing of surface-to-air missile radars and strategic ABM radars. In this instance, the requisite will was there to make some headway prior to the Geneva summit. But now we are back to the familiar Reagan administration neglect of the SCC, at times bordering on hostility, as the Geneva talks bog down and as public accusations once again force reasoned and quiet diplomacy off center stage.

The SCC has now become a forum for the United States to recite our grievances, demand Soviet action to remove our concerns, and reject out of hand Soviet concerns. By all accounts, it has become a monolog. Our Ambassador to the SCC, retired Gen. Richard Ellis, is in a tough spot. A former commander of the Strategic Air Command, Ellis is no pushover. But the U.S. representation to the SCC must answer to an interagency working group dominated by the Defense Department's hardliners. Much greater progress can occur if we give Ambassador Ellis the leeway he needs to negotiate.

One example of our refusal to use the SCC to our benefit is the current controversy over the SALT-accountable strategic nuclear delivery vehicles, or launchers. Moscow says that 30 Bison heavy bombers have been converted to aerial tankers. We will not accept these conversions as legitimate under SALT rules. Why not?

We will not accept them because the procedures for conversion have not yet been worked out. They have not been worked out because we refuse to negotiate the necessary procedures. If we work out the procedures, then it might be apparent that the Soviets are within the launcher limit set by SALT I. That would be one less compliance issue the Richard Perles in this administration can use to torpedo U.S. commitments to SALT I and II.

The SCC reconvened on March 4. No progress has been made to date, and as of today, none is expected in the near future. This is unfortunate, because solutions to vexing problems are easier to reach in the quiet forum of the SCC. Progress there can lead to progress in the summit talks. We need to make better use of this negotiating tool, and Congress needs to be more aware of its activities and results. A good place to start would be periodic SCC reports to Congress highlighting each negotiating session.

This is one idea advocated by Sidney Graybeal and Michael Krepon in an article published in the fall 1985 edition of "International Security." I commend this article to my colleagues and ask that it be printed in full in the RECORD.

MAKING BETTER USE OF THE STANDING CONSULTATIVE COMMISSION

(By Sidney N. Graybeal and Michael Krepon)

Unresolved compliance problems have accumulated to the point where they have become a major impediment to the maintenance of existing agreements and the negotiation of new accords. While progress in compliance diplomacy has recently been made, major problems, such as the construction of the Krasnoyarsk radar, have not been satisfactorily resolved in the forum created by the strategic arms limitation talks (SALT) to address SALT compliance questions—the Standing Consultative Commission (SCC).

Like other negotiating bodies, the SCC has no powers of enforcement and it cannot impose sanctions; it can succeed only when the political leadership in the Soviet Union and the United States seek mutually satisfactory solutions. The SCC is a tool for Moscow and Washington to use as each sees fit. Its utility depends on effective use by both governments. Given proper instructions, high-level political support, problem-solving tactics, and sound bilateral relations, the Soviet and U.S Commissioners can work together quite effectively. However, even the most efficacious tactics in the SCC will not bear fruit if either Commissioner is operating under unhelpful instructions, if the superpowers question each other's intentions toward past agreements, and they do not wish to maintain the viability of those agreements.

It should therefore come as no surprise that, during the past five years, the SCC has fared no better than the general state of U.S.-Soviet relations. Nevertheless, both governments have taken care to keep the SCC channel open during periods of harsh public exchanges. Useful discussions on sensitive military subjects continued even after the Soviet Union walked out of negotiations on strategic and intermediate-range nuclear forces in 1983.

Despite its importance, very little is known about the SCC, and many misconceptions have arisen about its activities. The object of this essay is to explain the nature of the SCC and to suggest steps to improve the utility and effectiveness of its operations.

THE SCC'S MANDATE AND OPERATIONS

No arms control agreement can be written so carefully and so clearly as to prevent ambiguities and compliance questions from arising. In some instances, parties to an agreement may not wish or may not be able to arrive at precise treaty language. They may have different interpretations of their obligations under an agreement, or new military technologies may create circumstances that were not anticipated during negotiations.

Early in the SALT I negotiations, both sides recognized the need for a private forum to implement treaty provisions and to deal with ambiguities and compliance questions. As a result, there were few difficulties in drafting Article XIII of the ABM Treaty creating the SCC. The ABM Treaty, and thus the SCC, are of indefinite duration. A Memorandum of Understanding formally establishing the SCC in December 1972 extended its jurisdiction to include the Accidents Measures Agreement signed the previous year, and regulations governing the SCC's operations were drawn up the following May.

The SCC's charter, as spelled out in both the ABM and SALT II treaties, is quite broad. It empowers representatives of the U.S. and the Soviet Union to consider, among other topics, treaty compliance questions and "related situations," questions involving interference with national technical means of verification, "possible changes in the strategic situation which have a bearing" on treaty provisions, additional measures to increase the viability of existing agreements including amendments to treaty provisions, and proposals for "further limiting strategic arms." In addition, the SCC Commissioners are authorized to exchange relevant information and to draw up procedures for dismantling or destroying offensive and defensive weapon systems.[1]

The Memorandum of Understanding establishing the SCC clarifies basic organizational matters while leaving considerable discretion to the two delegations on how the SCC shall actually operate. Each side is represented by a Commissioner, a Deputy Commissioner, an Executive Officer, and members of the delegation. Commission meetings are held no less than two times per year, and may also be convened "as soon as possible, following reasonable notice, at the request of either Commissioner." The SCC makes its own regulations, and may amend them "as it deems appropriate."[2]

In current practice, the U.S. Commissioner is chosen by the unanimous recommendation of the President's National Security Adviser, the Secretaries of State and Defense, Chairman of the Joint Chiefs of Staff, Director of Central Intelligence, and Director of the Arms Control and Disarmament Agency. Since the Commissioner is granted the title of ambassador, the Senate also passes judgment on the nomination. Sessions are usually held in Geneva during the spring and fall, each session generally lasting two months in length. Special sessions can be held at any time.

While the charter of the SCC enables it to conduct negotiations and arrive at new arms control agreements, to date neither side has chosen to operate in this fashion. New areas of negotiation generate their own negotiating teams and acronyms. Nor have the two sides used the SCC to amend agreements under its jurisdiction. The SCC has concerned itself primarily with implementation and compliance questions for the SALT accords.

Implementation, of course, can be a form of negotiation, but the SCC delegations usually operate within a narrower framework than their colleagues who actually draft treaty provisions. The primary responsibility of the SCC delegations is to make sure that basic objectives and purposes of existing agreements within their jurisdiction are being met properly. The SCC delegations are not free agents in carrying out these responsibilities. Like other negotiating agents, SCC Commissioners are on a tight rein from

[1] *Arms Control and Disarmament Agreements, Texts and Histories of Negotiations* (Washington, DC: United States Arms Control and Disarmament Agency, 1982), pp. 141-142.

[2] *Documents on Disarmament—1972* (Washington, DC: United States Arms Control and Disarmament Agency, 1974), pp. 868-869.

their capitals. Neither side is empowered to establish government policy or to go off and solve problems on its own. SCC delegations, no less than delegations negotiating new agreements, operate under carefully drafted instructions coordinated—sometimes with considerable dispute—among the relevant government agencies.

When friction within the executive branch is pronounced, instructions tend to become increasingly rigid. If, for example, government agencies can not agree on a proposed course of action, the U.S. Commissioner at the SCC is not free to suggest one to his Soviet counterpart. What flexibility the U.S. Commissioner has relates to his choice of tactics to implement negotiating instructions.

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THE SOVIET PERSPECTIVE

The Kremlin views the SCC as an important channel of government-to-government communication. Its high level of regard for the SCC has been reflected by the quality of representation on the Soviet delegation. The Soviet Union has had two Commisioners during the entire existence of the SCC, both military officers from the General Staff—General-Majors G.I. Ustinov and Viktor P. Starodubov. Neither man has been accorded the rank of Ambassador (perhaps because of their military backgrounds) although both made it clear that they were spokesmen for the U.S.S.R., like other representatives of the Soviet goverment abroad.

Starodubov, the Commisisoner since 1979, is an adept and highly accomplished negotiator who has also served on Soviet delegations in the SALT, START, and prior SCC negotiations. The Deputy Commissioner has always come from the Ministry of Foreign Affairs. The head of the Soviet delegation in the current Geneva talks, Viktor P. Karpov, served as Deputy Commissioner for six years, followed by Vadim S. Chulitsky in 1979. The Kremlin expects issues that fall within the purview of the SCC to be raised in this forum and not elsewhere. It clearly prefers to work within the confines of the SCC rather than to engage officials with higher rank who are less suited to the tasks at hand. The Soviet Commissioner must, of course, receive authorization to proceed from Moscow, but once authorization is received, the Soviet delegation has demonstrated its willingness to have constructive exchanges and to resolve compliance questions expeditiously.

AMERICAN PERSPECTIVES ON SOVIET COMPLIANCE AND THE SCC

In contrast to the official Soviet view, American attitudes toward the SCC vary greatly, usually according to one's view of the value of arms control agreements with the Soviet Union. With experts so sharply divided on this fundamental question and with the SCC operating as a closed shop, it is difficult for even interested citizens to reach an informed judgment on the SCC's effectiveness or utility. Subjective judgments come into play on both sides of these issues, with the SCC caught in the cross fire.

The Nixon, Ford, and Carter administrations were supportive of the SCC's activities and did not denigrate its effectiveness. All three Presidents declined to assert Soviet violations in their assessments of issues reviewed in the SCC during their tenure.

For example, Secretary of Defense James Schlesinger testified before the Senate Armed Services Committee in March 1975 that "We believe that the Soviet Union has been, and today is, in compliance with the terms of the SALT agreements." Schlesinger characterized problems then the subject of considerable controversy as "ambiguities which needed to be resolved," not as violations.[3] President Gerald Ford affirmed this judgment in a June 25, 1975 press conference.[4] The Carter Administration's report—issued in the context of defending the SALT II Tready—asserted that "in every case [of a questionable practice raised by the U.S. in the SCC] the activity has ceased, or subsequent information has clarified the situation and allayed our concern." [5] SALT critics, such as Assistant Secretary of Defense Richard N. Perle, have taken a diametrically opposed view:

"I have put emphasis on the failure of the SCC to resolve compliance concerns because previous Administrations, in efforts to sell unverifiable arms control agreements to Congress, have created a virtual mythology about it. The fact of the matter is that serious compliance problems have generally not been resolved by the SCC or in any other manner." [6]

Confusion about the role of the SCC is compounded by widely varying lists of Soviet "violations and circumventions" of past agreements. For example, the State Department's 1978 assessment of compliance questions and the Arms Control and Disarmament Agency's 1984 General Advisory Committee (GAC) Report cover four common SALT compliance issues, arriving at different judgments on every one of them. By the GAC's definition of what constitutes "material breaches" of binding arms control obligations, the Soviets cheated, and the SCC failed to resolve these problems. By the State Department's assessment in 1978, no material breaches took place, and the SCC played a positive role.[7]

A SALT I compliance question relating to what constituted permissible modernization of existing ICBM launchers provides a case study of how compliance judgments vary. During the SALT I negotiations, the U.S. attempted to constrain new Soviet "heavy" ICBMs by suggesting limits on missile throw-weight and volume to which the Soviet Union would not agree. Both sides eventually agreed to an imprecise formula on silo dimensions, which the U.S. hoped to strengthen by means of a unilateral statement using a volume constraint to distinguish between "light" and "heavy" ICBMs. The Soviets proceeded to disregard this interpretation by replacing SS-11 missiles with larger and far more capable SS-19s—as they had indicated they would do in the course of negotiations.

The Ford Administration did not characterize this Soviet activity as cheating. As Secretary of Defense Schlesinger testified, "If one reads the words of the agreement, the Soviets are doing something that is not precluded. It is inconsistent, quite clearly, I think, with our understanding of our own unilateral statement. But the Soviets do not feel bound by that unilateral statement." [8] The Carter Administration provided a similar explanation in its 1978 report. The GAC, however, cited the deployment of SS-19s as a "circumvention defeating the stated U.S. object and purpose of limiting the throw-weight of Soviet ICBMs." [9] According to the GAC's analysis, the U.S. intention behind the disputed provision was clear—to limit the growth of ICBM throw-weight—as was the Soviet circumvention.

THE RESULTS OF THE SCC'S WORK

The detailed records of SCC sessions remain closed to all but those with the proper clearances and the "need to know." These sensitive deliberations, along with other arms control negotiations, have been quite properly fenced off from public view. No American President, including Woodrow Wilson, has seen fit to pursue open covenants publicly arrived at. Unlike arms control negotiations, however, the principle of privacy also extends to the products of the SCC's deliberations.

A primary responsibility of the SCC has been to establish procedures for the destruction or dismantlement of certain strategic forces. Two Protocols on Procedures were agreed upon in the SCC in June 1974 governing the SALT I Interim Agreement and the ABM Treaty. A third Protocol was agreed upon in October 1976, relating to the ABM Treaty's Protocol that reduced permitted ABM sites from two to one per side.

For the most part, these classified procedures have not generated criticism, although the Reagan Administration's February 1985 noncompliance report expresses concern that the Soviets may not comply with the Interim Agreement's implementing procedures in the future.[10] In the past, these procedures prompted a compliance flap over the dismantlement of Soviet land-based missile launchers to compensate for the introduction of new sea-based launchers. In 1976, it became clear to American analysts that the Soviet Union was not going to meet this requirement. According to the 1984 GAC Report, this constituted a violation of the SALT I Interim Agreement: "Upon U.S. inquiry, the Soviets admitted this excess, but failed to accelerate their dimantling activities." The GAC concluded that "the violation was probably not inadvertent, but rather was part of a deliberate Soviet effort to challenge U.S. arms control verification capabilities." [11]

In contrast, the 1978 State Department Report on SALT I compliance issues found that Soviet actions did not warrant the GAC's conclusions:

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[3] United States Senate, "Soviet Compliance with Certain Provisions of the 1972 SALT I Agreements," Hearing before the Subcommittee on Arms Control of the Committee on Armed Services, 94th Congress, First Session, March 6, 1975, p. 3.

[4] *Documents on Disarmament—1975* (Washington D.C.: United States Arms Control and Disarmament Agency, 1977), p. 202.

[5] "Verification of SALT II Agreement" (Washington, D.C.: United States Department of State, Special Report No. 56, August 1979), p. 3.

[6] United States Senate, "Soviet Treaty Violations," Hearing before the Committee on Armed Services, 98th Congress, 2nd Session, March 14, 1984, p. 39.

[7] See "SALT ONE: Compliance, SALT TWO: Verification" (Washington, D.C.: United States Department of State, Selected Documents No. 7, February 21, 1978), and "A Quarter Century of Soviet Compliance Practices Under Arms Control Commitments: 1958-1943" (Washington, D.C.: General Advisory Committee on Arms Control and Disarmament, October 1984, Unclassified Summary).

[8] "Soviet Compliance with Certain Provisions of the 1972 SALT I Agreements," p. 6.

[9] "A Quarter Century of Soviet Compliance Practices Under Arms Control Commitments: 1958-1983," p. 8.

[10] "The President's Unclassified Report to the Congress on Soviet Noncompliance with Arms Control Agreements" (Washington, D.C.: The White House, Office of the Press Secretary, February 1, 1985), p. 5.

[11] "A Quarter Century of Soviet Compliance Practices Under Arms Control Commitments: 1958-1983," p. 10.

". . . the United States decided to raise this question with the Soviets, but before we could do so, . . . the Soviet side in the SCC acknowledged that the dismantling of 41 older ICBM launchers had not been completed in the required time period. The Soviet side explained the situation and predicted that all the dismantling actions would be completed by June 1, 1976, and agreed to the U.S. demand that no more submarines with replacement SLBM launchers begin sea trials before such completion. Both conditions were met.[11 12]

A fourth classified protocol worked out in the SCC implements the Accident Measures Agreement. This understanding, which was updated and expanded in June 1985, facilites and speeds the transmission of information by means of pre-positioned messages.

Another product of SCC deliberations is known as the Agreed Statement of 1987. It was prompted by a controverial Soviet practice that may have involved testing of a Soviet air-defense system radar in an ABM mode. The ABM Treaty stipulates that parties to the agreement are not to give radars other than ABM radars the capability to counter strategic ballistic missiles or their elements in flight trajectory and not to test them in an ABM mode. However, the U.S. delegation issued a unilateral statement in the SALT I negotiations that radars used for range safety or instrumentation would be permitted.

Intermittent Soviet tests of an SA-5 radar during 1973 and 1974 eventually prompted the United States to raise this issue in the SCC in February 1975. Secretary of State Henry Kissinger explained the time lapse as due partly to the necessary to protest sources and methods of intelligence but primarily to the need to have a clear picture of Soviet practices:

"The first information about any event is usually extraodinarily illusive and ambiguous, and one part of the process of the government is to refine the information until we reach a point at which senior officials can make a reasonable decision. I believe it is a good working hypothesis to assume that government is not run by conspiracy but by serious people trying to come to serious conclusions about difficult topics, especially when the charge of a violation of a formal agreement is not a minor matter to be introduced into the diplomatic discourse." [13]

According to Kissinger, seventeen days after the U.S. raised the issue of the SCC, this activity stopped and was not resumed.[14] The SCC's 1978 Agreed Statement clarified treaty obligations regarding the use of radars in an ABM mode as well as for range safety and instrumentation purposes.[15] These obligations were further clarified in June 1985.

Supported of the SCC cite the SA-5 radar case and the 1978 Agreed Statement as an example of the Commission's working effectively to maintain the viability of the ABM Treaty and to clarify the meaning of its provisions. Presidents Ford and Carter did not consider Soviet SA-5 radar tests to be a violation of the ABM Treaty. Nor did the GAC Report include this episode in its bill of particulars listing seventeen "material breaches." In contrast, a number of severe critics of the ABM Treaty have concluded that Soviet SA-5 radar tests constituted a clear-cut violation of the ABM Treaty. In Richard Perle's view, "I don't think you have to be a genius to conclude they were cheating. The Standing Consultative Commission never came to that conclusion and they never would have because of their desire not to face the realities." [16]

SCC PERFORMANCE STANDARDS

The purpose of this essay is not to arbitrate the validity of contending judgments of Soviet noncompliance, but to suggest ways in which compliance questions can be handled more effectively. For those most skeptical of arms control agreements and Soviet intentions toward them, the SCC's ineffectiveness is beyond repair. For those who are more positive about the role of arms control agreements and the SCC to advance national security, there are at least two important standards to apply when gauging the SCC's effectiveness. First, the proper functioning of the SCC should result in common interpretations of binding obligations where there are none or where both sides interpret these obligations differently.

An arms control agreement, like the American Constitution, is a living document. It requires constant interpretation in order to remain vailable under unforeseen circumstances or to meet unanticipated events. This is particularly true with respect to agreements governing weapon systems in fields, of rapid technological advance. The Soviet Union compounds these problems by exploiting grey areas when opportunities arise.

Both sides should be playing by the same ground rules; otherwise, existing agreements and support for them in the United States will continually be undermined. If both sides wish to reaffirm their obligations under existing agreements and if both use the SCC properly, there is every reason to expect the Commissioners to be able to hammer out agreements that resolve questionable activities and establish ground rules under which both sides may operate.

Second, the public has a right to expect that common understandings reached in the SCC should clearly affirm the basic objectives and purposes of the agreement in question. In practical terms, these remedies will vary depending on the circumstances in each case. In some instances, a return to the status quo ante might be called for; in others, a complete cessation of the practice in question might be necessary; in still others, the imposition of new barriers—such as verifiable limitations on developmental and operational test practices—might preclude military advantages deriving from troubling Soviet behavior.

In the much discussed case of the SA-5 radar, for example, as soon as the evidence suggested the need for action, the SCC succeeded in bounding the problem by prompting the cessation of concurrent testing, and later by securing common understandings on permissible uses of radars in conjuction with ABM tests and for range safety and instrumentation purposes. Critics have argued that, in the time it took to raise this issue in the SCC, the Soviets could have gained the knowledge needed to give the SA-5 system an ABM capability.

This critique overlooks two important considerations. First, whatever the Soviets may have accomplished with the SA-5 radar in question, there have been no reports in the press that the SA-5 system (i.e., its radar, interceptor missile, and launcher) has been tested against any target in an ABM mode. Second, if there had been serious concern about an upgraded SA-5 system possessing a significant ABM capability, one would wonder why more resources were not devoted at the time to penetration aids for U.S. strategic ballistic missiles.

As in the case of the SA-5 radar, damage assessments and proposed SCC remedies for Soviet testing at the margins will undoubtedly vary from one observer to the next. Thus, the professional judgment of senior military officers and national security officials will be critical to an administration's selection of appropriate countermeasures, within the SCC and elsewhere.

IMPROVING THE SCC

Improvements in the SCC's operations do not require changes in the Commission's charter and regulations. These provisions are broadly drawn to provide both sides the latitude to work constructively. Since the Commission's modus operandi will always vary somewhat due to the style and personality of its Commissioners, there is no single correct way to proceed in the SCC. Numerous roads can lead to success when both parties wish to maintain the viability of existing agreements. Conversely, when each side questions the other's intentions, even brilliant tactical decisions are unlikely to produce satisfactory results.

One way to improve the utility and effectiveness of the SCC is to clarify to whom the U.S. Commissioner reports in Washington. The SCC is a bureaucratic oddity: it was created by a treaty, not by an Act of Congress. The Commissioner's role was established by the SCC's charter. He is nominated by the unanimous consent of many different bureaucracies; therefore, he has no single patron. The nature of his responsibilities as well as the interagency character of his appointment suggests that the Commissioner report directly to the President's National Security Adviser. If other responsibilities do not require the U.S. Commissioner's presence elsewhere, his office should be located with the National Security Council (NCS) staff.

The NSC's authority is critical to minimize the lengthy delays and confusion that invariably result from deep or enduring interagency disputes over the Commissioner's instructions. A direct link to the NSC would also ensure better coordination between the SCC's work and ongoing negotiations. Interested agencies would continue, as at present, to play a central role in SCC activities by participating in the formulation of the Commissioner's instructions and by being represented on the SCC delegation.

In addition, the utility and effectiveness of the SCC can be further advanced by the following list of "do's" and "don'ts."

Stay in the SCC channel; look for reinforcement, not escalation

Compliance questions should be raised first at the SCC, not at higher levels or in other forums. The SCC is best suited to address SALT compliance questions, and the Soviets can work constructively in this arena. The U.S. does not need to raise issues in back channels in order for the Kremlin to see that the U.S. government attaches extraordinary importance to those issues, since the Soviet government already at-

[12] "SALT ONE: Compliance, SALT TWO: Verification," p. 7.

[13] Docurement on Disarmament—1975, p. 747.

[14] Ibid., p. 752.

[15] For a listing of the Standing Consultative Commission's agreements and a brief unclassified summary of them, see "SALT II Treaty: Background Documents," United States Senate Committee on Foreign Relations, 96th Congress, 1st Session, 1979, pp. 79-80.

[16] "Soviet Treaty Violations," p. 19.

taches considerable importance to the SCC's operations. Nor would the U.S. wish to imply that issues raised first in the SCC channel are relatively unimportant.

A different set of problems can arise if issues first raised at the SCC are escalated to higher levels for resolution. These tactics can undermine the effectiveness of the SCC, occupy officials who have less time and technical expertise than the SCC staff, and result in a hardening of positions, making ultimate resolution more difficult. The flexibility of the SCC to resolve these issues is then impaired if and when de-escalation occurs.

A far better approach for the U.S. is to look for reinforcement at higher levels if problems or delays are encountered in the SCC. Private interventions by cabinet-level officials or even by the President should underline the importance the U.S. places on a satisfactory resolution, while keeping the problem within the channel best suited to resolve it.

Whenever possible, the Soviet Commissioner should be advised by his counterpart in advance of the session when a new compliance question will be raised. There is little to be granted by "surprising" the Soviets and monitoring their reactions since the Soviet delegation will have to report back to Moscow anyway and then wait for instructions. Advance notification can save time and facilitate constructive exchanges.

Avoid using the SCC as a dumping ground for problems that can not be resolved in negotiations

Compliance questions will arise even when treaty partners are acting on their best behavior. Unforeseen events and technological change will generate these questions even if the practice of Soviet crowding at the margins does not. In other words, the SCC will have enough to do without becoming the depository of disputes that could not be solved in the course of treaty negotiations. Treaty texts should be as precise as possible. Where agreement can not be reached, the American Congress and public should be so advised, and Soviet deviations from the preferred U.S. interpretation should not be characterized as violations.

Whenever possible, use the U.S. SCC delegation's expertise to help avoid treaty language that can generate compliance questions

The Soviet delegation in strategic arms control negotiations usually includes either its SCC Commissioner or his Deputy. In contrast, the American SCC delegation does not normally have the opportunity to comment on the drafting of treaty texts. The Soviet practice makes far more sense than the American system of not utilizing the expertise the U.S. has at its disposal.

The SCC Commissioner can review draft treaty texts from a unique perspective. Unlike other members of the U.S. delegation, he has had operational experience in compliance controversies that ensue from various treaty formulations. As such, the U.S. Commissioner is in a position to provide helpful suggestions to avoid potential ambiguities and compliance problems.

Avoid raising issues in the SCC until the United States has its facts straight, and avoid characterizing problems as violations until the SCC channel has been thoroughly explored

Sometimes the collection of adequate evidence requires a maddening length of time. Once enough facts are known and can be utilized without jeopardizing sensitive intelligence "sources and methods," the issue should be raised promptly and pursued vigorously in the SCC channel. The Soviets, like the U.S., will respond one way to the presentation of questions concerning compliance and another to the receipt of a bill of particulars asserting noncompliance or "violations." Once the U.S. government frames an issue as a possible, potential, or clear violation, the Kremlin will be reluctant to take positive steps that might be construed as affirmation of these charges. On the other hand, the Kremlin has had little difficulty explaining whatever action it takes to its own people. The choices Kremlin leaders make will hinge on their calculation of the benefits derived from the activity in question and the risks of not taking positive steps to respond to U.S. concerns. These calculations will in turn bear directly on Soviet assessments of U.S. intentions toward existing agreements and motives for raising the issue in a particular manner.

Precisely for these reasons, the context of public assessments by government authorities on Soviet noncompliance is of central importance. As will be discussed below, official reports of SCC-related activities are at this point inescapable; they can also be helpful, but only if they meet far more stringent standards than those applied by individuals with political axes to grind.

The content of noncompliance reports will have much to do with Soviet reactions in the SCC and elsewhere. The Kremlin will read into premature or overstated reports an intent to set the stage for eventual withdrawal from existing agreements, rather than to contain domestic political damage and to shore up the erosion of previous agreements.

Categorize compliance questions within the SCC as to their degree of importance

Some compliance questions will always raise more serious concerns than others, and thus merit focused attention. Every compliance question, regardless of its military significance, should be raised in the SCC, but the Soviet side should be made aware of the relative importance the U.S. attaches to various isues. The SCC regulations expressly permit the establishment of working groups. This device can enable the Commissioners to concentrate on issues of greater importance while allowing groups to address subsidiary questions. If technical questions can not be resolved at the working group level, they can be addressed by the Commissioners in the usual fashion, and reinforced by higher authorities as deemed appropriate.

Avoid linking the resolution of unrelated compliance questions

As former SCC Commissioner Robert W. Buchheim and Dan Caldwell have noted, "horse-trading" is a common practice in negotiating new agreements. It may also be a useful device for amending agreements. But in implementing existing agreements, very little horse-trading is desirable.[17] Sometimes linking unrelated issues may work out satisfactorily, but other times it may not. A far better approach is to address each compliance question on its merits. By adopting this standard, each side will better serve its self-interest, and the SCC will work more effectively as a result.

[17] Robert W. Buchheim and Dan Caldwell, "The US-USSR Standing Consultative Commission: Description and Appraisal," Working Paper No. 2 (Providence, R.I.: The Center for Foreign Policy Development, Brown University, May 1983), p 7.

For the same reason, the Soviets work against themselves when they adopt a "scorecard" approach to compliance questions: whenever the U.S. raises a compliance issue, they raise a comparable issue. In private exchanges in the SCC, this tactic has little bearing on the outcome of deliberations since both sides can usually distinguish between real and cosmetic concerns. In public accusations of noncompliance, this Soviet tactic obfuscates somewhat the Reagan Administration's charges, but it also devalues the Kremlin's position on those issues about which it feels strongly.

U.S. and Soviet compliance concerns may usefully be linked when they relate to the same objective or purpose of an agreement

When comparable Soviet allegations of U.S. noncompliance reflect serious concerns on their part, it makes sense to link the resolution of them with U.S. concerns. It will not be possible to isolate common problems in any event.

For example, both sides have raised ABM Treaty compliance issues relating to the construction of modern large phased-array radars. Each side has a common concern that these radars can undermine the objective and purpose of Article I prohibiting the parties from providing a base for a territorial defense.

Each side has also expressed concerns about the other's development of futuristic technologies that might be applicable for ballistic missile defense. Article V of the ABM Treaty prohibits each party from developing or testing ABM systems or components that are sea-based, air-based, space-based, or mobile land-based (i.e., all mobile systems). This prohibition applies to both conventional and future ABM systems or components (i.e., systems based on other physical principles). Agreed Statement D requires amendments to the treaty to accommodate the deployment of ABM systems or components based on other physical principles. However, both sides can pursue these objectives while stipulating that their development and test programs constitute less than a complete substitute for traditional ABM components—thereby making them permissible under the treaty. Test practices of this sort can raise continuous compliance questions. Unless ground rules are established governing these tests, they could undermine the objective and purpose of Article V.

In these and similar cases, common problems relating to the same treaty provisions might usefully be addressed together in the SCC. If both sides wish to reverse the erosion of the ABM Treaty, new common understandings and agreements will become necessary governing the development and testing of certain advanced technologies with direct ABM applications. Common understandings and agreements will also be necessary for modern large phased-array radars.

Release more information about the SCC's activities and products

The regulations establishing the SCC contain the stipulation that the Commission's proceedings shall be conducted in private and should not be made public "except with the express consent of both Commissioners." This provision has been adhered to by both sides, and is still valid today. SCC deliberations must remain confidential if this forum is to produce diplomatic remedies. American Commissioners have repeatedly stressed, however, that neither the U.S. nor Soviet Commissioner has a veto power over

his government. In a democratic society, American Presidents have a responsibility to inform the public and the Congress of the SCC's activities in some way. While the proceedings have remained private, limited summaries of certain SCC deliberations have been released in the past.

At the start of the SCC's operations, a strict policy of secrecy was probably wise. The Soviets were unsure of the utility of this forum and wary of confidential exchanges on sensitive subjects. At this point, however, popular misconceptions about the role and record of the SCC as well as public concern over unresolved compliance problems have reached the point at which constructive factual public reports would be useful.

Reports would be constructive if they are offered in the context of problem-solving efforts in the SCC and serious negotiations to conclude new agreements. If government reports follow thorough efforts to resolve satisfactorily compliance questions in the SCC—including the use of reinforcements when necessary—and if those reports characterize compliance problems judiciously, their publication need not impair the SCC's activities. If, on the other hand, government verdicts of noncompliance are premature or based on ambiguous evidence, U.S. intentions will be widely questioned, cases where evidence is strong of Soviet misconduct will be devalued, and the SCC's ability to resolve issues will be impaired.

At this point in time, annual government reports summarizing the Soviet record of compliance should be released to the public, after the U.S. advises the Soviet Union of its intention to do so. More detailed classified versions should be transmitted to the relevant Congressional committees. These reports should indicate where the record of Soviet compliance has been good as well as where it has been problematic. The relative significance of issues raised in the SCC should be noted, and summaries of the SCC's handling of each issue should be provided. The proceedings of SCC sessions should remain classified, thus maintaining the principle of confidentiality. These reports should be prepared and transmitted to the Congress by the President's National Security Adviser, with the assistance of the U.S. Commissioner and coordination by the usual interagency process. Annual reports of this kind could defuse speculation over the purposes behind public disclosure and substitute for ad hoc compliance reporting requirements levied by the Congress.

In some cases, the public release of new SCC common understandings or agreed statements would be unwise. The products of SCC deliberations that involve sensitive weapon system characteristics, operations, and performance—such as approved dismantling or destruction procedures—should remain classified since they could raise security problems and impair fruitful private communication on other sensitive issues. However, unclassified summaries of these understandings that do not divulge sensitive information could be released. The contents of pre-positioned messages associated with the Accident Measures Agreement should also remain secret since they could be misused and pose security problems.

On the other hand, the fruits of the SCC's labors clarifying the objectives and purposes of existing agreements should be unclassified. For example, the 1978 Agreed Statement apparently does not involve any sensitive information and provides essential meaning to ABM Treaty provisions governing tests "in an ABM mode" and the uses of air-defense radars at test ranges. Anyone attempting to interpret properly treaty obligations in these areas should have access to the SCC's 1978 Agreed Statement. Similar clarifications worked out in the future should be available in their entirety to the Congress and the public.

CONCLUSION

The Standing Consultative Commission is an indispensable channel of communication between the superpowers over SALT implementation and compliance. Other channels could be used for these purposes, but none would be as ideally suited, unencumbered, or specifically authorized to do so. If something like the SCC did not exist, it would have to be created; if it falls into disrepair, existing strategic arms control agreements with the Soviet Union will be jeopardized.

Public reports of the SCC's activities and the other suggestions offered here can help the SCC delegations carry out their responsibilities for existing agreements. No suggestions will be of much value, however, if the U.S. and the Soviet Union are ambivalent about affirming the objectives and purposes of past agreements. During periods of strained political relations, negotiations over new agreements rarely proceed smoothly. While the SCC is somewhat more insulated from the ups and downs of superpower relations, it has not been immune from them. But when political relations between negotiating partners deteriorate to the point where intentions toward existing treaty obligations are called into question, the SCC cannot be an effective, problem-solving forum. If and when bilateral relations improve and both superpowers clearly signal their desire to reaffirm existing SALT commitments, the SCC can again resolve difficult compliance problems.●

THE IMPORTANCE OF GENERAL REVENUE SHARING TO RURAL AMERICA

● Mr. DURENBERGER. Mr. President, we are faced today with two crises—an agricultural crisis which cuts across rural America and a budget deficit crisis. They intersect in ways not commonly recognized. As the Senate begins consideration of the budget resolution for fiscal year 1987, among the recommendations that will be considered is a substantial cutback in general revenue sharing [GRS] funds.

Too often, in our efforts to meet budget targets, we look only at the numbers as if tallying up a score in a card game. But the stakes are much higher; they involve people and they do not affect all people or all places equally.

An important consideration that often gets overlooked is the effect of budget cuts on rural communities. America's heartland is now in the midst of a severe financial crisis which is felt deeply by farmers and their families and the local businesses and governments that serve them. We must be certain that in our attempts to solve the budget crisis we do not exacerbate the agricultural crisis. Eliminating or severely cutting general revenue sharing would do just that.

The value of GRS to urban communities has received widespread attention in the press and on Capitol Hill. But GRS funds are even more important to rural communities. For farm communities experiencing a decline in property tax revenues and decreased Federal and State aid, GRS has truly served as a lifeline. GRS funds have enabled rural governments to continue to provide basic, public services such as police and fire protection, road and street maintenance, services for the elderly and handicapped, and public health.

In fact, as the chart below illustrates, communities where the greatest source of income is derived from agriculture rely on GRS to a much greater extent than nonfarm communities. For example, in Minnesota, GRS comprises 42 percent of all Federal aid to agriculturally dependent communities but only 22 percent to nonagricultural communities.

LOCAL GOVERNMENT REVENUES IN FARM-DEPENDENT VS. ALL COUNTIES IN 10 SAMPLE STATES, 1982

	Percentage of all counties agriculturally dependent	General revenue sharing as a percent of all Federal aid
United States percentage distribution all local	NA	21.8
North Dakota:		
Nonagricultural		20.6
Agricultural	71.7	38.6
Iowa:		
Nonagricultural		25.8
Agricultural	52.5	46.6
Nebraska:		
Nonagricultural		22.6
Agricultural	69.9	49.3
Arkansas:		
Nonagricultural		29.9
Agricultural	37.3	29.4
Kansas:		
Nonagricultural		24.1
Agricultural	38.1	51.3
Georgia:		
Nonagricultural		21.2
Agricultural	20.1	54.1
Minnesota:		
Nonagricultural		22.4
Agricultural	40.2	42.2
Mississippi:		
Nonagricultural		32.2
Agricultural	23.2	67.8
Missouri:		
Nonagricultural		18.7
Agricultural	31.3	32.1
Montana:		
Nonagricultural		23.9
Agricultural	42.9	33.4

Source. USDA list of counties that have 20 percent or more of all personal income directly from farming; Government finance data from U.S. Bureau of the Census, "1982 Census of Governments, Compendium of Government Finance," vol. 4, No. 5, table 50.

For many rural communities, GRS is the only form of direct Federal assistance they receive. We rely on rural governments to provide the same services as their more urban counterparts, yet they are not eligible for a larger portion of intergovernmental aid. UDAG, CDBG and mass transit subsidies by and large benefit urban America. The elimination of GRS, as many have proposed, would have an immediate and devastating impact on the ability of rural governments to provide basic public services.

Moreover, the proposed elimination or curtailment of GRS comes at a time when the importance of GRS to rural communities is increasing. I know that many of you are familiar with the bleak facts confronting rural America today: Real net farm income declined from $14.9 billion in 1979 to just $5.4 billion in 1983; farmland values have plummeted by as much as 44 percent in some States over the past 5 years; by 1985, total farm debt had soared to $212 billion. The list goes on and on, but these numbers only tell part of the story. The farm crisis is more than a personal tragedy for thousands of farmers and small town businesses. It is a growing crisis of rural governments as well.

The Senate Subcommittee on Intergovernmental Relations is conducting a major study on the public impact of the farm crisis in rural America. Although it is not yet complete, it is already clear that there is another, growing dimension of the farm crisis which is little known and virturally unexplored—and that is its impact on rural governments.

As farmland values decline, assessed property tax valuations—the cornerstone of the local tax base—will also decline. And with property taxes comprising up to 48 percent of local own source revenues in some farm States, this devaluation places a severe strain on local governments' capacity to raise sufficient revenues to fund very basic public services like education, public safety and health.

The loss in revenues is compounded by the sharp rise in property tax delinquencies as farmers are unable to come up with the cash to pay their local property taxes. In some States, delinquency rates have increased fivefold.

On Main Street, in towns across rural America, a similar erosion is occurring. Without a healthy farm economy to support them, local businesses are forced to close, jobs are lost, and commercial property values decline.

At the same time local revenues are being squeezed, service demands are increasing. The governmental aspect of the farm crisis is a two-edged sword. More and more farmers and their families are requiring stress and financial counseling from public and private social service agencies. Rising unemployment in many States, including Minnesota, has meant a growing number of individuals seeking AFDC and State and local general assistance programs. And while demand for services increases, the revenue squeeze is forcing cuts in governmental employment, State aid and public services.

At the national level, we have expressed concern about the rural crisis but our budget actions have not been sympathetic. Between 1982 and 1984, total Federal aid to general purpose governments, not including general revenue sharing, rose 0.1 percent nationwide in current dollars. However, among the 85 agriculturally dependent counties examined by my subcommittee, Federal aid declined 18 percent during the same period.

Now, we are proposing to cut GRS funds down to $1.8 billion—leaving only a skeleton of a program. While I would like to see GRS funded at $4.6 billion, the current authorization level, I know that this is not very likely. And I agree with those of you who feel that the Federal Government cannot even pay its own bills, much less share its revenues with wealthy cities and counties. But I also strongly believe that the Federal Government has a continuing responsibility to help those communities so burdened by Federal aid cuts, new responsibilities and economic decline that they are unable to provide a minimum level of basic public services.

To assist these communities, I have introduced a bill to create a program called Targeted Fiscal Assistance [TFA] which will assure that all communities can provide their citizens with a minimum level of basic services such as police and fire protection, street and bridge maintenance, public health and services for the elderly. My proposal retains the heart of GRS and applies it to today's economic realities. Under the Targeted Fiscal Assistance Program, local governments will continue to receive general purpose grants that they can use to meet their own funding priorities. But my program will better target the funds to those communities that need it most; communities that face above average service demands and do not have the resources to meet these needs on their own.

The Targeted Fiscal Assistance Program will provide a fiscal safety net for needy rural and urban communities and it will do so in a more cost efficient and budget conscious manner. Even with a funding level of $2.28 billion—a 50-percent reduction from the current GRS authorization—this program will go further in reducing fiscal disparities among communities.

TFA has neither a rural nor an urban bias—its only bias is need. However, as the chart below demonstrates, TFA is more responsive than GRS to rural communities that are experiencing fiscal stress due to the farm crisis.

FUNDING LEVELS UNDER TFA AND GRS

County	PCI	PCI as percent of State	Percent increase in funding under TFA versus GRS [1]	GRS as percent of country taxes
Iowa:				
Lyon	6570	72.5	41.1	14.1
Palo Alto	7681	84.7	26.3	10.3
Sioux	6830	75.3	38.6	13.0
Kansas:				
Hodgeman	7339	77.6	19.9	4.8

FUNDING LEVELS UNDER TFA AND GRS—Continued

County	PCI	PCI as percent of State	Percent increase in funding under TFA versus GRS [1]	GRS as percent of country taxes
Haskell	7920	83.7	20.8	6.8
Meade	7570	80.1	76.0	5.6
Minnesota:				
Lincoln	6116	62.6	89.2	14.3
Pipestone	7095	72.7	50.3	14.0
Rock	7463	76.4	33.2	13.9
Nebraska:				
Knox	5156	57.6	122.5	12.5
Cedar	5758	64.3	38.7	19.3
Antelope	5878	65.7	76.2	13.0
North Dakota:				
Lamoure	7567	84.2	43.8	15.6
Logan	5764	64.2	74.0	15.0
McIntosh	6946	77.3	56.0	16.9

[1] Assumes equal national funding levels of $2,300,000,000.

As the Senate takes up consideration of the fiscal year 1987 budget resolution, I urge you to consider the special burdens that rural communities face today and consider the reasonable alternative offered by the Targeted Fiscal Assistance Program.●

WORLD HERITAGE DAY 1986

● Mr. GORE. Mr. President, I would like to take this opportunity to recognize today as World Heritage Day 1986 and to commend the National Park Service and the U.S. Committee of the International Council on Monuments and Sites [US/ICOMOS] for their outstanding leadership in implementing the World Heritage Convention.

World Heritage Day was first celebrated in 1984 to provide nations and communities around the world an opportunity to share in their celebration of the world's most revered natural and cultural resources. The World Heritage concept was initiated by the United States and presented to the community of nations at the Stockholm Conference in 1972. In 1973, the United States became the first country to ratify the World Heritage Convention, which has now been signed by 89 countries.

As a result of this treaty, 216 cultural and natural sites of outstanding value are protected by the support pledged by these member countries. The United States now has 14 World Heritage sites. I am most proud to say that my home State of Tennessee, along with our neighboring State of North Carolina, contains one of the most popular of these sites, the Great Smoky Mountain National Park.

Each one of these sites has been found to have "outstanding universal value to mankind." The Smokies set a record last year of over 9.3 million visitors who came to experience its high elevation ecosystem, 70 miles of Appalachian Trail, and early Southern history. The park, with over 500,000 acres, also has the distinction of being designated an international biosphere reserve.

Next year, the 8th ICOMOS general assembly will be held October 7-15 in Washington, DC. It will be cohosted by the National Park Service and the National Trust for Historic Preservation. Held every 3 years in different locations around the world, the general assembly serves as a common meeting ground for the 600 delegates that represent ICOMOS's national committees.

Under next year's conference theme, "Old Cultures in New Worlds," delegates will study methods to identify, preserve, maintain, and interpret their countries' national heritage. This is the first time that the general assembly has been held outside of Europe, and plans are being made to schedule tours to nearby historic areas and to several World Heritage sites. For many of the delegates, this will provide the first and perhaps only opportunity for them to visit our country.

Mr. President, in these difficult times of international conflict, it is encouraging to know that the nations of the world still desire to join together to recognize and preserve the world's historic monuments, buildings, and sites of international significance. This spirit of cooperation is surely one of the most promising keys to world peace and understanding.●

THE INSTITUTE OF POLITICAL ECONOMY

● Mr. GARN. Mr. President, one of the most exciting developments of the 1980's has been the growth of independent "think tanks," those hotbeds of new ideas and techniques which have helped us in Washington make the Government work better and cheaper. As you well know, Mr. President, I have been critical, during my tenure in this body, of the efficiency of our Government, but I think all of us have an obligation to make it work better, and to the extent that these think tanks can help us, I believe we should use them.

I bring this matter up because of the announcement of a new organization in my home State of Utah, an organization that can, I think, help us to focus on the problems of the public lands States, and help us to examine the situation in these States in light of the best economic and political analysis.

I refer to the Institute of Political Economy at Utah State University. As a graduate of the University of Utah, I have never been one to wonder whether anything good can come out of Logan; the contribution of the fine institution located there has already improved immeasurably the way we consider land-use problems in the West. This new institute promises more of the same.

The director of the institute, Associate Professor Randy Simmons, is well-known to us here in Washington already. For 2 years he was an assistant to the Director of Policy Analysis at the Department of the Interior, where many of us and our staffs worked with him extensively. Professor Simmons was educated at Utah State himself, and then at the University of Oregon. He has also been associated with the Political Economy Research Center in Bozeman, MT. I do not agree with every idea that comes out of PERC, but I have always found their analysis fascinating, thoughtful, and thought-provoking. In any event, it is clear that Professor Simmons is superbly and uniquely qualified to bring to bear the best economic analysis on the problems of development and land management in the Western States.

I wish Professor Simmons and his associates well, Mr. President, and predict that we will hear much, much more from them as time goes on. In order that my colleagues might begin to become acquainted with the Institute of Political Economy, I ask that a short description of the institute and its projected plans be inserted at this point in the RECORD.

The material follows:

USU INSTITUTE OF POLITICAL ECONOMY

POLITICAL ECONOMY AT USU

Political economy is the application of economic analysis to political processes as well as the study of the interaction of markets and politics. Two hundred years ago political economy included the subject matter of economics, political science, and part of sociology. The concepts underlying the United States Constitution were developed by political economists. A new generation of political economists is developing a discipline that is not modern economics nor modern political science but is both. They use the concepts developed by the classical political economists and apply them to the modern political economy.

The USU Political Science Department has established the USU Institute of Political Economy to promote the use of political economy in basic policy related research, to refine and review the results of that research, and to disseminate the results. There is a core of USU political economists involved in Institute programs. But there are not nearly enough to carry out the program envisioned for the Institute. Thus, political economists from the nation's universities will be involved. For example, at the recent conference on the International Political Economy of Food Scarcity two of the 15 participants were from the USU faculty. The others were the nation's and in some cases the world's experts on the subject matter.

Political economy provides a focused methodology, USU's faculty provides a core of researchers, and the nation's most accomplished scholars participate in the Institute programs. This combination provides the Institute and the University with visibility and credibility reaching far beyond the state and region.

USU INSTITUTE OF POLITICAL ECONOMY—MISSION STATEMENT

The focus of the Bureau of Government and Opinion Research in the Political Science Department at Utah State University has evolved over the past several years to include more than simply public opinion research. To better identify the research activities, the Department has reorganized the Bureau to form the USU Institute of Political Economy. The Institute is designed to be much like the vertically integrated firm which discovers and mines raw materials, refines them, and markets the resulting products. We develop ideas through basic research, exchange and refine them through various forums, and disseminate them to policy makers and to the public.

The Institute programs—research, seminars, conferences, internships, and special lectures—emphasize the analysis of government policies using "equity," "efficiency, and "freedom of choice" as measures for policy effectiveness. We apply, and encourage policy makers to apply, basic economic principles to the study of public policies and processes.

The Institute programs reflect more than theoretical interests and involve more than university educators and administrators. The concerns, recommendations, and research results that evolve out of the programs made possible by the Institute facilitate the ultimate mission: to apply the tools of political economy to policy research in order to make research results available and understandable to policy makers and to improve future policy formulation through discovering, refining, and disseminating ideas.

THE INSTITUTE PROGRAMS

Discovering ideas through research

Through the research activities of the Institute we gather and formulate ideas on how to increase equity, efficiency, and freedom of choice in the application of government policy. The Institute provides funds to support research directly and seed money to develop outside research funding. Specifically, we:

Conduct Basic Research on specific policies, especially those we anticipate being on the policy agenda in the near future.

Investigate Results of existing policies to determine how equitable and efficient they are and how they effect the range of people's choices.

Test Economic and Political Theories in small group experiments to test various economic and political theories about how people will respond to different policies.

Conduct Public Opinion Surveys and analyze reactions to issues and questions.

Refining ideas through conferences, seminars, and lectures

Students, citizens, faculty, and distinguished social and natural scientists are brought together to review and refine the ideas that arise from Institute sponsored research. The specific forums supporting the refinement of ideas include:

Conferences: Some are for general audiences such as students, citizens, and faculty. Others are for specific audiences such as agency administrators or Congressional staff. Working conferences provide an environment where experts meet to work over their ideas in order to produce a book, briefing papers, or articles. Some conferences are on campus, others at hotel conference facilities, and others on location such as organized float trips. Planned conferences for 1986 include one on the public trust doctrine as applied to water and wildlife and one on the lessons from 200 years of living with the American Constitution. Another conference under consideration is one on

the political economy of natural resources for journalists from the nation's leading newspapers and magazines.

Seminars and Lectures: Noted policy professionals and academics organize conferences, conduct seminars and research, deliver special lectures and teach in collaboration with Utah State University faculty.

Disseminating ideas

Many scientists and researchers research policy questions, propose exciting new ideas, and publish them in academic journals. However, few involved in really making policy read academic journals. The result is that important ideas and analysis go unheard and are not available to be considered by policy makers and implementers.

We believe that ideas have consequences, if they are heard. Therefore, we want to make the ideas fostered and refined through the Institute programs heard and considered by the general public, by the policy professionals, and by the academic community. We take the following actions:

Publish books and articles designed to be understood by the interested lay person, as well as by academics.

Publish editorials and columns in the nation's leading newspapers: These articles summarize research results making them available for general consumption. An article appearing on the op-ed page of the *Wall Street Journal* will have far more impact on opinion and policy than it would in *The Policy Studies Journal.*

Publish a readable, concrete newsletter informing interested people about Institute proposals, activities and accomplishments. (We plan to begin publishing the newsletter during 1986.)

Prepare briefing papers and testimony for agency and legislative hearings and staff; allowing us to place research results and proposals directly into the hands of those making policy decisions.

Provide well trained student interns for legislators and members of Congress, lobby groups, and political candidates. This gives them opportunities to apply classroom skills to read world situations. Recently, about half of our 25+ interns per year have entered careers in government, lobbying, or campaign consulting immediately upon graduation. Most of the rest have gone on to law or other graduate school. The interns provide continual access for Institute ideas to policy makers.

PROGRAM HISTORY

For several years the Political Science Department has been developing an extensive program of research programs, conferences, seminars, visiting professors, and student internships in addition to the public opinion surveys conducted through the Bureau of Government and Opinion Research. These programs have provided visibility and an identity for the Department as a place with an exciting intellectual atmosphere, where serious questions of political economy are addressed, and where students are well instructed in the classroom and have opportunities to apply their classroom skills in real world situations. Conferences have been held on foreign policy, national security policy, the political economy of the international food crisis, the potential of privatizing public lands, energy development in the West and its effects on the environment, the United States Constitution, political party realignment, and food security and the international political economy. The programs have attracted noted social scientists and policy professionals.

PERSONNEL

The Institute Director is Randy T. Simmons, a political economist and Associate Professor in the Department of Political Science. He recently returned to USU after spending two years as the assistant to the Director of the Office of Policy Analysis in the U.S. Department of the Interior.

Professor Simmons is assisted by Cindy Nielsen, a staff assistant with fifteen years experience at Utah State University. She manages the Institute budget, handles all administrative details for conferences, supervises clerical workers and graduate students doing work for the Institute, and coordinates the Institute's fund raising activities.

Internships are directed by Michael Lyons and lectures and seminars are cooridnated by Peter Galderisi, both Assistant Professors in the Department of Political Science. In addition to directing Internships, they are regular participants in conferences and seminars sponsored by the Institute.

Several other faculty members from Utah State University are involved in Institute programs. In addition, researchers at other universities, in think tanks, and in government are involved.●

U.S. INDUSTRIAL COMPETITIVENESS

● Mr. RIEGLE. Mr. President, almost 3 years ago President Reagan established a Commission on Industrial Competitiveness to assess America's competitive position in rapidly changing world markets.

Members of the Commission were 30 top leaders of American business, labor, government, and academia. The Commission was broadly based. Members had direct experience with different industries. They came from various parts of the country. And they came with different philosophies.

After more than a year of study, the President's Commission reached unanimous agreement. All 30 members agreed that vigorous foreign industries are directly challenging many of the largest and most successful sectors of our economy. They agreed that America's ability to compete in world markets is inadequate and eroding. They agreed that continued deterioration threatens U.S. world leadership, our standard of living, our national security and our ability to fund important domestic programs. They even agreed on a total of 91 action items to strengthen America's competitive performance.

The breadth of the agreement was remarkable. So was its intensity. The Commission called on Americans to "take on the challenge of competitiveness as the economic agenda for the next decade."

A year has passed since the Commission made this challenge. It is therefore appropriate now for the administration to provide the American people with a progress report on the vital agenda set forth by the President's own Commission and on future plans to implement the Commission's recommendations.

The President's Commission put its finger on no abstract problem. Its hard reality is felt in the personal experiences of America businessmen and workers in all types of industries. Many of them have come to me and to many of my colleagues with alarming evidence of the stiff, new form of economic challenge that is coming from overseas.

The Commission's great contribution was to show how American industry's ability to compete in that new environment has seriously weakened over a 15-year period and across many industries. Six striking facts stood out as I read the Commission's report.

First, real wages of American workers have stagnated since 1973 and, even with the recovery, they still remain below their 1977 level. By comparison, real compensation had been rising steadily at a 2.6 percent annual rate in the decade prior to 1973. The stagnation of real wages means that millions of American families will be frustrated in their hopes for a rising standard of living.

Second, the U.S. merchandise trade balance turned negative in 1971 after having been positive since 1893. Except for 1973 and 1975, the U.S. trade balance has been declining for the last 15 years. That problem began well before the dollar appreciated. In fact, during the 1970's, the U.S. trade deficit was growing despite a 15 percent depreciation in the dollar.

Third, between 1965 and 1980, U.S. exports lost world market share in 7 out of 10 high tech or "sunrise" industries: engines and turbines, professional and scientific instruments, electrical equipment and components, optical and medical instruments, drugs and medicine, plastic and synthetic materials, and industrial chemicals.

We held our share in aircraft and parts. We gained export market share only in office, computing and accounting machines and in agricultural chemicals.

Fourth, the main weight of U.S. trade has shifted dramatically from Europe to the Pacific basin. U.S. imports of manufactured goods from Western Europe dropped from 46 percent in 1962 to 24 percent in 1983. Over the same period, Japan's share of our manufactured imports rose from 16 to 25 percent. Pacific rim countries—such as Taiwan, South Korea, Singapore, Hong Kong, and Malaysia—went from a 5 percent share in 1962 to 19 percent in 1980. By 1990 at that rate of growth, our manufactured imports from the Pacific rim will be two times the amount imported from Europe.

Fifth, in recent years the U.S. bilateral trade deficit with Japan has been even larger in electronics, $21.3 billion

in 1984, than in automobiles, $20.0 billion.

And finally, the United States has lagged behind other nations in training of engineers. Japan has been graduating more engineers than the United States—more than twice as many on a per capita basis. I ask that the following table be printed at this point in the RECORD.

LEVELS OF EDUCATION IN ENGINEERING

Country	First university degree (1982)		Doctoral degree (1981)	
	Number	Per 100,000 persons	Number	Per 100,000 persons
Japan	73,600	62	1,250	1.1
West Germany	6,800	11	1,000	1.5
United Kingdom	10,300	18	NA	NA
United States	67,400	29	2,550	1.1
France	11,900	22	NA	NA

Mr. President, several months ago I initiated a factual monthly report called the Monthly Trade Alert. It has picked up an continued part of the valuable work of the Commission by regularly minitoring 17 key measures of our position in world trade, in labor productivity, in real wage growth and in unemployment, inflation and Federal pressure on the capital markets. The Monthly Trade Alert uses a framework outlined in the Commission's report. Taken together, those 17 measures give a realistic picture of where this country stands in the struggle for good jobs, economic security and a rising standard of living for our people.

In all these measures, the Commission found a very serious problem in January 1985. The evidence since then is reason for continuing concern, because some disturbing facts lie just below the surface of the seemingly rosey economic news we have been hearing recently.

MERCHANDISE TRADE DEFICIT

U.S. merchandise trade performance continues to erode. The trade deficit in 1985 rose to $148.5 billion, exceeding the 1984 level of $123 billion. The trade deficit for January and February 1986 stands at $28.9 billion—an increase of $7.4 billion from the same period in 1985.

NET INTERNATIONAL INVESTMENT POSITION

The U.S. net international investment position has deteriorated to a point where the United States is now one of the three largest debtor nations in the world. The debt for 1985 may reach $89 billion placing this country behind only Mexico and Brazil among the World's largest debtor nations. During the last quarter of 1985 alone, the debt increased by $36.6 billion.

VALUE OF THE DOLLAR

An important part of our trade deficit is with countries that tend to peg their currencies to the dollar. Although the value of the dollar has declined relative to 10 major foreign currencies by nearly 30 percent since February 1985, it has fallen by only 0.8 percent on a trade-weighted basis against Taiwan, Singapore, South Korea, and Hong Kong.

PRODUCTIVITY

Productivity has risen less in this recovery than in any other since World War II. U.S. output per hour has risen an average 1.4 percent in the current recovery compared to a 3.3 percent average for similar recovery periods since 1949. U.S. productivity rose 0.3 percent in 1985 compared to typical Japanese rates of over 7 percent and German rates of over 3.5 percent.

CAPITAL INVESTMENT

Nearly all capital spending went for vehicles, office machines, and computers and not for production equipment. Business investment in plant and equipment fell short of expectations by 1.3 percent in the third quarter of 1985. For 1986, the Department of Commerce expects it to decline in real terms by 4 percent in the manufacturing sector and 1 percent across all industries.

INTEREST RATES

While U.S. interest rates have fallen by about 16 percent since January 1985, those of our major competitors have also declined and remain well below ours. In January 1986, interest rates were 10.5 percent in the United States but only 6.7 percent in Japan, 7.1 percent in Germany, and 10.4 percent in Canada.

JOB CREATION

The service sectors have created the vast majority of new U.S. jobs in recent years. Manufacturing unemployment held to 7.2 percent in March 1986, and manufacturing employment remains 130,000 below the previous year's level as a result of the loss of 337,000 manufacturing jobs between January and September 1985. The Commerce Department recently reported that increased imports caused the loss of about 700,000 U.S. jobs in 1984.

REAL WAGES

The U.S. economy has not been able to support rising real incomes, a key sign of weakness in competitiveness. Real wages remained stagnant in the last half of 1985 and showed a 0.5-percent decline in the nonfarm business sector.

Mr. President, since the turn of the century several generations of Americans had reason to develop a belief that U.S. industry has unquestioned superiority in the world and that other countries would in time adopt our ways of doing things. Americans felt they did not have to worry about foreign competition. Administrations of both parties developed economic policy without sensing the need to have a national strategy for international competitiveness.

Since 1970 that has become a luxury we can no longer afford. Most notably Japan but also a large and growing number of other foreign countries have adopted national development strategies that are based on closing their home markets and exporting to the United States. Some of those foreign practices threaten the stability of the international trading system. Some of our trading partners are behaving like trade adversaries. Some of those foreign practices are just shrewder than our own. But all of them taken together pose an unprecedented challenge to American industrial strength and to our employment base.

This generation of American leaders—in industry, in labor, and in Government—must not turn away from that challenge. Unfortunately, we have already squandered valuable years with artificial debates over "big government intervention in the economy" versus "the magic of the market place." We have been diverted into theoretical arguments over "free trade" and "protectionism."

The President's Commission provided a fresh, new starting point for practical action to improve our productivity, to develop an effective trade strategy, to create and retain good jobs, and to maintain a rising standard of living.

The American people deserve to have U.S. competitiveness placed at the top of our national agenda. They deserve an open dialog on practical steps to meet the intense international challenge and to assure our long term economic security. They deserve accountability on competitiveness from their national leaders.

On April 17, Senator ROCKEFELLER introduced Senate Joint Resolution 327, which is a good step toward that accountability. That resolution calls for the President to report on steps that have been taken and are being planned to implement the recommendations of his own Commission on industrial competitiveness. The President's report would provide a valuable basis for bipartisan attention to this vital issue.

I was pleased to join a bipartisan group of 34 Senators in introducing this resolution.

I urge my colleagues to give this resolution their attention, to join us as cosponsors, and to pass it at an early date.●

PRESIDENT'S DECISION TO CONTINUE COMPLYING WITH SALT

● Mr. HEINZ. Mr. President, the media has reported an apparent decision by President Reagan to uphold the SALT limits on MIRV'd missiles by dismantling two Poseidon submarines when our newest Trident submarine goes to sea next month. The de-

tails are not yet final or confirmed, but if the President has reaffirmed his no-undercut policy he has earned the thanks and praise of all Americans committed to military security and strategic arms control.

The reported decision by President Reagan to continue observing key SALT numerical limits is the right decision. It preserves treaty limits that serve American security. The President's decision upholds limits that the Soviets continue to honor, limits that are the only important surviving arms control accomplishments on which to build new, more restrictive arms limitation agreements.

Earlier this month I joined 51 of my Senate colleagues in writing a letter to President Reagan urging him to stick by his no-undercut policy. Others expressed the same sentiment in their own letters. The clear majority of the Senate that backs this policy applauds President Reagan's reaffirmation of his support for arms control limits that serve our vital interests.

Many critics of arms control have claimed that the limits contained in the two SALT treaties do not go far enough to restrain the strategic arms competition. Our objective remains deeper cuts, tighter restrictions. The first step towards that goal is to keep the limits we do have. The Soviets have to give up operational systems to stay within the limits, and so do we. That is where true arms control begins. The President's decision to dismantle two old submarines confirms that the United States can take positive steps that serve our security interests and preserve the chance for arms control breakthroughs.

The decision reportedly includes proportionate reponses that do not undercut the SALT limits. The two reponses are said to be pursuit of the small mobile ICBM, the Midgetman, and a possible acceleration of the advanced cruise missile program. The Midgetman, which will break the restriction on new land-based missiles when it is flight tested in a few years, is exactly proportionate to what I see as the most serious Soviet undercut of the SALT treaty, their SS-25 ICBM. The cruise missile program is consistent with SALT, and continues to tie down Soviet defense investment in defensive systems while capitalizing on our technological strengths.

These two proportionate responses meet the test that any response to Soviet violations must meet: They serve American security interests, and they avoid needlessly undercutting SALT limits that both the United States and the U.S.S.R. currently observe.

Last June the President said he was going the extra mile in continuing to observe the MIRV missile limits of SALT. It is an extra mile that I am glad to take, because we are not helping the Soviet Union, we are helping ourselves. We are preserving arms control limits that contain the buildup of the most dangerous weapons in the superpowers' bulging arsenals—multiple warhead missiles. We are preserving the groundwork for an agreement that achieves the President's stated arms control priority—a treaty that mandates real reductions in nuclear forces. If we are indeed walking an extra mile, it is an effort every bit as important to U.S. security and arms control strategy as the weapons we fund and build to maintain deterrence.●

TRIBUTE TO SAMUEL LOUIS BALLINGER

(By request of Mr. DOLE, the following statement was ordered to be printed in the RECORD:)

● Mrs. HAWKINS. Mr. President, I want to take this opportunity to congratulate an outstanding program in Miami that for the past 25 years has recognized young men for their achievements in scholastic and community endeavors.

The Egelloc Civic and Social Club will hold their "Men of Tomorrow" program on April 26. Started in 1941, The Egelloc Civic Club participates in community service projects by enlisting promising young men who display a special awareness to needs of the community.

One such young man is Samuel Louis Ballinger. Louis is an outstanding young men who excels in his academic work, as well as civil involvement. The city of Miami can be proud of Louis and all the young men who will be honored this year.●

S. 100, THE PRODUCT LIABILITY ACT

● Mr. KASTEN. Mr. President, today the liability insurance crisis is a matter of national concern, but for a long time there have been Members of this body concerned about this problem and the underlying need for reform of our civil justice system—particularly in the area of product liability litigation. It was this concern that prompted them to become cosponsors of S. 100, the Product Liability Act, which I introduced in January of 1985.

After S. 100 became deadlocked in the Commerce Committee, we began efforts to formulate a product liability reform measure that incorporates elements of S. 100 with other reform proposals that promote alternatives to litigation. These efforts are continuing, but the names of those Senators who became a part of this process early on as cosponsors of S. 100 were inadvertently omitted from the RECORD.

As a consequence, I have asked unanimous consent that the names of the following seven Senators who became cosponsors of S. 100 early in 1985 be noted in the RECORD: Senator HELMS, February 5, Senator LUGAR, February 5, Senator ABNOR, February 25, Senator EAST, March 19, Senator PRESSLER, March 21, Senator GARN, March 25, and Senator QUAYLE, April 17.●

NAUM AND INNA MEIMAN: A CARING COUPLE

● Mr. SIMON. Mr. President, this morning I testified on behalf of the divided spouses at the hearing on Soviet and East bloc emigration policies. This hearing was before the Commission on Security and Cooperation in Europe which is an outgrowth of the Helsinki accords, signed in 1975.

At the hearing, I mentioned the case of Naum and Inna Meiman. Though not a case of divided spouses, they too are in a tragic situation caused by the Soviet Government. They are a warm, caring couple who wish to emigrate to Israel. The tragedy is that the Meimans are in poor physical health. As the Soviet Government continues to deny them the permission to emigrate, the Meimans chances to live in Israel dwindle.

The Meimans wish to emigrate in order for Inna to receive vital medical treatment available only in the West. The Soviets have continually denied the Meimans and many others their basic human rights. Naum's participation in the Helsinki watch group has resulted in 10 years of harassment. The Soviets have effectively disbanded the watch group.

I urge the Soviet authorities to allow the Meimans to go to Israel.●

SURVIVORS OF ABORTION: THE DREADED COMPLICATION

● Mr. HUMPHREY. Mr. President, most American citizens are unaware of the magnitude of the problems connected with second- and third-term abortions. Few are even aware that such abortions are protected by the Roe versus Wade decision. Fewer still are aware that 300 to 400 children survive these abortions each year.

When tiny infants survive late-term abortions, they plunge doctors, nurses, hospital administrators, and, particularly, their mothers into a profoundly painful dilemma. There are few time-worn principles by which to establish procedures to govern such contingencies. And the appalling lack of treatment received by these defenseless newborns is unacceptable.

I request that my colleagues read the article I am submitting from the New York Times which attempts to outline the ethical problems raised by this scandal. If the medical profession is unable to formulate suitable guidelines for the protection of these new

human lives, then the Congress will have to intervene. The article follows:

[From the New York Times, Feb. 15, 1984]

WHEN ABORTION BECOMES BIRTH: A DILEMMA OF MEDICAL ETHICS SHAKEN BY NEW ADVANCES

(By Dena Kleiman)

A woman went to Beth Israel Medical Center in Manhattan for an abortion. When it was done, the doctors told her she had just given birth to a daughter.

The child, though seriously brain-damaged, was saved by new techniques of caring for extremely premature infants, and the techniques get better every year. The number of children surviving abortions is still tiny, and their chances of leading healthy lives are still small, but they are posing extraordinarily troubling problems for doctors and hospital administrators.

In effect, medical technology has leaped beyond both the law on abortion and the assumptions of medical ethics. At many hospitals, policies have been thrown into turmoil.

Doctors are grappling with whether a child born as a result of an abortion should be given the same extraordinary care as one born of a miscarriage. Hospital ethics committees are confronting the question of whether late abortions should be moved out of operating rooms and into the obstetrical wings holding the latest life-saving equipment. Women requesting late abortions at some hospitals are being told that a fetus born alive will be given all chances to survive.

ONE OF OUR MOST DIFFICULT AREAS

"The area of late abortions is one of our most difficult areas," said Dr. Alan Rosenfield, acting director of obstetrics and gynecology at Columbia-Presbyterian Medical Center. "There are no easy answers given our technology now."

In its landmark 1973 decision, the United States Supreme Court upheld a woman's right to abortion until the point of fetal viability and said that point was generally at about 28 weeks after conception. In New York State, the law allows abortions through the 24th week of pregnancy. But a decade of advances in medical science have made it possible to sustain the lives of infants earlier—as early as 23 weeks.

Live births after abortions are still extremely rare. Of the more than 160,000 abortions performed in 1982 in New York, there were 18 live births, according to statistics maintained by the State and City Health Departments. No statistics are maintained nationwide.

But the very possibility—a possibility most hospitals are reluctant to discuss openly—has stirred internal hospital discussions of when and how abortions are performed, whether late pregnancies should be screened for defects, and what specific procedures should be taken if a child is born live.

And there are difficult new legal issues. When an abortion becomes a birth, it is unclear who must decide what procedures are in the infant's best interest or who is financially responsible.

Because infants born of abortion are injured in the abortion process, legal scholars are asking whether it would be possible for such a seriously injured infant to make a claim of "wrongful life" against a hospital.

DIFFERING APPROACHES TO THE PROBLEM

Policies vary dramatically.

Some hospitals are now only performing elective abortions until the 20th week—a point where it is still impossible to sustain fetal life—except in cases where a fetus has been determined to suffer from major defects.

Others, refusing to make even that exception, are declining to perform amniocentesis, the genetic screening of the amniotic fluid surrounding the fetus. The test is generally recommended for women over the age of 35 and undergone by countless others to detect fetal abnormalities.

Some hospitals are switching to an abortion procedure that eliminates any possibility that a fetus might live.

WARNINGS TO THE FAMILIES

At still others, families are routinely being advised that an abortion may result in a live birth.

"We have to warn the families," said Dr. Hugh R. Barber, chief of obstetrics and gynecology at Lenox Hill Hospital in Manhattan, where abortions are performed until the legal limit of 24 weeks. "You have to tell them there is a slight possibility the fetus may live."

Dr. John Parente, director of obstetrics and gynecology at the Bronx-Lebanon Hospital Center, said that emniocentesis is not available there and that the hospital did not want to do late abortions.

"It's an emotional problem," he said. "We just don't want to do it."

"We decided to cut back to 20 weeks," said Dr. Fritz Fuchs, professor and former chairman of the department of obstetrics and gynecology at New York Hospital-Cornell Medical Center, where an exception is made for major defects. "In this manner, we have avoided getting into any difficulties with the law."

FEAR INSPIRES CAUTION

The subject is rife with emotion and debate. Much of the discussion is taking place behind closed doors for fear of publicity and lawsuits.

Told about the subject of this article, many doctors declined to return telephone calls. In one case, the director of obstetrics at a major New York hospital spoke in detail of an aborted infant's survival last year and the traumatic impact this event had on the hospital's staff. The next day, he called back to deny the incident had ever occurred.

The questions of when abortions should be performed, by what method, and what kinds of infants should be saved are answered differently by different physicians.

While publicly the great majority of hospitals agree that any infant who survives an abortion or miscarriage should be kept alive, doctors acknowledge privately that this practice varies widely from hospital to hospital.

CIRCUMSTANCES OF PROCEDURE

"It's necessary to remember that these days abortion is done on request and therefore not a procedure you undertake in the interest of the fetus," said Dr. Gordon W. Douglass, the chief of obstetrics and gynecology at New York University Medical Center, where abortions are performed only until the 20th week of preganancy except in cases of fetal abnormality.

"What most of us try to do is to try to remain within the law and not generate problems for anyone," Dr. Douglas said. "The hospital requires any live fetus to be given full supportive services and full resuscitation regardless of prognosis. But the delivery of a living fetus carries no guarantee of a surviving adult of any competence."

Complicating the problem for doctors at many hospitals are advances that have been made in detecting defects long before birth. Many of these procedures, including amniocentesis and sonography, cannot be performed until relatively late in the pregnancy, so often decisions about such abortions are made just at the edge of fetal viability.

WORKING AT CROSS PURPOSES

"It makes us all schizophrenic," said Dr. Richard Hausknecht, an associate clinical professor of obstetrics and gynecology at Mount Sinai Hospital who specializes in high risk pregnancies. "Nowadays we are asked to terminate a pregnancy that in two weeks doctors on the same floor are fighting to save."

Very premature infants, with low birth weight, suffer from myriad problems. Recent advances have helped prevent lung collapse in these tiny infants and have made it possible to nourish them with new formulas.

Nevertheless, serious handicaps persist. The cost of producing a survivor from a fetus of less than 28 weeks' gestation—whether it is a result of an abortion or of natural miscarriage—can run into the tens of thousands of dollars, not including medical costs from later complications of premature birth.

THREE METHODS OF ABORTION

Much debate concerns the method by which late abortions are performed. Generally, there are three methods.

Injecting saline into the amniotic sac to induce labor in the mother is still the most commonly used procedure in late abortions. While it generally results in fetal death, it has been associated with harmful side effects in women and doctors have increasingly turned to the use of prosteglandin in late abortions.

Prosteglandin is a substance that also induces labor, but it does not poison the fetus. Of all abortion methods, prosteglandin—while believed to be the safest for women by some doctors—is also the most likely to result in a live birth.

The third and most controversial of the methods is dilation and evacuation. Known as D and E, it involves dismembering the fetus while still in the womb, which eliminates any possibility of live birth. It is a relatively new procedure in late abortions, and is generally believed to be among the safest for women and the least psychologically painful. However, it is also generally considered the most traumatic for doctors and staff.

The suction and curettage method, in which the cervix is dilated and the fetus is extracted through a suction tube, is generally applicable only in the early stages of pregnancy.

NEW PROCEDURE IS GAINING

According to the Centers for Disease Control in Atlanta, the use of dilation and evacuation in second-trimester abortions has increased greatly in recent years, as more physicians have learned to perform the procedure and it has gained in acceptance.

Division abounds among gynecologists about who is willing to perform late abortions and by what method.

"I think every obsterician struggles with this and makes his mind up what his threshold is," said Dr. David Grimes, a gynecologist with the division of reproductive health at the center in Atlanta. "Some do it until 12 weeks. Some will do it until 24."

"It would not be worth it to me to take even a small risk to the mother's life to avoid possibility of a live birth," said Dr. Bruce Young, director of maternal-fetal medicine at New York University Medical Center, where the policy also is to perform abortions until the 20th week of pregnancy except in cases of fetal deformities. The method of choice at New York University Medical Center is the use of prosteglandin.

"A woman comes to me for a late abortion and I do it the best way I know how," said Dr. E. Wyman Garrett, an obstetrician in Newark who is among a growing number of physicians who have developed expertise in performing D and E's through the 24th week of pregnancy.

He said he prefers this method because it is safer for the woman and because it avoids the agonizing decision of what to do when a child is born alive—a situation he confronted only last year.

In that instance, Dr. Garrett performed a saline abortion on a young woman at University Hospital in Newark. The infant that emerged weighed about 1 pound 10 ounces and was alive. It was born Jan. 13 and died April 29 after developing meningitis.

"I do D and E's because I think it is safer," said Dr. William Rashbaum, a gynecologist affiliated with Beth Israel who also specializes in this method. "It is a horrible procedure. Staff burnout is a major problem. But are you functioning in the interests of taking care of your staff or taking care of your patients?"

THEORIES FOUNDER ON REALITY

A serious problem physicians confront in performing late abortions is the gap between abstract theories on fetal viability and the realities of medical practice.

In the case of the fetus born alive during an abortion at Beth Israel, for example, the infant was believed to have been only 22 weeks in gestation, but it was in fact 25 or 26 weeks, according to one doctor.

"The baby turned out to be older than we thought," the doctor said. Beth Israel officials said that the infant suffered extensive brain damage but would not discuss the incident further.

Pregnancy due dates, dates of conception and fetal viability are still uncertain areas. They depend on the skills of the doctor, the technical currentness of the hospital and individual development of the child.

METHOD OF DETERMINING AGE

When a woman in the second trimester of pregnancy approaches a physican for an abortion, she is asked to undergo a sonogram, which produces an image of the fetus. It is the best—though still far from perfect—way for doctors to determine gestational age, since recollections about last menstrual periods are highly imprecise.

The age is estimated by measuring the diameter between two points on the fetus's skull. In theory, the wider the diameter, the older the fetus. But accuracy depends on the machinery used and on the skill of the technician using it. Congenitally small children make estimations of fetal age even more difficult.

"Sonograms are very subjective," said Jeffrey Karaban, a sonographer at one of the largest abortion clinics in New York City, the Eastern Women's Center in Manhattan, where 8,000 abortions are performed a year. "Certainly there are a lot of bad sonograms done. We have patients come from seemingly reputable places and yet their sonograms don't jibe with what we see,"

Viability is even more difficult to assess. Once a highly premature infant is born—either as a result of abortion or of miscarriage—its gestational age is determined by how much it weighs and a number of other physical characteristics: the condition of its eyes, the state of its skin, how much cartilage it has developed in its ears. This, too, is highly subjective.

CHARACTERISTICS OF FETUS

A 24-week fetus physically appears to resemble a child, but its lungs and brain are still not fully developed, nor are its eyelids open.

If a decision has been made to resuscitate the baby, a mask may be placed over its mouth and nose and a needle placed through its navel to measure blood pressure and body chemistry. The baby is then weighed and further examined to determine whether to continue treatment.

Some doctors do not believe an infant is "viable," and thus a subject for the most advanced and agressive treatment, if it is seriously deformed or has been determined to have less than a 20 percent chance of survival. Other doctors will try to save any infant with a heart beat.

"I have never been called to deal with such a case, but if I were I would vigorously treat that baby," said Dr. John Driscoll, director of the neonatal intensive care unit at Columbia-Presbyterian. "If the baby was anomalous, there would be a whole other set of dilemmas. If I were asked about a Down's syndrome baby, I believe everything should be done. I differ with some people's thoughts about quality-of-life issues."

CONTINUED NEED RAISES TROUBLING QUESTION

The underlying question that many doctors ask in confronting these difficult medical problems is why late abortions are still necessary, given the availability of contraceptives and the comparative ease with which abortions can now be obtained.

Indeed, over the past 10 years, elective abortions have been performed at progressively earlier stages of pregnancy nationwide, and the great majority are now carried out within the first trimester.

Of the 1.6 million abortions performed in the United States in 1980—the last available figure from the Centers for Disease Control in Atlanta—more than 90 percent were done within the first 12 weeks. Only about 13,000—less than 1 percent of all abortions performed nationwide—were performed on women pregnant more than 21 weeks.

According to statistics compiled by the Centers for Disease Control, the largest group of these women is between the ages of 15 and 19.

Many of these are believed to be unwed teen-agers who do not know they are pregnant until they feel the baby kick. Quickening—as fetal movement is called—usually first occurs between the 17th and 20th weeks of pregnancy. About 10 percent of all second-trimester abortions—less than 1 percent overall—are performed on women who have discovered they are carrying infants with serious defects.

Amniocentesis is usually performed during the 14th through 16th weeks of pregnancy. Results take at least three to four weeks, so that a woman choosing to abort a fetus with birth defects may not be able to do so until the 17th or as late as the 20th week of pregnancy. If there are problems with culturing the fluid, it may have to be performed even later.

In an article to be published by the Georgetown University Law Journal next June, Nancy K. Rhoden, assistant professor of law at Ohio State University in Columbus, points out that advances in neonatology may have made the Supreme Court's Roe v. Wade decision obsolete.

NEW CUTOFF POINT SUGGESTED

Miss Rhoden suggests an arbitrary cutoff point of 20 weeks or the halfway mark of pregnancy as a new limit for abortions, with exceptions to be made for women who have found through amniocentesis that their offspring have serious defects.

But as legal scholars, ethicists and others continue to dissect this complicated subject, hospitals and physicians are trying to cope with the human drama of what is appropriate and what is not, whether abortions should now be carried out in the obstetrical wings of hospitals where fetuses can be monitored or whether neonatologists should be present at abortions where a live birth is a possibility.

"Social policy makes the late abortion issue worse," said Dr. Phillip Stubblefield, chief of obstetrics and gynecology at Mount Auburn Hospital in Cambridge, Mass., and an associate professor at Harvard Medical School. "Doing an abortion at 28 weeks is indefensible. I would draw a line at 24." The only exception he would make would be to save the life of the mother.

"But there should be a middle ground," he added. "Some abortions are necessary. What we should do is try to streamline the system so that help can be gotten earlier."

"What are the chances of a 24-week fetus to have a normal life?" asked Dr. William Caspe, the director of pediatrics at Bronx-Lebanon Hospital. "Probably small. Can they survive in terms of their heart and lungs? Yes. In terms of brain survival we are not there. And so a number of us have great qualms about what to do to a teeny tiny baby. For medical and legal reasons, we need to resuscitate. Some feel comfortable at that. Some don't.

"As a society, you shouldn't want us to do that. But as society, you give us no choice."●

COLORADO FEDERATION OF NATIONAL ASSOCIATION OF RETIRED FEDERAL EMPLOYEES

● Mr. ARMSTRONG. Mr. President, in a few days, the Colorado Federation of the National Association of Retired Federal Employees [NARFE] will hold their annual convention in Sterling, CO. This convention will officially end the second and final year of leadership of Colorado NARFE's president, John D'Arcangelis.

John recently informed my office of the tremendous contribution of volunteer services given to their communities by Colorado's Federal retirees in 1985. According to figures compiled by Colorado NARFE, more than 403,000 total hours of volunteer community services were performed by members. The more than 5,200 NARFE members in 29 Colorado chapters participated in charity drives, counseling services, hospital volunteer work, and many other worthy community pursuits.

But perhaps even more important is the spirit of involvement and cooperation with those of us in public office that has been fostered over the past

couple of years under John's leadership.

Since John assumed the Colorado NARFE presidency in April 1984, a very healthy give and take of views has occurred between my office and the NARFE organization. There is no organization or individual with which an elected official will always agree, but John has seen to it that no issue of direct concern to Federal retirees has risen that the Colorado NARFE position was not clearly and forcefully made to my office.

One of the most clearly defined areas of agreement John and I shared was our mutual concern over the perceived public image of Federal employees and retirees. John and the Colorado NARFE asked me to assist them in communicating the positive, real story to the public.

I have always been familiar with the Federal employee dedication and commitment to serving the U.S. Government and ultimately the American people, but I had to reluctantly agree that the overall public image of Federal employees and retirees was a bit tarnished for many unfair reasons.

In view of that I was pleased to assist in focusing public attention on the national and Colorado NARFE efforts on behalf of the Alzheimer's Association in counseling and assisting families of victims of Alzheimer's disease. This NARFE effort is unprecedented and in my opinion is a real turning point in educating the public about this horrible disease which robs many of our retired citizens of their golden years.

I look forward to working with John's successor as president, who will be selected at the Sterling convention, in finding ways to communicate the real story to the public of Federal employees' and retirees' efforts in their jobs and communities.●

ORDERS FOR WEDNESDAY

RECESS UNTIL 10 A.M.

Mr. DOLE. Mr. President, I ask unanimous consent that once the Senate completes its business today it stand in recess until the hour of 10 a.m., on Wednesday, April 23, 1986.

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

RECOGNITION OF CERTAIN SENATORS

Mr. DOLE. I further ask unanimous consent that following the recognition of the two leaders under the standing order there be special orders in favor of the following Senators for not to exceed 5 minutes: Senators HAWKINS, BIDEN, CRANSTON, and PROXMIRE.

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

Mr. DOLE. I ask unanimous consent that Senator CRANSTON follow Senator HAWKINS, and then Senator BIDEN will be No. 3.

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

ROUTINE MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent that there be a period after the special orders for transaction of routine morning business not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak therein for not more than 5 minutes each.

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

PROGRAM

Mr. DOLE. As indicated, at that time—which will be approximately 10:30 a.m.—we will resume consideration of Senate Concurrent Resolution 120, the budget resolution.

I think it is fair to say that there will be votes. By prior agreement and understanding there will be no votes, if any votes are ordered, after 4 p.m. They will be delayed until the following day.

Mr. BYRD. Mr. President, will the distinguished majority leader yield? Would the distinguished majority leader change that time from 4 o'clock to 3:30 p.m.? We can charge enough against the budget resolution. But if he would, I am certain Senators would appreciate it.

Mr. DOLE. We have no objection.

The PRESIDING OFFICER. Will the majority leader put that in the form of a unanimous-consent request?

NO ROLLCALL VOTES AFTER 3:30 P.M. TOMORROW

Mr. DOLE. Mr. President, I ask unanimous consent that any rollcall votes ordered after 3:30 p.m. be postponed until Thursday.

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

(Later the following occurred:)

Mr. DOLE. Mr. President, earlier we had indicated that there would be no votes after 3:30 tomorrow, and any votes ordered would be postponed until Thursday. I want to make the RECORD clear that I refer only to votes on S. 120, the budget resolution.

Mr. BYRD. Mr. President, I thank the distinguished majority leader. I think that was the intention and understanding on this side as well.

Mr. DOLE. Yes.

RECESS UNTIL 10 A.M. TOMORROW

Mr. DOLE. Mr. President, there being no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 10 a.m., on Wednesday, April 23, 1986.

The motion was agreed to, and at 6:35 p.m., the Senate recessed until tomorrow, Wednesday, April 23, 1986, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate April 22, 1986:

DEPARTMENT OF STATE

Ronald Frank Lehman II, of Virginia, for the rank of Ambassador during his tenure of service as U.S. Negotiator for Strategic Nuclear Arms, vice John Goodwin Tower.

THE JUDICIARY

Alan E. Norris, of Ohio, to be U.S. circuit judge for the sixth circuit vice Leroy J. Conti, Jr., retired.

John G. Davies, of California, to be U.S. district judge for the central district of California vice Cynthia Holcomb Hall, elevated.

Douglas P. Woodlock, of Massachusetts, to be U.S. district judge for the district of Massachusetts vice W. Arthur Garrity Jr., retired.

David Hittner, of Texas, to be U.S. district judge for the southern district of Texas, vice George E. Cire, deceased.

IN THE ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. John D. Bruen, [redacted] age 55, U.S. Army.

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Kenneth E. Lewis, [redacted] U.S. Army.

HOUSE OF REPRESENTATIVES—*Tuesday, April 22, 1986*

The House met at 12 noon.

The Reverend Eleanore W. Drury, assistant minister, The Black Church at Yale, New Haven, CT, offered the following prayer:

Will you join me in prayer?

O Almighty God, we pause here to give You thanks for Your great gifts of plenty, freedom, and peace, to us and to our Nation. Grant that we may use them well; that of our plenty, we may share; that in our freedom, we may work for the freedom of all; that in guarding our precious peace, we not create war in other lands.

O God, we are not gods. You know that at the moment we are most content, we are most in danger. Forgive the wrongs which we commit in the name of right, our false logic, our proud grip on power, the fears which spring to mind when we are pressed by those whose ways are different from our own. Though we are called to lead, O Lord, You know we are just humans. Grant us ears to hear Your voice, for unless you guide us, we may lead Your world astray. And though we may fail Your vision, let not the vision fail. Give us faith that our times, though filled with dangers, are not the end of history. Give us tough minds, open hearts, and strong wills for the works of peace and justice.

And to this end, O Lord, direct and bless us. 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.

THE REVEREND ELEANORE W. DRURY

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

Mr. MORRISION of Connecticut. Mr. Speaker, it is my pleasure today to welcome the Reverend Eleanore W. Drury as our guest chaplain and to thank her for her thoughtful and most appropriate prayer. I am very proud to have her, both as a constituent and as a friend.

Reverend Drury has had a distinguished career in a wide variety of service-related fields. She has served as a trainer and clinician with the Connecticut Self-Help Support Network and with the Hamden Mental Health Service.

In both instances, she developed innovative programs to significantly aid people in a variety of ways.

The Reverend Drury was selected to be the counselor to students and the first woman chaplain at Choate Rosemary Hall School in Wallingford, CT, and served as an effective counselor and teacher.

She is a graduate of the University of Arizona, the University of Connecticut's School of Social Work, and the Yale University Divinity School. She is also the mother of 5 children and she presently serves as assistant pastor of the Black Church at Yale.

In addition to her relationship to me and my district, Reverend Drury is also the sister-in-law of the gentleman from Pennsylvania [Mr. CLINGER] and I yield to him for a moment.

Mr. CLINGER. I thank the gentleman very much for yielding.

I would just like to join with the gentleman from Connecticut in welcoming our guest chaplain this morning. As the gentleman indicated, she is my sister-in-law and I would hope that everybody could have a sister-in-law as caring and as friendly as my sister-in-law is. She has made very valuable contributions to every community in which she has served, as the gentleman has indicated. She has helped countless people through her work as a counselor, and beyond that, she knows the lyrics to more old songs than anybody I know, with the possible exception of her sister.

I am delighted to welcome her here today and join with the gentleman in welcoming her.

Mr. MORRISON of Connecticut. I thank the gentleman from Pennsylvania.

AMENDING THE RULES OF THE HOUSE TO INCREASE AMOUNT OF OUTSIDE EARNED INCOME WHICH A MEMBER MAY ACCEPT

Mr. MURTHA. Mr. Speaker, I offer a resolution (H. Res. 427) amending the Rules of the House of Representatives to increase the amount of outside earned income which a Member may accept, and I ask unanimous consent for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 427

Resolved, That clause 1 of rule XLVII of the Rules of the House of Representatives is amended by striking out "which is in excess" and all that follows in both paragraph (a) and paragraph (b) and inserting in lieu thereof in each instance "in excess of the percentage of the aggregate salary as a Member, paid to the Member during such calendar year, to which such outside earned income is limited by law.".

SEC. 2. The amendments made by the first section of this resolution shall take effect on January 1, 1986.

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

Mr. HILER. Mr. Speaker, reserving the right to object, could we be enlightened as to what the gentleman's resolution is about?

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

Mr. HILER. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Speaker, this has been cleared by the leadership on both sides. It just changes the rules to bring them into closer compliance with the Senate rules.

The intent of this amendment to the House rule is to change the current 30-percent limitation to 40 percent.

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

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR APPOINTMENT TO SERVICE ACADEMIES OF CHILDREN OF MEMBERS OF ARMED FORCES KILLED IN MILITARY ACTION AGAINST LIBYA

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of the joint resolution (H.J. Res. 604) providing for appointment to the service academies of children of members of the Armed Forces killed in the military action against Libya on April 15, 1986, and ask 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. HILLIS. Mr. Speaker, reserving the right to object, I shall not object, but I yield to the gentleman from Mississippi [Mr. MONTGOMERY] to explain the reason for his request.

Mr. MONTGOMERY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this resolution recognizes the dedicated professionalism of our armed forces in the recent military action over Libya and expresses our profound gratitude for the supreme sacrifice made by the two airmen killed in that action. The resolution would make it possible for the children of service members killed in that action to attend one of the service academies should they become qualified to do so.

If the gentleman will yield further, this resolution is introduced by the gentleman from Texas [Mr. WRIGHT], the gentleman from Washington [Mr. FOLEY], the gentleman from Illinois [Mr. MICHEL], and the gentleman from Mississippi [Mr. LOTT].

Mr. HILLIS. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Mississippi [Mr. LOTT].

Mr. LOTT. Mr. Speaker, I would like to commend the distinguished gentleman from Mississippi [Mr. MONTGOMERY] a member of the Committee on Armed Services, and the gentleman from Indiana [Mr. HILLIS].

Mr. Speaker, I rise in support of this resolution and I ask that House Joint Resolution 604, which I have joined with my colleagues—the distinguished minority leader, the majority leader, and the majority whip—in sponsoring, may be considered today by this body. The measure proposes to provide for the appointment to the service academies of children of members of the Armed Forces killed in the military action against Libya on April 15, 1986. By enacting this legislation, the Congress recognizes the dedicated professionalism of members of the Armed Forces in recent military action to combat state-sponsored terrorism and particularly expresses its profound gratitude for the brave service of Capt. Fernando Ribas-Dominicci and Capt. Paul F. Lorence of the U.S. Air Force, who made the supreme sacrifice for their country in action against Libya on April 15, 1986.

Captain Ribas-Dominicci, the pilot, was born in June of 1952 and was, therefore, 33 years of age when he died a hero's death in the air attack against Libya. Captain Ribas-Dominicci was married to Blanca and had one son, Fernandito, who is 4½ years old. Hailing from Mayagüez, Puerto Rico, Captain Ribas-Dominicci was the recipient of a bachelor's degree in civil engineering and a master's degree in aero science. With over 1,800 flying hours, Captain Ribas-Dominicci was highly experienced in flying F-111's. Stationed at Lakenheith Royal Air Force Air Base in England since March of 1983, Captain Ribas-Dominicci previously was stationed at Cannon Air Force Base in New Mexico.

Capt. Paul Lorence, the navigation weapons system officer, was 31 years of age when he died serving his country. Born in February of 1955, Captain Lorence received his navigational training in California after being awarded a bachelor's degree in history. Married to Diana, Captain Lorence had one son, Peter, who was less than a year old when his father died. Also stationed at Lakenheith since August 1981, Captain Lorence had been flying F-111's for 4½ years. Participating in the attack on Libya was his first operational duty assignment.

Mr. Speaker, these two officers died serving their country last week, and all of America is proud of their brave, heroic deed. With their families, friends, and all the people of this Nation, I bow in sorrow at their passing, but I am humbly grateful for their undying courage and the magnificent patriotism with which they lived.

I hope my colleagues will join me in expeditiously passing this measure on behalf of these two brave men.

Mr. HILLIS. Mr. Speaker, the resolution before us today—cosponsored by the bipartisan leadership of the House—fulfills the request made to the President by Mrs. Fernando Ribas-Dominicci, the widow of the pilot of the F-111 bomber lost in last week's military action against Libya. When President Reagan asked Mrs. Ribas-Dominicci if he could do anything for her, she asked only that her young son, Fernando, be able to attend the Air Force Academy. House Joint Resolution 604 accomplishes that goal.

We are deeply thankful that all the other American aircraft returned safely from this decisive and successful strike against a nation whose principal export is terrorism and death. I join with my colleagues in extending sincere sympathy to the families of the two crewmembers who did not return. The resolution before the House today is a small token to express the Nation's gratitude for their sacrifice. Captains Ribas-Dominicci and Lorence—and all the members of the Armed Forces who participated in the Libyan raid—represent the professionalism of our Nation's Armed Forces at its finest.

Mr. Speaker, I withdraw my reservation of objection.

Mr. SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. MONTGOMERY]?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 604

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

SECTION 1. RECOGNITION OF MEMBERS OF THE ARMED FORCES.

The Congress recognizes the dedicated professionalism of members of the Armed Forces in recent military action to combat state-sponsored terrorism and particularly expresses its profound gratitude for the brave service of Captain Fernando Ribas-Dominicci and Captain Paul F. Lorence of the United States Air Force, who made the supreme sacrifice for their country in action against Libya on April 15, 1986.

SEC. 2. SERVICE ACADEMY APPOINTMENTS FOR CHILDREN OF CERTAIN MEMBERS.

(a) APPOINTMENT.—At such time as a qualifying child satisfies the age and other requirements for admission to a service academy of such child's choice, the President (or the Secretary empowered to make appointments to the United States Coast Guard Academy or the United States Merchant Marine Academy) in office at such time is requested to appoint the child to that academy.

(b) QUALIFYING CHILD DEFINED.—For purposes of this Act, the term "qualifying child" means a child of a member of the Armed Forces killed in the military action against Libya on April 15, 1986.

(c) SERVICE ACADEMY DEFINED.—For purposes of this Act, the term "service academy" means each of the following:

(1) The United States Military Academy.

(2) The United States Naval Academy.

(3) The United States Air Force Academy.

(4) The United States Coast Guard Academy.

(5) The United States Merchant Marine Academy.

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.

GENERAL LEAVE

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

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

There was no objection.

PERMISSION FOR COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS TO SIT TODAY DURING PROCEEDINGS OF THE HOUSE

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the Committee on Banking, Finance and Urban Affairs be permitted to sit during proceedings of the House today to mark up H.R. 4574, International Debt, Trade, and Financial Stabilization Act; H.R. 4510, Export-Import Bank Authorization; and H.R. 2373, Council on Industrial Competitiveness Act.

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

Mr. BOULTER. Mr. Speaker, I object.

The SPEAKER. Objection is heard. The Chair will state that it requires 10 Members to object.

The Chair counts an insufficient number of Members standing.

The gentleman's request is agreed to.

RESIGNATION AS MEMBER AND APPOINTMENT AS MEMBER OF THE SELECT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES

The SPEAKER laid before the House the following resignation as a member of the Select Committee on Children, Youth, and Families:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 21, 1986.

Hon. THOMAS P. O'NEILL,
Speaker of the House of Representatives, H204, The U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: I have served as a member of the Select Committee on Children, Youth, and Families since coming to Congress. I have enjoyed serving on the Select Committee, but time wouldn't allow me to continue. I hereby resign my appointment to this Select Committee effective this date.

Sincerely,

DAN BURTON,
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

The SPEAKER. Pursuant to the provisions of section 3 of House Resolution 25, 99th Congress, the Chair appoints the gentleman from North Carolina [Mr. COBEY] as a member of the Select Committee on Children, Youth, and Families to fill the existing vacancy thereon.

LIBYAN RAID AND ENERGY POLICIES

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

Mrs. LLOYD. Mr. Speaker, I am convinced that the oil dependence of our NATO allies is a major reason the United States was unable to obtain widespread support for its antiterrorist raid on Libya.

Clearly, allies such as Germany and France are held hostage to their dependence on unstable Middle East oil supplies such that they cannot afford to disrupt their energy supply.

I have, for years, consistently maintained the importance of energy independence for our national security. We should derive little comfort from short-term low oil prices and the so-called world glut from a national security standpoint. The United States and its allies should put some premium on assuring stability in the Middle East.

The Libyan turmoil and the protracted Iran-Iraq war combined with regional zealotry, suggests things may get worse before they get better in terms of that political stability. Nevertheless, it would be most prudent for the United States and its NATO allies to begin now to devise a comprehensive strategy for dealing with security issues in that region, including the critical oil supply issue.

□ 1215

CENTRAL AMERICAN LEADERS GIVE PUBLIC SUPPORT FOR AID, TO THE CONTRAS

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

Mr. LAGOMARSINO. Mr. Speaker, during the many hours of debate on aid to the Contras both in March and last week, we constantly heard that government leaders in the region opposed military aid to the Contras. There were references that leaders privately supported the aid but could not say so publicly. Critics of that aid gave the impression that they did not believe there was even private support for military aid to the Contras.

Earlier, Salvadoran President Duarte had given public support for aid to the Contras, and now there is another Central American leader who has had the courage to publicly give his views. When two European newspaper reporters asked Honduran President Jose Azcona last week whether he favored the $100 million for the Contras, President Azcona replied, "I think that it is more advisable for Honduras that the $100 million be approved."

President Azcona has now said publicly what many of us have known all along. There are Central American leaders who believe the United States should be giving military assistance to the Contras whether they say so in public or not.

BIG BANKS DISPLAY GREED IN CREDIT CARD OPERATIONS

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

Mr. BIAGGI. Mr. Speaker, there is an old saying that the rich get richer. Events of the past several days seem to confirm this.

On Friday the Federal Reserve Board announced a cut in the discount rate to 6.5 percent. That is the interest rate banks pay when they borrow from the Fed.

Yesterday, banks across the Nation announced they were lowering the prime rate to 8.5 percent. This is the rate banks charge their preferred customers for borrowing.

Once again, the 100 million credit card consumers of our Nation await the modern-day version of the trickle-down theory to occur. Where is the announcement by these same banks of a cut in the credit card interest rates they charge?

I would guess it is not likely to come soon. Consider in 1981, the discount rate was 14 percent. It is now 6.5 percent. What happened to credit card interest rates? They shot up from 17.7 percent to 19.8 percent.

It is both indefensible and arrogant for major banks not to share their substantial cost savings with the American consumer through lower credit card interest rates. Yesterday, I released a study by Spencer Nilson, a respected credit card newsletter author, who disclosed that major credit card issuing banks amassed profits of $3.6 billion in 1985. What greed. The discount rate has already been cut twice this year. Those profits will surely go up.

It is time credit card consumers got a break. I urge passage of my bill H.R. 1197, which would cap credit card interest rates at 11.5 percent; a full 8 percentage points below present rates.

It seems the banks have a friend in the Fed. It is time Congress became the friend of the credit card consumer.

LEGISLATION TO PROVIDE MORE ACCESSIBLE HEALTH CARE TO VETERANS

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

Mr. LEWIS of Florida. Mr. Speaker, today I am introducing legislation requiring the VA to enter into health care contracts with non-VA medical facilities where current VA facilities are inadequate or not available.

Currently veterans nationwide must make round trips in excess of several hundred or even 1,000 miles to receive treatment at a VA hospital, and they must travel this distance when there is an available non-VA facility within a few miles of their residence.

Palm Beach County, FL, is anticipating a 1993 completion of a VA hospital and nursing home to serve approximately 160,000 area veterans.

We have to face the fact until Congress passes a budget that complies with the Gramm-Rudman ceilings, delays could occur in the completion of VA hospitals and clinics across the United States.

My bill provides immediate relief for veterans by providing accessible health care through private contracts until a local VA health care facility is available. Enactment of my legislation ensures that the special health care needs of our veterans are not ignored.

Our veterans deserve no less.

ELECTRIC CONSUMERS PROTECTION ACT

(Mrs. SMITH of Nebraska asked and was given permission to address the

House for 1 minute and to revise and extend her remarks.)

Mrs. SMITH of Nebraska. Mr. Speaker, I would like to express my concern about the preference section of H.R. 44, the Electric Consumers Protection Act, which was passed yesterday by the House.

This bill would eliminate the current preference given to public entities in the relicensing of Federal hydroelectric projects.

As a strong supporter of public power, I support the concept that preference should be granted to public power authorities not only in the initial licensing of Federal hydroelectric facilities, but also in their relicensing.

Removing all preference in relicensing and establishing competitive procedures is, I suppose, an acceptable compromise. But I would strongly urge my colleagues who will be conferees with the other body on this bill to oppose any proposal that would weaken the preference given public power any further.

Nebraska is the only State that is completely dependent on public power. In my State, the low-cost electricity provided to public entities through preference rates and licensing has been crucial to the economic survival of small towns, rural electric cooperatives, and especially to our agricultural industry. Losing public preference would be a disaster for us.

CONGRESS MUST ACT NOW ON YOUTH SUICIDE PREVENTION

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

Mr. ACKERMAN. Mr. Speaker, last spring, Congressman TOM LANTOS introduced the Youth Suicide Prevention Act, and I introduced a similar bill, the Teenage Suicide Prevention Act.

Since that time, since the 99th Congress convened last January, another 5,000 youngsters have taken their own lives—5,000 young Americans, Mr. Speaker: How many scientists, how many athletes, how many world leaders have we lost? Five thousand young Americans and still the Congress is silent.

The true tragedy, Mr. Speaker, is that we have found ways to begin to stop this horror. Given a chance, our schools and our communities can recognize the silent cries of a troubled teenager before it is too late; but, sadly, we have failed to give our educators the tools they need to stop this madness.

Today, Congressman TOM LANTOS and I are introducing the Youth Suicide Prevention Act of 1986. We must stop this killing. We are demanding that the United States turn its attention, its energy and its money to this horrifying tragedy so that we may end this scourge forever.

Our bill authorizes $10 million a year for the next 3 years for small grants to local schools and nonprofit organizations to establish suicide prevention and education problems.

As a former public school teacher, I fully realize how difficult a task this is, but I strongly believe that our schools can be used and must be used to save lives. We must not allow this crisis that is destroying our most promising youngsters to continue.

I invite all of my colleagues to join Congressman LANTOS and myself by sponsoring this urgent legislation.

LIABILITY—MAKING THE RISKS PREDICTABLE

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

Mr. PORTER. Mr. Speaker, the liability explosion is upon us, creating chaos and obtaining coverage and pushing up insurance premiums for every business, every physician and other professional, including lawyers, and every municipality, school district, township, park and fire protection district across the country.

Misguided cries are heard to have the antitrust exemption for insurance companies lifted under the McCarron-Ferguson Act so that they can no longer share risk information. To have the Federal Government heavily and directly regulate the insurance industry, or to have the Federal Government go into the reinsurance business.

These, Mr. Speaker, are all nonsolutions to the problem. If it was only insurance premiums rising, I might suspect collusion and exorbitant profits by insurance companies. However, insurance companies are refusing to provide coverage and leaving the market, because the risks they are asked to cover have become completely unpredictable.

Making these risks once again predictable is the essence of the reforms that are needed. More tomorrow.

□ 1225

THE FRENCH TURNAROUND

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

Mr. GEKAS. Mr. Speaker, most Americans were bitterly disappointed at the attitude and action of the French Government in refusing air rights over their country during the recent Libyan action. This seemed to be a further indication of some of the loose alliance that we have with our friends in Europe. Yet, there is good news emerging from this bad news.

A poll taken among French citizens indicated that by a margin of 2 to 1, overwhelmingly, the French people supported the American action and, conversely, condemned their own government's refusal to accord air flight rights.

So we feel better today than we did at that time about the attitude of at least the French people. Moreover, since then the European countries and the European parliament have imposed certain sanctions on Libyan citizens, certain passport restrictions, and have expelled people from their embassies and from their countries on the basis of a final recognition that indeed Libya is the breeding ground of terrorism. So, we have come a long way ever since all the condemnation have occurred since the Libyan action.

SUPPORT URGED FOR CURRENT PROVISIONS RELATED TO COMBINED FEDERAL CAMPAIGN

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

Mr. GARCIA. Mr. Speaker, today, we will be voting on the urgent supplemental appropriations for fiscal year 1986. One of the items included in the bill is the Combined Federal Campaign [CFC], a fund raising drive which has proven over the years to be highly effective in collecting large amounts of contributions from Federal workers for charitable organizations.

I rise in support of the current provisions related to the Combined Federal Campaign. These provisions ensure that the charitable organizations that have participated in the past will continue to participate in 1986 in spite of the new regulations proposed by the Office of Personnel Management [OPM] and that OPM will remain neutral in administering the CFC Program.

The Office of Personnel Management has proposed new regulations to eliminate public advocacy groups from the 1986 campaign and even prohibit write-ins by the Federal workers of their favorite charities' names. Thousands of local and national charities would be cut off as a result of the regulations thus restricting Federal workers options to give to the charities of their choice. The OPM's proposed regulations are pending review in a Federal district court. Because the case is pending, it is important that the status quo of the regulations be maintained.

I urge my colleagues to vote against the Bliley amendment today and allow the Combined Federal Campaign to operate under existing regulations, which have proven to be successful.

Again, I urge my colleagues to vote against the Bliley amendment.

ANCIENT IDOLS IN MODERN DISGUISE

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

Mr. DANNEMEYER. Mr. Speaker, economists advocating irredeemable currency like to flatter themselves that they are the pioneers of a modern theory, unaware that they are but worshipping ancient idols in modern disguise. According to the Cincinnati Daily Gazette of January 3, 1879, Gen. (later President) James A. Garfield stated in an address in Chicago, to celebrate R-day (Resumption day, January 2, 1879):

> We shall still hear echoes of the old conflict, such as the "barbarism and cowardice of gold" and the "virtues of fiat money," but the theories which gave them birth will linger among us like belated ghosts, and soon find rest in the political grave of dead issues * * *.

General Garfield evidently respected the wisdom of our people too much to expect that a later generation, such as the present one, would not permit the theories advocating the "virtues" of fiat money to "rest in the political grave of dead issues." What General Garfield called a "periodical craze" swept over this country in 1971 and thereafter with a force apparently never before experienced by our people. The end of this great disease is not yet in sight. If past experience provides any worthwhile lessons, the ultimate consequences of our failure to stop this craze promise to be extremely painful. Conversely, if we rise to the challenge and put an end to this craze now, we shall solve the major part of the economic problems of our Nation, including the problems of runaway debt and runaway deficits. And we shall solve it in a painless, not to say pleasurable way.

LET'S NOT GIVE DEADLY STINGER WEAPONS TO TERRORISTS

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

Mr. DURBIN. Mr. Speaker, in the past week we have become acutely aware of the risks of terrorist attacks against American citizens at home and abroad. We are evacuating Americans from the Sudan, stepping up security at our airports, Embassies, and military bases. But at the same time, other actions of our Government could be placing Americans at even greater risk. In recent weeks the administration has begun sending guerrilla groups one of the most dangerous weapons on the market, the Stinger antiaircraft missile.

The Stingers have already gone to guerrillas involved in covert operations in Angola and Afghanistan as part of a new United States policy to offer more sophisticated weapons to the United States-supported guerrilla groups. The Stingers are on their way. But we have absolutely no control over their ultimate fate. The administration has no guarantee that these weapons will not be sold or stolen or transferred into the hands of terrorists seeking to retaliate against the United States. Imagine this weapon in the hands of a Mu'ammar Qadhafi. The state-of-the-art Stinger is deadly accurate, easy to hide and operate, and can shoot down not only military aircraft but a commercial airliner.

How can we be sure these weapons, though shipped to guerrilla groups we might support, will not end up surreptitiously in the hands of Qadhafi and his allies, people who would like nothing better than a sophisticated and spectacular means of retaliation against the United States?

Screening devices and searches would pale into insignificance next to the very real threat that a terrorist could stand hundreds of yards from a runway and strike, kill hundreds of innocent people.

Mr. Speaker, I urge my colleagues to join in the fight against giving deadly weapons to terrorists by sponsoring the resolution I have introduced with the gentleman from Oregon [Mr. AUCOIN] to ban the transfer of Stingers to guerrilla and paramilitary groups.

U.N. MAJORITY USES DOUBLE STANDARD IN JUDGING UNITED STATES AND LIBYAN ACTIONS

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

Mr. PARRIS. Mr. Speaker, I take the floor today frustrated, but not really surprised, by the requirement of the United States, Britain, and France to veto a resolution considered by the United Nations' Security Council yesterday to condemn the recent United States action against Libyan terrorists.

The resolution, did not mention events leading up to the United States action and instead mention Libya only as a victim of an armed attack by the United States.

This is simply another case in which the U.N. majority is using a double standard in practicing selective indignation over alleged abuses by the United States and other Western nations while so often overlooking outrages committed by Socialist and Communist countries.

Voting in favor of the resolution were such well-recognized nonaligned nations as Bulgaria, Congo, Ghana, Madagascar, United Arab Emirates, and the Soviet Union.

Calling this group nonaligned is like being called ugly by a frog.

STINGER: THE TERRORISTS' DELIGHT

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

Mr. AUCOIN. Mr. Speaker, as we do our daily mile of trotting between the House Chamber and our offices, pause for a moment and look south. There you'll see passenger airliners climbing out from National Airport.

If a terrorist were standing beside you with a stinger antiaircraft missile on his shoulder, he could shoot any of those airplanes down. He could do it from more than 10 square miles of the Washington area, or from a comparable area in most of the world's major cities.

If terrorists get these missiles, every air traveler in the world will be at their mercy.

Terrorists don't have these missiles today. But tomorrow they could, with the administration's decision to give them to paramilitary forces in Afganistan and Angola. Whatever the virtures of these groups, airtight control of their weapons isn't among them.

Transfer of Stingers to paramilitary forces is a terrorist's dream. It is dangerous and dumb. I invite you to join Mr. DURBIN and me in cosponsoring legislation to prohibit this transfer. If we don't stop it now, the time will come when we'll wish we had.

THERE IS A "STINGER" IN THE HOUSE

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

Mr. WALKER. Mr. Speaker, a couple of Members were speaking of Stingers here a few minutes ago. Well, a few minutes ago before that the American people just got stung. We had a resolution pass this House by unanimous consent that has the effect of increasing the outside earnings that Members of Congress are allowed to make by $7,500.

There was an end run around the committee process, an end run done around the procedure supposedly established on this floor for unanimous consent resolutions, to the floor. Supposedly, the rule that says that the minority leader has to be consulted, the minority whip has to be consulted, the majority leader has to be consulted, the majority whip, that the chairmen of the committees have to be consulted and the ranking member.

I understand those procedures were not followed, that in fact we have a

resolution that passed this House that has the effect of increasing the earnings of the Members of this Congress substantially, passed here by unanimous consent and was done so by an end run.

REQUEST TO VACATE CERTAIN PROCEEDINGS

Mr. WALKER. So therefore, Mr. Speaker, I would ask unanimous consent that the proceedings by which House Resolution 427 was approved be vacated.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from Pennsylvania [Mr. WALKER]?

Mr. GARCIA. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. WALKER. The gentleman from New York has objected, so therefore the gentleman from New York stands in favor of raising the outside earnings, with an end run, by $7,500 for every Member of Congress.

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

Mr. WALKER. I will be glad to yield to the gentleman.

Mr. GARCIA. I thank the gentleman for yielding.

Frankly, I am hearing this for the first time. And until such time as the proper authorities on both sides of the aisle can have an opportunity to talk about it, I will continue to object.

Mr. WALKER. That is the procedure under which we supposedly operate here, that we do get things cleared. They were not cleared.

So the gentleman has, in effect, helped to raise the outside earnings of Members of Congress by $7,500. You will have to live with that.

EXPLANATION OF OBJECTION

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

Mr. WEISS. Mr. Speaker, I would yield at this time to my distinguished friend from New York [Mr. GARCIA].

Mr. GARCIA. Well, I do not want to get into a quarrel with my colleague from Pennsylvania. But this is something that has come up very suddenly. I think people have made decisions. I am not necessarily saying I agree or disagree. What I am saying is that to make a unanimous-consent request when the Chamber is empty, before the principals have an opportunity to talk about this, I would continue to object.

I would ask my colleague from Pennsylvania that he talk to the leadership on his side, have the leadership on his side discuss it with the leadership on our side and let us see if we can resolve it.

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

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

WORLD FOOD DAY

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 296) to designate October 16, 1986, as "World Food Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. WALKER. Mr. Speaker, reserving the right to object, and I shall not object because I have no problem with the resolution, but I do think an explanation is in order. The gentleman is protecting the process that he says should not bring up a unanimous-consent resolution in a Chamber that is empty. When I asked unanimous consent to vacate the proceedings and allow the Members an additional $7,500 in outside earnings, that is precisely the procedure that was used here a few minutes ago in order to pass the resolution. An empty Chamber was used, and nonconsultation with the appropriate people was used, and we had this thing passed without the appropriate clearances having been made.

□ 1240

And now what the gentleman is suggesting is, having done this end-run around the House, a chance to vacate that and get us back to neutral ground is in fact wrong. That is my problem. Precisely the situation that the gentleman protests is what was used to pass the resolution that is in fact, I think, a wrongful resolution.

Mr. Speaker, I would hope that what the gentleman would allow is to do is by unanimous consent to get us back to ground zero, and then bring the resolution up, as the gentleman has suggested, when there are people in the House and we can look at this thing.

There is no earthly reason why we should allow $7,500 of increased earnings by Members of Congress to pass this body by unanimous consent, and yet that is what was allowed here just a few moments ago.

Mr. Speaker, I will be glad to yield to the gentleman from New York.

Mr. GARCIA. Mr. Speaker, I have no response. I will just say what I said before. There are leaders on the gentleman's side of the aisle who were elected by the people on the gentleman's side and leaders on this side. I believe that that leadership, which I might add is excellent leadership for both sides, should have the opportunity to discuss it. I am certain that they can come back and do the same thing that the gentleman from Pennsylvania is trying to do here, and I would have no objection.

Mr. WALKER. The gentleman is absolutely right. But those leaders were not consulted with. That is the problem. The procedures that the Speaker has laid out for unanimous-consent resolutions to be brought forward were in fact violated.

I have here a copy of it, and it says, frankly, that the unanimous consent can only be brought up when assured that the majority and minority leadership, the committee and subcommittee chairmen and the ranking minority members have no objection. That procedure, it is my understanding, was not followed here. That is the objection. The only way that we can get back to ground zero is to vacate the proceedings that violated that particular order, and then consult with the leadership and make certain that everybody gets consulted with. That is all I am trying to achieve. It is the gentleman's objection that is standing in the way of achieving getting back to a relatively neutral position on this and so that the discussion can take place.

Mr. Speaker, do I understand the gentleman will still object?

Mr. GARCIA. Mr. Speaker, I still object.

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

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

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but I simply would like to inform the House the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation, I yield to the gentleman from New York [Mr. GILMAN], who is the chief sponsor of House Journal Resolution 595, to designate October 16, 1986, as "World Food Day."

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I want to commend the distinguished chairman of the subcommittee, the gentleman from New York [Mr. GARCIA], and the ranking minority member, the gentleman from Utah [Mr. HANSEN], for bringing this measure up at an early date in order to enable the administration, the Members of Congress, and our entire Nation to gather together in tribute and pay proper respects to World Food Day.

Mr. Speaker, events such as the "Live Aid" concert and the U.S.A. for Africa production of "We are the world" only in part document the incredible contribution thousands of Americans are making toward ending world hunger.

Since 1979, the National Committee for World Food Day, under the leadership of its chairwoman, Patricia Young, and the auspices of the World Food and Agriculture Organization [FAO] has undertaken hundreds of projects and programs related to the world's hunger problem. Without world food day and the organizations involved with its celebration, the ground swell needed that made the massive media events possible would never have existed.

Yet, despite this outpouring of support, the problem of world hunger persists. A recent world bank study states that "since 1980 one-third of the population of 87 developing countries, 730 million people, did not eat enough to lead active working lives." And half, 340 million, "subsisted on a Diet that stunts growth and severely jeopardizes health." UNICEF informs us that every 24 hours 42,000 children under the age of 5 die as a result of hunger and related diseases.

These grim statistics make a strong case for a continued commitment of private and Government funds to ending hunger. But emergency relief aid is not enough. A concerted effort must be made to improve the deteriorating conditions that result in tragedy after tragedy, the same conditions that allow famine and starvation to persist and remain a reality in a world with more than enough resources to feed its population. It is time to work to prevent disasters from occurring, to solve the problems which face Africa now.

To this end, I introduced H.R. 2782, legislation to prevent famine in Africa. H.R. 2782 responds to the root of the problem that faces a continent whose grain output per person has dropped since 1967 by nearly one-third.

Simply to maintain Africa's present per capita food consumption, agricultural output will have to grow 50 to 60 percent between the year 1980-2000. Considering the monumental suffering that exists with the present level of food consumption, it is clear that drastic measures must be taken to revive Africa's capacity to produce.

Reversing Africa's decline will involve immediate response to the crisis of the degradation of the natural resource base which results from overly intensive and exploitative use of land. 100 square miles of African land a day turns permanently into desert.

If this trend is not reversed, there will be no end to Africa's dependency on more developed countries for food and economic assistance.

One major cause of these current problems is the lack of a renewable energy supply. Firewood, the most widely used source of fuel, is becoming increasingly scarce due to the overharvesting of trees. Forests in coastal West Africa were being cleared at a rate of 5 percent per year in the early eighties; at that rate, in 13 years those forests will be half of their original size. The scarcity of trees also has implications for soil and crop quality. Trees help to prevent soil erosion caused by damaging winds and floods. Without any protection, soil ceases to be fertile enough to produce significant quantities of food.

In other instances at the behest of national governments and the support of multilateral development banks, cattle not native to the region have been introduced for the sole purpose of producing exports. These cattle require much more forage than do native producing exports. These cattle require much more forage than do native livestock. As a result they denude the land of vegetation. In addition because they are not used to the severe climate they are incapable of surviving prolonged droughts without drawing heavily on already limited water supplies.

The time has come to begin to turn back the tide of the degradation of Africa's agricultural resource base that should be providing food for that continent's people. The desertification and deforestation which have played a major role in causing the present catastrophe in Africa needs our immediate attention if we are to put an end to this cycle of famine.

Accordingly, I invite and urge my colleagues to join in this effort of focusing attention on the issue of world hunger.

Mr. HANSEN. Mr. Speaker, I thank the gentleman for his remarks.

Mr. Speaker, further reserving the right to object, I yield to the gentleman from New York [Mr. GARCIA].

Mr. GARCIA. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I would just like to state to my colleague from New York [Mr. GILMAN] that both the gentleman from New York [Mr. GILMAN] and the gentleman from Texas [Mr. LELAND] have been pioneers and have worked very hard on the question of the world's food crises. I think it is a credit to them that they have taken the leadership role, and I think it is a credit to us that we have Members such as them in this body.

Mrs. ROUKEMA. Mr. Speaker, once again this year I am pleased to join my colleagues as a cosponsor of a resolution commemorating World Food Day. World Food Day serves to remind us of one item that is essential to the survival of all beings on this Earth. This day is important, if for no other reason, because it raises our consciousness of the need by so many people in this world for food. In America, we too often take for granted the bread on our table. We forget that a shortage of adequate bread, or rice, or cereal is a daily fact of life for millions of people. The struggle for a meal is their No. 1 concern day in and day out. World Food Day is not only a time for Americans to be thankful for our agricultural abundance, but also a time to realize that we have a long way to go in seeing that everyone can share in that abundance.

I am thankful to say that we have seen some progress. Last year at this time, over 20 countries in sub-Saharan Africa faced food shortages. Due to drought, poor harvests, and ill-conceived agricultural policies, millions of Africans faced starvation and the debilitation of hunger related disease. The United States and other doner nations responded with an unprecedented relief effort. The United States alone sent over 3 million metric tons of food assistance to Africa valued at over $1 billion in 1985. This response undoubtedly saved hundreds of thousands, if not millions of lives. Today, the list of countries in dire need of food assistance is down to four. Renewed rainfall, combined with the use of new farm inputs have led to good harvests in many countries.

Still a great deal remains to be done in providing emergency assistance to thousands still in need, and we will continue to work in that regard. But it is also our goal to help these nations achieve greater self-sufficiency. We must not lose sight of our hope for long-term development in the most severely affected countries. The United States has traditionally supported development in sub-Saharan Africa through the transfer of agricultural technology. As we examine the needs for rehabilitation and recovery in much of Africa, we should look for opportunities to strengthen local infrastructure and research capability. We must also devote greater energy to the development of human capital. Proper education and training provide the underpinning of any successful agricultural system. Just as we have seen the benefits of the green revolution in Southeast Asia, so can we adapt known technologies and investment strategies to sub-Saharan Africa, even though the environment is quite different.

Our participation in the World Bank's International Development Association, the United Nation's World Food Programme and the International Fund for Agricultural Development has led to many successes. These programs remain crucial if the momentum of agricultural innovation is to continue. This must also include changes in developing country agricultural policy, so that more incentives are offered to local farmers and government pricing policies do not discourage production. This may involve greater leadership from multilateral organizations as envisioned in Treasury Secretary Baker's plan for resolving the debt problems of the poorest nations. We must be aware that burdensome external debt may hinder the growing efforts of poor countries to provide food for their people.

The United States is the world's foremost producer and trader of food commodities. Yet millions of people on this planet continue to suffer from malnutrition and starvation. Our humanitarian tradition has helped solve many short-term hunger problems in the past, and our leadership can help solve the chronic food shortages that many countries still face. World Food Day serves to remind us of the crises we've overcome and the hopes America has yet to fulfill. I urge all Members to think of this and to support adoption of this resolution des-

ignating October 16, 1986, as World Food Day.

Mr. LELAND. Mr. Speaker, I rise today in support of House Joint Resolution 595, designating October 16, 1986, as World Food Day. This year will be the fifth anniversary of World Food Day. As chairman of the Select Committee on Hunger, I visited the famine-stricken people of Ethiopia. I witnessed first hand hunger and death from starvation in Africa. Television cameras and media attention have moved away from the refugee camps in Sudan and Ethiopia, but environmental degradation, increasing populations and declining food production continue to threaten the lives of millions of Africans. The Select Committee on Hunger has held hearings and is currently conducting an in depth investigation of food production needs in sub-Saharan Africa. We must continue our efforts to assist African farmers and pastoralists to achieve sustainable food security.

In the United States, a U.S. Conference of Mayors survey of 55 cities identified food as "the emergency service most in demand." We have here in the United States a network of food assistance programs but they are not working well. Federal food programs are not reaching all those in need and often benefits are inadequate. The Food Stamp Program augments the food budgets of poor Americans; however, the program serves only 20 million out of the 33 million eligible poor living in poverty.

The Food for Peace Program last year provided approximately $1.2 billion in emergency food assistance to African countries suffering from hunger and malnutrition. We must continue to support this program and initiate innovative ways to increase food security in chronic food deficit countries. Over the past 30 years, the Food for Peace Program has helped developing countries such as Taiwan and Thailand to achieve food self-sufficiency. U.S. emergency food assistance continues to be essential for sub-Saharan Africa. African recovery and economic growth is best served when United States food assistance is delivered through programs with a long-term developmental impact such as school feeding and food-for-work programs.

Mr. Speaker, October 16, World Food Day, serves as a symbol of our commitment to the alleviation of hunger and malnutrition in our world of plenty. I urge my colleagues to support House Joint Resolution 595.

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

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 296

Whereas hunger and malnutrition remain daily facts of life, for hundreds of millions of people throughout the world;

Whereas the children of the world suffer the most serious effects of hunger and malnutrition, with millions of children dying each year from hunger-related illness and disease, and many others suffering permanent physical or mental impairment because of vitamin or protein deficiencies;

Whereas the United States and the American people have a long tradition of demonstrating humanitarian concern for the hungry and malnourished, recently manifested in their response to African famine;

Whereas the United States, as the world's largest producer and trader of food, has a key role to play in assisting countries and people to improve their ability to feed themselves;

Whereas efforts to resolve the world hunger problem are critical to the maintenance of world peace and, therefore, to the security of the United States;

Whereas although progress has been made in reducing the incidence of hunger and malnutrition in the United States, certain groups, notably Native Americans, migrant workers, the elderly, and children, remain vulnerable to malnutrition and related diseases;

Whereas there is growing recognition that improved agricultural policies, including farmer incentives, are necessary in many developing countries to increase food production and economic growth;

Whereas the United States has always supported the principle that the health of the nation depends on a strong agriculture based on private enterprise and the primacy of the independent family farmer;

Whereas national policies concerning food, farmland, and nutrition require continuing evaluation and should consider and strive for the well-being and protection of all residents of the United States and particularly those most at health risk;

Whereas there is widespread concern that the use and conservation of natural resources required for food production throughout the United States ensure care for the national patrimony we bequeath to future generations;

Whereas Congress is acutely aware of the paradox of immense farm surpluses and rising farm foreclosures in the United States despite the desperate need for food by hundreds of millions of people throughout the world;

Whereas participation by the private voluntary and business sectors, working with national governments and the international community, is essential to the search for solutions to food and hunger problems;

Whereas the member nations of the Food and Agricultural Organization of the United Nations unanimously designated October 16 of each year as World Food Day because of the need to increase public awareness of world hunger problems;

Whereas past observances of World Food Day have been supported by proclamations by the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States, by resolution of Congress, by Presidential proclamations, by programs of the United States Department of Agriculture and other Government departments and agencies, and by the governments and peoples of many other nations; and

Whereas more than three hundred and fifty private and voluntary organizations and many thousands of community leaders are participating in the planning of World Food Day observances for 1986: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 16, 1986, is hereby designated as "World Food Day", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe that day with appropriate programs and activities.

The Senate joint resolution was ordered to be read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

□ 1250

NATIONAL ARTS IN THE SCHOOLS WEEK

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 470) to designate the week of April 27, 1986, through May 3, 1986, as "National Arts in the Schools Week," and ask 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 New York?

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object but would simply 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 New York [Mr. WEISS], who is the chief sponsor of House Joint Resolution 470.

Mr. WEISS. I thank the distinguished ranking minority member for yielding to me.

Mr. Speaker, our Nation's schools are the ideal forum for introducing formal arts programs to all children. The discipline and practices learned in the study of the various disciplines of the arts can be applied to the study of more academic subjects. Furthermore, incorporating the arts into the teaching of other subjects enhances achievement levels and increases the motivation of both students and teachers. Additionally, arts education enables disabled children to demonstrate abilities and skills that may not be uncovered in academic studies and provides an important creative outlet for economically disadvantaged children.

The resolution before us today, designating the week of April 27, 1986, through May 3, 1986, as "National Arts in the Schools Week," fully recognizes the importance of all of the arts to a complete education. As an executive board member of the congressional arts caucus and representative of a district in which perhaps the greatest number of artists work and reside. I am pleased that so many of my colleagues have joined me in this important effort to promote the arts in our schools, and want to express my deepest appreciation to my friend and colleague, the distinguished chairman of the subcommittee, the gentleman from New York [Mr. GARCIA], both for his cosponsorship of House Joint Res-

olution 470 and for his courtesy, and that of the distinguished ranking minority member, the gentleman from Utah [Mr. HANSEN], in bringing it to the floor so expeditiously.

Mr. Speaker, I urge adoption of the resolution.

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

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 470

Whereas, even before formal education begins, children communicate their own experiences in a number of artistic ways, including singing, dancing, drawing, painting, sculpting, role playing, and storytelling; and

Whereas, these basic forms of expression must be encouraged through formal arts education; and

Whereas, schools are perhaps the ideal forum for introducing formal arts programs to children; and

Whereas, incorporating the arts into the teaching of other subjects has been very successful in enhancing achievement levels, and increasing motivation and attitude of both students and teachers; and

Whereas, school arts programs open the minds of children to creativity which can be applied to problem solving in other educational activities; and

Whereas, many of the same practices used in the study of the arts are used in the study of math and the sciences, including observing, describing, comparing, classifying, measuring, inferring, and drawing conclusions; and

Whereas, school arts programs promote a unique understanding and appreciation of history and culture; and

Whereas, the arts enable disabled children to demonstrate abilities and skills that may not be uncovered in the study of academic subjects; and

Whereas, school arts programs provide economically disadvantaged children with an important creative outlet; and

Whereas, practice and mastery of an artistic form builds self-confidence and pride; and

Whereas, the confidence gained through the arts by disabled and disadvantaged students can help them achieve in academic areas as well; and

Whereas, the Ninety-eighth Congress formally recognized the importance of the arts to a complete education; and

Whereas, the national arts competition, sponsored by the Congressional Arts Caucus, has recognized and promoted the outstanding artistic creativity of our Nation's youth and provides an example of the Federal Government's commitment to arts education; and

Whereas, the strong commitment of Federal, State, and local governments to strengthen and promote arts education must continue: 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 27, 1986, through May 3, 1986, is designated as "National Arts in the Schools Week", and the President is requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate activities.

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.

JEWISH HERITAGE WEEK

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 275) designating May 11 through May 17, 1986, as "Jewish Heritage 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 New York?

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation of objection, I yield to the gentleman from New York [Mr. SCHEUER] who is a sponsor of House Joint Resolution 553.

Mr. SCHEUER. I thank the gentleman for yielding.

Mr. Speaker, I would like to thank my distinguished colleague from New York, Mr. GARCIA, for bringing this resolution to the floor today.

As Americans, we can be proud of the diverse culture which we share.

The richness of our cultural heritage results from the traditions and ideals brought to our shores by people of many races, religions, and nationalities.

These immigrants, along with their descendants, have helped to make the United States a stronger and more heterogeneous nation.

Along with Christians and Moslems, the strong ethical, moral, and religious traditions of the Jewish people have helped to make our Nation more compassionate and they have made significant contributions to our society.

Members of the Jewish community have excelled in all walks of life—science, health and medicine, the arts, government, business, and entertainment.

Our Jewish citizens have fought and died for the principles of equality and justice upon which our Nation was founded.

The Jewish tradition and culture reach back to the very dawn of civilization.

The determination and perserverance of Jews throughout the ages demonstrate the strength and vitality of their beliefs.

Jewish Heritage Week presents a unique opportunity to foster greater understanding of and renewed appreciation for the culture, traditions, and history of Jewish community and the contributions of the Jewish people to our Nation and society.

I urge my colleagues to join me in support of Senate Joint Resolution 275.

Mr. CONYERS. Mr. Speaker, will the gentleman yield to me briefly?

Mr. HANSEN. Under my reservation of objection, Mr. Speaker, I yield to the gentleman from Michigan.

Mr. CONYERS. I thank the gentleman for yielding.

Mr. Speaker, I want to go on record—and I have, unfortunately, not consulted with all the members of the Congressional Black Caucus—as strongly supporting on their behalf the observance of Jewish Heritage Week.

It is the sum of all of our great ethnic contributions that really make America great. I will not stand here and try to recall all of the great Jewish American contributors to art and science and psychiatry and mathematics, but I very strongly join in and commend the gentleman for bringing this measure forward.

Mr. SCHEUER. If the gentleman will yield further, I thank the gentleman from Michigan. Mr. Speaker, I recall a decade and a half ago when the gentleman and I were working together on a black culture occasion, and the same principle applies. So I very much appreciate his remarks.

Mr. HANSEN. Mr. Speaker, further reserving the right to object, I yield to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I rise in support of House Joint Resolution 553, proclaiming this week as Jewish Heritage Week, and I thank the gentleman from New York [Mr. GARCIA] for his timely consideration of the bill. However, before proceeding further, I would like to note that this year's resolution was introduced by our late colleague from New York, Mr. ADDABBO, whose own commitment to and appreciation for the dates commemorated by Jewish Heritage Week was great indeed.

The measure before us is of significance to the Jewish people, as this commemorative week encompasses religious observances spanning the history of the Jewish people. This week the celebration of Passover begins, commemorating the exodus of the Jewish people as they were led out of slavery in Egypt.

Also being remembered this week is the uprising of the Warsaw ghetto, where the few remaining individuals refused to go quietly to the gas chambers of Auschwitz. They fought against Hitler's forces with a ferocity that only comes from the inner self, and were miraculously able to repel the Nazi troops for almost 3 weeks. In

the end, the survivors of that ghetto were rounded up and either killed on the spot or sent to concentration camps, yet their spirit lives on with us as we recall their bravery.

Also celebrated at this time of year are other important dates in Jewish history—Israel Independence Day and Solidarity Sunday for Soviet Jewry. The next few weeks require heightened awareness on the part of those who commemorate the deliverance from Egypt. For as we recall the events of thousands of years past, and even the recent tragedy of the Holocaust, we recognize the importance of remaining ever vigilant to persecutions and bigotry. Once again Jews are being harassed and persecuted by the Soviet Union. The lives of Soviet Jews are indeed precarious. It is our responsibility to speak out on their behalf.

The lesson that the world learned over 40 years ago bears a solemn message; yet, as painful as it is, we must listen, look, and absorb the Kafkaesque reality that was Hitler's Europe. In recent years, mindful that eyewitnesses were slowly leaving us, a renewed effort was made to establish various programs that could explore the many facets of the Holocaust. One of these Exemplary Programs has been established by Ernest Goldblum, a former constituent, whose desire to remember his own parents who died at Auschwitz endowed a Memorial Fund for a program at SUNY [State University of New York] Fredonia. Another similar, worthy educational program is in the process of being created in my 22d Congressional District in New York State, the Rockland County Holocaust Study Center at Spring Valley, NY. These and other such notable activities are needed if we are ever to have even a remote understanding of the motivations behind barbaric human actions.

Mr. Speaker, Jewish Heritage Week has much to teach us all; let us only hope that its message will be heard worldwide. I thank the gentleman for his sensitivity to this measure, and urge my colleagues to join in adopting it unanimously.

Mr. BONER of Tennessee. Mr. Speaker, I am pleased to join my House colleagues in support of the resolution designating the week of May 11, 1986, as "Jewish Heritage Week."

The United States prides itself on its diverse heritage. This rich and colorful heritage results from the values and ideals brought to our Nation by the people of many cultures, races, and religions.

Among these immigrants to our shores, the Jewish community contributed significantly to the cultural and spiritual growth of a new nation. Many members of the Jewish community have brought distinction and honor to virtually every field of endeavor, including the arts, humanities, and sciences. Our Jewish citizens have fought and died to preserve and protect the freedom for which the United States stands.

Indeed, our Judeo-Christian culture owes much to the Jewish community. The Jewish people cherish a tradition and culture which spans the course of many thousands of years. Their perseverance through the many tests of time has made the Jewish community vital members of our society.

Each spring, Jews throughout the United States and around the world observe a number of significant events. Beginning with the observances of Passover, which commemorates their passage from bondage to freedom, continuing with the observance of the anniversary of the Warsaw Ghetto uprising, and concluding with Israeli Independence Day, American Jews rededicate themselves to the concepts of liberty, equality, and democracy.

In recognition of the told and untold contributions of Jews, I am proud to support this resolution and I look forward to commemorating "Jewish Heritage Week" with my Jewish friends and neighbors.

Mr. FISH. Mr. Speaker, I offer this today in support of Senate Joint Resolution 275 establishing the week of May 11 through May 18, 1986 as Jewish Heritage Week.

Our Jewish heritage is longstanding and deep. The contributions made by the Jewish members of our society have been essential to our spiritual and economic growth, and to our position of leadership championing human rights and democracy.

It is essential that we do all we can to express our recognition of this fact, and to demonstrate our commitment to democracy and free expression.

Part of our responsibility and commitment is to ensure that the Holocaust not be forgotten. The memory of what happened now over 40 years ago must not fade, lest the human race risk repetition of that most horrible episode of our history.

Toward this end, there are efforts led by the Anti-Defamation League and by dedicated individuals to educate the public about the Holocaust and its social, economic, and political roots.

One such individual is Mr. Ernest Goldblum. His parents, Mariem and Elias Goldblum, perished in the Holocaust. He has established a Mariem and Elias Goldblum Memorial Fund in honor of his parents, both in Vienna, Austria and in several colleges in New York State, including the Suny College at Fredonia. The purpose of this fund is to encourage activities through which young people can learn about the Holocaust, its causes and its effects, and can resolve to combat the forces in people and societies that allow such things to happen.

I believe that such living memorials should be recognized, commended and encouraged. We speak so readingly of "massacres" and "genocide" today that we are in danger of forgetting what those terms really mean. The only way of not forgetting is to teach. Mr. Goldblum and others like him help propagate that teaching, and we are all in their debt.

Additionally, there are currently two bills introduced that would express the sense of Congress that study of the Holocaust and the causes of Naziism should be included in the history curricula of public schools.

Mr. Goldblum has set an example for us to follow. If individuals such as he can get the ball rolling, surely we as the lawmakers of this land can at least express our support.

The bills urging education of the terrible history of the Holocaust are a start. So, too, does the designation of Jewish Heritage Week serve to recognize and commend our Jewish community and further our commitment to democratic ideals and equality for all.

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

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 275

Whereas the Congress recognizes that an understanding of the heritage of all American ethnic groups contributes to the unity of our country;

Whereas intergroup understanding can be further fostered through an appreciation of the culture, history, and traditions of the Jewish community and the contributions of Jews to our country and society; and

Whereas the months of March, April, and May contain events of major significance in the Jewish calendar—Passover, the anniversary of the Warsaw Ghetto Uprising, Israeli, Independence Day, Solidarity Sunday for Soviet Jewry, and Jerusalem Day: 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 authorized and requested to issue a proclamation designating May 11 through May 17, 1986, as "Jewish Heritage Week" and calling upon the people of the United States, State and local government agencies, and interested organizations to observe "Jewish Heritage Week" with appropriate ceremonies, programs, 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.

EXPRESSING SENSE OF THE HOUSE OF REPRESENTATIVES CONCERNING SOLIDARITY SUNDAY FOR SOVIET JEWRY

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the resolution (H. Res. 420) to express the sense of the House of Representatives concerning Solidarity Sunday for Soviet Jewry, and ask for its immediate consideration.

The Clerk read the title of the resolution.

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

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation of objection, I yield to the gentleman from New York [Mr. GILMAN] who is the chief sponsor of the resolution.

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding, and would like to take this opportunity to thank the gentleman from New York [Mr. GARCIA] and the gentleman from Utah [Mr. HANSEN] for their timely attention to House Resolution 420, which expresses congressional support for Solidarity Sunday for Soviet Jewry.

Mr. Speaker, each year the Coalition to Free Soviet Jews sponsors a mass rally at Dag Hammarskjold Plaza, opposite the United Nations in New York City, to show the Soviet Union, as well as other nations of the world, that human rights cannot be denied unnoticed and unprotested. Each year, hundreds of thousands gather to express their solidarity of purpose with men and women whose only desire has been to practice their religious and cultural heritage freely. Unfortunately, each year the need for such a demonstration becomes more and more important. For a high point of more than 51,000 emigration permits having been granted in 1979, only 1,140 Soviet Jews were released last year. Emigration remains pitifully low, yet harassment and arrests continue to rise.

This past year has been one of joys as well as sorrows. With the impending summit meeting between President Reagan and Soviet General Secretary Mikhail Gorbachev last fall, there were some bright spots.

Some longstanding refuseniks and former prisoners of conscience were allowed to emigrate to Israel on an individual basis. One of these was Dr. Mark Nashpitz, a Soviet dentist with whom I corresponded for almost 15 years. I was gratified to be able to meet Dr. Nashpitz in Washington a few months after this release.

There was some progress on other fronts, including the release of the prominent Pentacostal leader Lydia Staskevich and the reunification of several Soviet-American couples. Unfortunately, however, we have yet to see a change in overall Soviet human rights policy as evidenced by increased emigration figures.

Yet, the most recent incident in memory, still fresh in our minds, has to be the release of Anatoly Shcharansky from prison after 9 long years on the false charge of treason. I am certain that Solidarity Sunday helped to focus attention on Anatoly's plight, and that the ongoing involvement of many of us in Congress helped in keeping pressure to bear. Those of us in attendance on May 11 this year will have the opportunity of hearing Anatoly himself speak to the gathering, which I anticipate will be momentous indeed.

Mr. Speaker, the denial of human rights is something that we in the United States find repugnant; we have attempted to build safeguards into our system to protect the civil and religious liberties of each individual. Yet Soviet Jews only know of these rights in a very peripherial manner, and they are persecuted and discriminated against by official sanction. Solidarity Sunday for Soviet Jewry is an ongoing attempt to ensure that they too know of our support for their struggle, and accordingly, urge our colleagues to adopt House Resolution 420.

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

Mr. HANSEN. Under my reservation of objection, Mr. Speaker, I yield to the gentleman from New York.

Mr. KEMP. I thank my colleague from Utah, as well as the gentleman from New York [Mr. GARCIA], and I also underscore the comments of my friend and colleague, the gentleman from New York [Mr. GILMAN], in his support for House Resolution 420. I am a cosponsor of H.R. 420 as I believe very strongly that Solidarity Sunday, May 11, is an important day for all people to identify themselves with those freedom-loving men and women throughout the world, particularly those Jews in the Soviet Union, who want their basic human rights.

It is going to be a special day for all of us as Anatoly Shcharansky will be the main speaker on May 15, in New York, at Dag Hammarskjold Plaza. It is going to be a great day not only for the Shcharanskys, Anatoly and Avital, but it is a great day for all of those men and women around the world who recognize that human rights are universal, a principle on which this country should stand. I appreciate the efforts of both the gentleman from Utah and the gentleman from New York in bringing this to the floor of the House so that we can support it unanimously.

Mr. HANSEN. Mr. Speaker, I join in the excellent remarks of the two gentlemen from New York.

Mr. BROOMFIELD. Mr. Speaker, I offer my support of the resolution before us which expresses congressional support for "Solidarity Sunday for Soviet Jewry." We in the free world must never forget that there are human beings in the Soviet Union and elsewhere whose human rights are being violated on a daily basis. This resolution is the least we can do to tell the world about their plight.

I recently returned from a visit to the Soviet Union where DANTE FASCELL, chairman of the House Foreign Affairs Committee and I talked at length with General Secretary Gorbachev about human rights violations in that country. The ongoing persecution of the Soviet Jewish community is a real tragedy. We made it perfectly clear to the Soviet leader that making progress in human rights was a priority issue in improving relations between our two countries.

The persecution of the Jewish community in the Soviet Union is a tragedy of massive proportions. Thousands of Soviet Jews are being denied the right to emigrate from that country. Thousands of prisoners of conscience languish in Soviet jails and detention camps. Members of divided families have been denied the right to emigrate so that they can live together with their loved ones.

Many Soviet Jews are denied the right to practice their religious and cultural heritage freely. These are serious matters which must be raised with representatives from the highest levels of the Soviet Government. We cannot give up in our efforts to win the freedom of those who long for liberty.

This is why it is vital for all of us to remember those whose freedoms are routinely denied. Solidarity Sunday for Soviet Jewry is an ongoing attempt to tell those who have been denied their liberties that we support their struggle for freedom.

I commend the efforts of Mr. GILMAN, the ranking Republican on the Europe and Middle East Subcommittee, who introduced this timely proposal. I urge my colleagues to join me in supporting the resolution.

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

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 420

Whereas on May 11, 1986, the constituent agencies of the Coalition to Free Soviet Jews will convene the fifteenth annual "Solidarity Sunday for Soviet Jewry" in reaffirmation of the American people's resolve to secure freedom for Soviet Jews and beleaguered persons everywhere;

Whereas Americans of all faiths will join in myriad activities on the day in public expression of solidarity with the long suffering Jewish community in the Soviet Union;

Whereas the right to emigrate freely and to be reunited with one's family abroad is denied Jews and many others in the Soviet Union;

Whereas the Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations, and the Helsinki Final Act explicitly assert guarantees of those rights;

Whereas the Government of the Soviet Union has nevertheless continued to restrict emigration, particularly in the last few months, when the number of Jews allowed to emigrate has declined to extremely low levels;

Whereas the Government of the Soviet Union is persecuting its Jewish citizens and denying them even those few rights and privileges accorded other recognized religions in the Soviet Union;

Whereas the Government of the Soviet Union discriminates against Jewish cultural activities by banning and suspending Hebrew and Jewish cultural classes, by arresting teachers of Hebrew, and by harassing those Soviet Jews who seek only to practice their religion;

Whereas a virulent anti-Semitic campaign continues unabated in the Soviet Union and Soviet Jews are increasingly deprived of occupational and educational opportunities;

Whereas thousands of innocent Jews and other persons, having applied to leave the Soviet Union, have been subjected to immediate induction into the armed forces, im-

proper incarceration in mental institutions, expulsion from school, and constant surveillance and harassment;

Whereas the Government of the Soviet Union will not succeed in isolating Soviet Jews from their friends in the free world as long as those who cherish liberty continue to speak on behalf of beleaguered people everywhere;

Whereas "Solidarity Sunday for Soviet Jewry" shall provide vigorous expression of American determination to secure freedom for Soviet Jewish prisoners of conscience incarcerated solely for their desire to emigrate; and

Whereas the Government of the Soviet Union refuses to permit the free exercise of religious beliefs and cultural expression and also refuses to remove all obstacles to the free emigration of its Jewish citizens and others who wish to leave and live in other countries: Now, therefore, be it

Resolved, That the House of Representatives hereby expresses its full support for "Solidarity Sunday for Soviet Jewry", to be held on May 11, 1986, and encourages Americans to participate in the activities of that day.

The resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL READING IS FUN WEEK

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 286) to designate the week of April 20, 1986, through April 26, 1986, as "National Reading Is Fun 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 New York?

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation of objection, I yield to the gentleman from Massachusetts [Mr. CONTE] who is the chief sponsor of House Joint Resolution 502.

Mr. CONTE. I thank the gentleman for yielding.

Mr. Speaker, as the author of this resolution in the House, I would like to thank my colleague, Chairman GARCIA, and the members of the Post Office and Civil Service Committee for bringing this bill to the floor today.

Mr. Speaker, reading is fun. That's a statement that those of us here today take for granted. Reading is a skill which is instrumental in our work and our everyday lives.

Unfortunately, millions of our fellow Americans can't experience the enjoyment and satisfaction which we derive from reading. An article in yesterday's New York Times reported that 13 percent of all adult Americans are illiterate. This astounding figure stands in stark contrast to a Bureau of the Census study in 1979 which estimated that the illiteracy rate was much lower.

In the wealthiest society in the world, where public education is available for all, illiteracy shouldn't exist at all. But it does, and it shows indications of continuing. This resolution, designating this week as "Reading Is Fun Week," tells all American citizens that reading is fun, and I urge the adoption of this resolution.

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

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 286

Whereas reading for pleasure contributes to the development of lifelong reading and learning skills;

Whereas the lack of those skills is a pervasive and destructive force in America, and millions of adults cannot read well enough to function in our society;

Whereas it is essential that the sixty-six million youngsters in America under the age of 18 grow up reading in order to become literate, informed adults; and

Whereas "National Reading Is Fun Week" will be a nationwide literacy effort encouraging millions of young people to read: 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 20, 1986, through April 26, 1986, is designated as "National Reading Is Fun Week" and the President is authorized and requested to issue a proclamation calling upon Federal, State, and local government agencies and the people of the United States to observe the 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.

NATIONAL BARRIER AWARENESS DAY

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 544) to designate May 7, 1986, as National Barrier Awareness Day, and ask 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 New York?

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation of objection, I yield to the distinguished gentlewoman from Nevada [Mrs. VUCANOVICH] who is the chief sponsor of the joint resolution.

Mrs. VUCANOVICH. I thank the gentleman for yielding, and I thank my colleagues for bringing this legislation to the floor.

Mr. Speaker, I am also pleased to have the opportunity to say a few words about House Joint Resolution 544, requesting the President to designate May 7, 1986, as "National Barrier Awareness Day."

The event is designated to promote and enhance positive, realistic images of individuals with disabilities, emphasizing their abilities, rather than their disabilities as they negotiate existing barriers.

The goals of National Barrier Awareness Day are to solicit participation from a cross-section of individuals in order to inform and educate the public about various types of disabilities and the social, cultural, physical, attitudinal, and architectural barriers that exist today.

It is through shared information between the disabled and nondisabled communities that we can highlight the needs of individuals with disabilities.

I commend the many individuals and organizations who have participated in this effort and I am pleased to be a part of such a worthy cause.

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

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 544

Whereas 80 percent of Americans will experience some form of disability during their lives and there are currently 36,000,000 disabled Americans;

Whereas many of these disabilities are permanent;

Whereas most persons who are not disabled do not understand the full effect of living with a disability;

Whereas this lack of understanding creates stereotypes and cultural attitudes which can bar the disabled from mainstream life just as much as physical barriers;

Whereas every American should work toward eliminating all of the cultural, financial, and physical barriers that confront the disabled: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 7, 1986, is designated National Barrier Awareness Day. The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe this day with appropriate programs and activities.

The joint resolution was ordered to be engrossed and read a third time,

was read the third time, and passed, and a motion of reconsider was laid on the table.

PROVIDING FOR CONTINUATION OF MARTIN LUTHER KING, JR., FEDERAL HOLDIAY COMMISSION UNTIL 1989

Mr. GARCIA. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2319) to provide for the continuation of the Martin Luther King, Jr., Federal Holiday Commission until 1989, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation of objection, I yield to the gentleman from Michigan [Mr. CONYERS] who is the chief sponsor of H.R. 4528.

Mr. CONYERS. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the bill, with all of the cosponsors of the Martin Luther King, Jr., Federal Holiday Commission legislation who are on the floor now, the gentleman from New York [Mr. GARCIA], and the gentleman from New York [Mr. KEMP].

This is a proposal which provides for a 3-year extension of the Holiday Commission.

As you know, we witnessed the first celebration of the holiday celebrating Dr. King on January 20 of this year. It was magnificent. In the words of Coretta Scott King, we have come now from the observation that started in 1984 with 19 States, to 40 States and 4 territories observing official holidays in honor of Dr. King today.

Mr. Speaker, this increase reflects the work of the Federal Holiday Commission which has been promoting, organizing, and explaining in all areas of the country what the significance and importance of this holiday is to all Americans. There is one area of its work that I really should mention, because my office, perhaps like yours, was flooded with a number of calls in which people were saying, "I have got to go to work today, and I thought you passed the Martin Luther King, Jr., holiday."

□ 1305

It is important that we have this Commission to explain to our citizens that the collective bargaining agreement that determines whether they go to work is not suspended by the passage of a Federal holiday bill.

I am very happy to stand here to support the legislative process that has led to the Commission's continuance, and to be especially appreciative of the increase in the number of Commissioners. I hope that my colleague, the gentleman from New York [Mr. KEMP], will agree to serve on the Commission after this legislation is passed.

I sincerely thank all of the Members of the House of Representatives who support this exceedingly important legislation. This is the first time in American history that we have set aside our differences to honor a great American whose color of skin happened to be black, but whose contribution was recognized by my colleagues on both sides of the aisle.

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

Mr. HANSEN. I yield to the distinguished gentleman from New York.

Mr. KEMP. I thank my colleague for yielding.

Mr. Speaker, I join with my friend, the gentleman from Michigan [Mr. CONYERS] in thanking the gentleman from Utah [Mr. HANSEN] as well my friend, the gentleman from New York [Mr. GARCIA] for helping to expedite this process so we could get this resolution to the floor to extend the important work of the Dr. King Holiday Commission. It has passed the Senate, as the gentleman from Michigan pointed out and simply extends the Commission for 3 years and provides for more Commissioners. I want to thank JOHN CONYERS for his suggestion that I serve on the King Commission and I would be honored to do so.

This resolution reaffirms or commitments as a legislative body and as a Nation to this King holiday. As the gentleman from Michigan pointed out, this is not a holiday just for a few; this is a holiday for all Americans. All Americans can take pride in the idea for which Martin Luther King stood. This is a recognition that the civil rights revolution in America was a confirmation of the American Revolution, guaranteeing to all people, irrespective of color, culture, or creed, their equal rights as Americans. We still have a distance to go, but all would agree that the civil rights revolution helped to validate the Jeffersonian dream of equal opportunity for all. I am pleased to have been a cosponsor of the original King holiday legislation along with the gentleman from Michigan, the former Representative from Indiana Katie Hall, and the gentleman from New York [Mr. GARCIA], the gentleman from Pennsylvania [Mr. GRAY] the gentleman from California [Mr. LUNGREN], and many others on both sides of the aisle.

I particularly believe that by extending the Commission we recognize not only its work but also the great tradition that this country celebrated January 20th of this year for the very first time, and the great debt of gratitude that we owe as Americans to Dr. King, and indeed the cause for which he stood.

I appreciate very much the comments that have been made by my colleague, the gentleman from Michigan [Mr. CONYERS] and Mr. GARCIA, my friend from New York. I look forward to seeing this bill pass unanimously, and I appreciate the effort that has been made by Members on both sides of the aisle, Republican and Democrat alike, to recognize the contribution to America not only of Dr. King but also of the civil rights leaders in America who work so hard to confirm and validate our original revolution and to make it a reality for all Americans.

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

Mr. HANSEN. Mr. Speaker, I yield to the gentleman from New York.

Mr. GARCIA. Mr. Speaker, today we are considering Senate Joint Resolution 275, a resolution designating May 11 through 17, 1986, as "Jewish Heritage Week." I am pleased to bring this resolution to the House floor for consideration, but I feel that our late colleague, Congressman JOE ADDABBO would be even more delighted by its passage.

The commemoration of a Jewish Heritage Week was a dear event to our late colleague. For the past 6 years Congressman ADDABBO had introduced resolutions that fostered an appreciation of the culture, history, and traditions of the Jewish community and recognized the contributions of Jews to our society in particular and to civilization as a whole. I think that Congressman ADDABBO would have agreed that by promoting activities that increase our understanding of our different ethnic groups we can reconcile the differences that divide us and share the common characteristics that contribute to our unity as a nation.

This kind of intergroup understanding is crucial to cities like New York which are largely comprised of ethinic communities. It is the ultimate purpose of resolutions like the one Mr. ADDABBO introduced to foster cooperation rather than isolution among the different communities in our cities. I am certain that the people of New York are proud of Congressman ADDABBO's efforts to promote intergroup communication and that his presence will be missed by many.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. GARCIA]?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2319

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONTINUATION OF COMMISSION.

(a) PURPOSE.—Section 3(1) of the Act of August 27, 1984 (98 Stat. 1473), is amended—

(1) by striking out "first"; and

(2) by inserting "first" before "occurs".

(b) ANNUAL REPORT.—Section 8 of the Act of August 27, 1984 (98 Stat. 1475), is amended by striking out ", 1986" and inserting in lieu thereof "of each year".

(c) TERMINATION.—Section 9 of the Act of August 27, 1984 (98 Stat. 1475), is amended by striking out "submitting its report under section 8" and inserting in lieu thereof "April 20, 1989".

SEC. 2. COMPOSITION OF COMMISSION.

Section 4(a)(6) of the Act of August 27, 1984 (98 Stat. 1473), is amended by striking out "fourteen" and inserting in lieu thereof "twenty-three".

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

GENERAL LEAVE

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate bill just passed and also on the several joint resolutions and the resolution just considered and adopted.

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

There was no objection.

FINANCIAL ASSISTANCE FOR CONTROL OF PLAGUE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the unfinished business is the question of suspending the rules and passing the bill, H.R. 4392.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. WAXMAN] that the House suspend the rules and pass the bill, H.R. 4392, on which further proceedings were postponed on Monday, April 21, 1986, and on which the yeas and nays were ordered.

The vote was taken by electronic device and there were—yeas 246, nays 155, not voting 32, as follows;

[Roll No. 88]

YEAS—246

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

□ 1315

The Clerk announced the following pair:

On the vote:

Mr. AKAKA and Mr. OBERSTAR for, with Mr. HARTNETT. against.

Messrs. BOEHLERT, CAMPBELL, and RITTER changed their votes from "yea" to "nay."

Mr. JACOBS and Mr. LATTA changed their votes from "nay" to "yea."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

BANK BRIBERY AMENDMENTS OF 1985

Mr. CONYERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3511) to amend title 18, United States Code, with respect to certain bribery and related offenses, with the Senate amendments thereto, concur in the Senate amendments numbered 1 and 2, and concur in the Senate amendment numbered 3 with an amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendments and the House amendment to Senate amendment No. 3.

The Clerk read the Senate amendments and the House amendment to Senate amendment No. 3, as follows:

Senate amendments:

Page 2, strike out lines 13, 14, and 15 and insert "person, intending to be influenced or rewarded in connection with any business or transaction of such institution;".

Page 3, line 25, strike out "business."." and insert "business."

Page 3, after line 25, insert:

"(d) The Justice Department shall consult with the Federal regulatory agencies with responsibility for regulating financial institutions as defined in this Act in order to establish a unified set of guidelines for identifying conduct which is prohibited by this section. The Department and such regulatory agencies shall make such guidelines available to the public. Compliance or noncompliance with the standards contained in such Act shall be relevant but not dispositive in determining whether a violation of this section has occurred.".

House amendment of Senate amendment No. 3: In lieu of the matter proposed to be inserted by the Senate amendment numbered 3, insert the following:

"(d) The Department of Justice, after consulting with each Federal agency that regulates a financial institution, shall issue a uniform set of guidelines that describe conduct that the Department of Justice will prosecute under this section, and shall make such guidelines available to the public.".

Mr. CONYERS (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments and the House amendment to Senate amendment No. 3 be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. GEKAS. Mr. Speaker, reserving the right to object, and having reserved my right to object, I would like to ask the chairman of the Subcommittee on Criminal Justice of the Judiciary Committee to offer an explanation for the RECORD as to the provisions of this piece of legislation.

I yield to the gentleman from Michigan.

□ 1330

Mr. CONYERS. I thank my colleague, the gentleman from Pennsylvania [Mr. GEKAS], the ranking minority member on the Subcommittee on Criminal Justice, for yielding to me.

Mr. Speaker, the House unanimously passed H.R. 3511 last October to amend the bank bribery offense so that it does not sweep within its ambit otherwise legitimate conduct. The bank bribery offense presently makes it a crime for a person to offer or accept anything of value "for or in connection with" any business or transaction of a financial institution. This sweeping language makes it a crime, for example—

For a bank to pay interest on an employee's account (and for the employee to accept the interest);

For a company to donate free space to a credit union serving its employees; and

For an employee of a financial institution to accept a promotional ballpoint pen given away at a business or trade show.

H.R. 3511 would narrow the present offense by requiring proof that the offeror or recipient of the thing of value acted corruptly and with an intent to influence or reward, or to be influenced or rewarded. This approach is modeled upon 18 U.S.C. 201, which defines the offense of bribery of a public official.

The other both has agreed with this approach and has returned the bill to us with three numbered amendments. The gentleman from Pennsylvania and I have reviewed these amendments carefully and have consulted with the other body about them. The gentleman from Pennsylvania and I have drafted a proposal that we believe fairly and responsibly addresses the concerns raised by the other body. It is this proposal now being offered to the House.

Our proposal accepts the other body's amendment No. 1 without alteration. That amendment makes a salutary change in that part of the offense making it a crime for a bank official corruptly to solicit or accept anything of value. As passed by this House, the prosecution would have to show not only that the solicitor or acceptor of the thing of value acted corruptly, but also that the donor acted corruptly. Amendment No. 1 of the other body modifies this provision to focus solely upon the solicitor or acceptor. Thus, amendment No. 1 requires the prosecution to show that the solicitor or acceptor acted corruptly and with the intent "to be influenced or rewarded in connection with any business or transaction" of the financial institution. The language of this amendment is also modeled upon 18 U.S.C. 201.

Our proposal also accepts amendment No. 2 of the other body. That amendment makes a technical change necessary in order to accommodate the new language added by amendment No. 3.

The other body's amendment No. 3 makes a substantive addition to the bill, adding a requirement that the Justice Department, after consulting with the Federal bank regulatory agencies, "establish a unified set of guidelines for identifying conduct which is prohibited by this section." Moreover, "compliance with the standards contained in such guidelines shall be relevant but not dispositive in determining whether a violation of this section has occurred." This amendment was prompted by a concern, in the words of its sponsor, that "although the current bill is not so vague as to raise a constitutional problem, it would be more effective in deterring undesirable conduct if it were coupled with guidelines for identifying prohibited conduct." 132 CONGRESSIONAL RECORD S-944 (daily ed. February 4, 1986) (remarks of Senator METZENBAUM).

In my judgment—a judgment shared by the author of amendment No. 3—the provision as passed by the House provides adequate notice of the prohibited conduct. The public official bribery provision upon which the House-passed version is modeled seems to be working well without such guidelines, and I see no reason to treat bank officials and people who deal with bank officials differently from the way we treat public officials and people who deal with public officials.

I recognize, however, that amendment No. 3 represents a strongly-held conviction that further clarification of the offense is desirable. That concern is well-intentioned and I believe we ought to accommodate it. I propose, therefore, to modify the other body's amendment No. 3.

I believe that the modifications are necessary in order to avoid an interpretation that amendment No. 3 seeks to delegate legislative branch or judicial branch power to an executive branch agency. The sponsor of amendment No. 3 sought to reassure his colleagues on this point, but I am afraid that the language of his amendment—especially the phrase "guidelines for identifying conduct which is prohibited by this section"—is susceptible of such an interpretation. I have proposed language that will avoid this problem but will still serve the notice function desired by the sponsor of amendment No. 3. My proposal requires the Justice Department, after consulting with the Federal bank regulatory agencies, to issue guidelines "that describe conduct that the Department of Justice will prosecute under this section." These guidelines must be made available to the public.

My proposal does not mandate that the guidelines are relevant to every bank bribery case, as does amendment No. 3. I believe amendment No. 3 goes too far in that regard. The guidelines can only be relevant on the issue of whether the defendant acted corruptly. This is a subjective element, and it would violate due process to hold a defendant accountable under a guideline that the defendant was unaware of. Since the provisions of the bank bribery offense cover the activities of the members of the general public, as well as bank officials and employees, it would not be uncommon or unusual, it seems to me, for a defendant to be unaware of the guidelines.

By not directly addressing the issue in my proposal, however, I have not made the guidelines inadmissible. Whether a guideline is admissible in a given case will turn on the particular

facts and circumstances of the case and the applicable principles of the Federal Rules of Evidence.

Mr. Speaker, I believe that this proposal is a reasonable and fair accommodation of the concerns of the other body. This proposal represents the joint and united efforts of the gentleman from Pennsylvania and myself, and I want to thank him for his important contribution to this proposal. I urge my colleagues to support what we have proposed.

Mr. GEKAS. I thank the gentleman from Michigan.

Further reserving the right to object, Mr. Speaker, the gentleman from Michigan has adequately set forth the provisions that we want to see adopted in this legislation.

Both he, the chairman, and I are a bit disappointed that the original version which we crafted on the House side has not been fully accepted by the other body. However, the changes made by way of amendment in the other body, to which we are now acceding in part and amending in part, will at least solve the grand problem, even though leaving some areas of it with which I am not perfectly satisfied.

But the main idea of the legislation will remain intact; namely, that bank officials, bank employees, will not be subjected to unwarranted prosecution for otherwise routine deeds on their part in the everyday business of the conduct of banking and other kinds of enterprises. That is what we sought here to cure. That is what is being accomplished, even though we are going to have to have further work through guidelines offered by the Attorney General of the United States.

Mr. CONYERS. If the gentleman will yield further, I want to say that the gentleman has described it quite succinctly. What we have done is take the bribery law and apply it in the real world of business transactions, where people do meet and have lunch with their banker, where you can get parking privileges without it being construed as the elements of the offense of bribery.

Mr. Speaker, I think we have made an important change in the bribery law to properly reflect the present business transactions that normally occur throughout our country.

Mr. GEKAS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

WAIVING CERTAIN POINTS OF ORDER AGAINST CONSIDERATION OF H.R. 4515, URGENT SUPPLEMENTAL APPROPRIATIONS, 1986

Mr. PEPPER. Mr. Speaker by direction of the Committee on Rules, I call up House Resolution 425 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 425

Resolved, That all points of order for failure to comply with the provisions of section 302(f) of the Congressional Budget Act of 1974, as amended (Public Law 93-344, as amended by Public Law 99-177), and with the provisions of clause 2(l)(3)(B) of rule XI, are hereby waived against the consideration of the bill (H.R. 4515) making urgent supplemental appropriations for the fiscal year ending September 30, 1986, and for other purposes. During the consideration of the bill, all points of order against the bill for failure to comply with the provisions of clauses 2 and 6 of rule XXI are hereby waived. Amendments to strike out the following provisions in the bill shall be considered to have been adopted in the House and in the Committee of the Whole; beginning on page 5, lines 11 through 25; and beginning on page 28, line 19 through page 30, line 16. It shall be in order to consider the following amendments to the bill printed in the Congressional Record of April 21, 1986, by, and if offered by, the Members indicated; the amendment by Representative Hammerschmidt of Arkansas, and all points of order against said amendment for failure to comply with the provisions of clause 2 of rule XXI and section 302(f) of the Congressional Budget Act of 1974, as amended, are hereby waived; an amendment by Representative Schroeder of Colorado, and all points of order against said amendment for failure to comply with the provisions of clause 2 of rule XXI are hereby waived; an amendment by Delegate Fauntroy of the District of Columbia, and all points of order against said amendment for failure to comply with the provisions of clauses 2 and 6 of rule XXI, and clause 7 of rule XVI, are hereby waived; an amendment by Representative Mica of Florida, and all points of order against said amendment for failure to comply with the provisions of clause 2 of rule XXI and clause 7 of rule XVI are hereby waived; an amendment by Representative Fazio of California, and all points of order against said amendment for failure to comply with the provisions of clause 2 of rule XXI are hereby waived; an amendment by Representative Rostenkowski of Illinois, and all points of order against said amendment for failure to comply with the provisions of clause 2 of rule XXI and clause 7 of rule XVI are hereby waived; an amendment by Representative Bosco of California, and all points of order against said amendment for failure to comply with the provisions of clause 2 of rule XXI and clause 7 of rule XVI are hereby waived; and an amendment by Representative Michel of Illinois, and all points of order against said amendment for failure to comply with the provisions of clause 2 of rule XXI and clause 7 of rule XVI are hereby waived. Debate under the five-minute rule on the amendment by Representative Schroeder made in order by this resolution, and on all amendments thereto, shall continue not to exceed two hours.

□ 1340

The SPEAKER pro tempore. The gentleman from Florida [Mr. PEPPER] is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the gentleman from Mississippi [Mr. LOTT], and pending that, I yield myself such time as I may consume.

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

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

Mr. STRATTON. Mr. Speaker, my concern is: What is the point of having a Rules Committee and having rules on the books if we are going to constantly waive all of the points of order?

In the so-called Schroeder amendment that is going to be offered on this floor, there are five glaring errors in violation of the rules, yet the Rules Committee simply waives them so that we are not operating under the basic Rules of the House.

I cannot understand this situation. We have rules that suggest that you cannot undertake certain actions but then the Rules Committee simply waives them and then we cannot carry on the business of the House, as the rules were designed to do. We have, for example, in the Schroeder amendment, the proposal that she makes, if it is approved in the House, would go into permanent law when, in fact, it is not designed to go into permanent law.

I do not think that we can properly operate our committee, which has a good deal of responsibility in the field of nuclear weapons, if the Rules Committee is constantly going to waive every rule that every individual Member wants waived.

Mr. PEPPER. Mr. Speaker, if my distinguished friend will permit me, I have been on the Rules Committee now since 1965. It has been the custom of the committee throughout those years from time to time, case by case, to grant waivers of violations of the rules. They are considered to expedite, rather than delay legislation and it generally is felt by the members of the Rules Committee that it was in the public interest that those waivers should be granted.

For example, in a great deal of instances, the authorizing bill has not yet been passed by the time the appropriation bill comes to the floor, or is likely to come to the floor. Under the rule, without a waiver by the Rules Committee, it would not be possible

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for the Appropriations Committee to bring up the bill.

So, therefore, the Rules Committee feels that it is in the public interest, and in the interest of the well-being of the House, to grant the waiver to allow the process to go forward.

Mr. STRATTON. Does the distinguished chairman of the Rules Committee feel that it is in the interest of the House to permit a piece of legislation that has been referred to two committees—as the Schroeder amendment was earlier by the Parliamentarian referred to the Committee on Armed Services and also to the Subcommittee on Procurement and Military Nuclear Systems; and it was also referred to the House Committee on Foreign Affairs. Yet the Rules Committee now makes it in order to take that bill entirely away from both of the committees who are charged with the matters that are included in the Schroeder amendment.

Mr. PEPPER. It is rather exceptional for the Rules Committee to do that. The Rules Committee felt in this instance that they were justified in making the waiver that they made.

If the gentleman will allow me, I will proceed to the presentation of the rule.

Mr. STRATTON. I am not very happy with making this legislation in order because if it goes through, it is likely to eliminate 6,000 people who are involved with our National Laboratories for Nuclear Systems in Los Alamos and in Livermore. This is a devastating amendment and it ought never to have been considered with a waiver of rules.

Mr. PEPPER. I am very much aware that there are items in here about which there are differences of opinion. Obviously those differences of opinion will manifest themselves in the consideration of the rule and the legislation that follows from it.

Mr. Speaker, House Resolution 425 waives certain points of order against consideration of H.R. 4515, the Urgent Supplemental Appropriations Act for Fiscal Year 1986. As my colleagues know, last week we adopted a rule that provided for the consideration of this bill in conjunction with a joint resolution on Central America.

Under the provisions of that rule, the supplemental appropriations bill was to be considered after the disposition of the joint resolution relating to Central America. Because consideration of the joint resolution was not completed and further action on the joint resolution is not anticipated, the Rules Committee reported House Resolution 425, a rule providing solely for the consideration of H.R. 4515.

Mr. Speaker, House Resolution 425 contains waivers of points of order against the consideration of H.R. 4515, the supplemental appropriations bill. The rule waives section 302(f) of the Congressional Budget Act of 1974, as amended, against consideration of the bill.

In compliance with section 302(b) of the Budget Act, the Appropriations Committee issued a report subdividing the budget authority allocated to the full committee among its subcommittees. While the budget authority contained in H.R. 4515 would not breach the Appropriation Committee's budget authority allocation, it does violate the allocation made to some of its subcommittees.

Section 302(f) of the Budget Act prohibits consideration of legislation if it violates the appropriate committee's subdivision and so the waiver is necessary in order for H.R. 4515 to be considered.

The rule also waives clause 2(l)(3)(b) of the rule 11 against comsideration of the bill. This provision of the House rules requires each committee to include in its report on any bill containing new budget authority a comparison of the spending levels in the bill to the subcommittee budget authority allocations.

The rule waives clauses 2 and 6 of rule XXI against the bill. Clause 2 of rule XXI prohibits the inclusion of legislation and unauthorized appropriations in the general appropriations bill. H.R. 4515 contains a number of such provisions which are outlined in the Appropriation Committee's report on the bill.

Clause 6 prohibits reappropriations in a general appropriations bill. H.R. 4515 includes transfers of previously appropriated funds.

The rule strikes out two provisions of the bill. The first provision pertains to modifications of the Farmland Conservation Reserve Program, established by the 1985 farm bill. The other provision stricken by the rule relates to standards and funds for congressional mailings.

The rule waives points of order to permit consideration of eight amendments. Each of these amendments must be printed in the CONGRESSIONAL RECORD of April 21, 1986, by its author. The amendments specified in the rule are the same as those in the previous rule, with the addition of an amendment by Representative MICHEL of Illinois, relating to deferrals.

Finally, the rule states that debate during the 5-minute rule on the Schroeder amendment, and all amendments thereto, shall not exceed 2 hours.

Mr. Speaker, I want it to be clear that these are not the only amendments allowed during consideration of H.R. 4515. The rule specifically mentions eight amendments because waivers are necessary to allow for their consideration.

I want to add one word further in explanation of the inquiry that was made by the distinguished gentleman from New York [Mr. STRATTON], my dear friend. Usually when the chairman of a subcommittee or chairman of an authorizing committee asks the Rules Committee not to grant a waiver in respect to a matter, we do not grant that waiver.

This time, the subject of the amendment moved the Rules Committee, in its wisdom and judgment, to go ahead and grant the waivers anyway. That is the reason that the waivers were granted in this case.

Any amendment to the bill and any amendment to the specified amendments contained in the rule are in order, provided that they conform to House rules. The Rules Committee considered many requests for amendments to make in order to the urgent supplemental appropriations bill.

I need not add to my colleagues that this bill has many, many matters of major interest. One, for example, is $10 million to be used against avian influenza. My State of Florida is particularly interested in funds provided in the bill for the eradication of citrus canker which has been so devastating to our citrus industry.

All through that bill, there are numerous provisions that are very meaningful to the various Members of the House.

The Rules Committee considered many requests for amendments to be made in order to the urgent supplemental appropriations bill. The committee felt that waiving points of order against the eight amendments specified in the rule will allow for timely consideration of matters of urgent concern to the Members.

You must remember, Mr. Speaker, that we are only facilitating the consideration of these amendments. It will be up to the House to determine whether they think the amendments are wise and wish to approve them or not.

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

Mr. LOTT. Mr. Speaker, House Resolution 425 is nearly identical to section 2 of the rule adopted last week, House Resolution 415. That is, the rule waives certain points of order against the consideration of the urgent supplemental (H.R. 4515), against legislative and transfer provisions in that bill, and against certain amendments specified in the rule.

This rule does not, I repeat, does not, make in order any provisions regarding the situation in Nicaragua. That issue has been decoupled and shelved for the time being. But I do want to take this opportunity to announce to my colleagues that tomorrow I will file a discharge petition on House Resolution 419, a special rule on House Joint Resolution 283 introduced by Mr. MCCURDY. That rule will resurrect the issue of aid to the Con-

tras and guarantee separate votes on substitutes by Congressmen HAMILTON, MCCURDY, and MICHEL, in that order, in a king-of-the-mountain approach. I urge my colleagues to sign that petition.

Mr. Speaker, the rule before us waives section 302(f) of the Budget Act against consideration of the bill. That section provides a point of order against bills which exceed a committee's section 302(b) suballocation of budget authority under the Budget Act. Chairman Whitten indicated that this is a technical violation since the Appropriations Committee is still within its overall section 302(a) allocation.

However, the committee could have remedied this violation itself by reporting new suballocations as authorized by the Budget Act, but it did not. The Budget Committee has polled its members and a majority do not object to the waiver. However, I would caution the Appropriations Committee against trying to use this technical violation argument as a precedent in the future. This is a central point of order under Gramm-Rudman, and the Rules Committee cannot and should not waive it lightly.

The rule also waives clause 2(l)(3)(B) of House Rule 11 against consideration of the bill. That clause requires certain budgetary information to be included in committee reports. Since the Appropriations Committee failed to include a comparison between the levels in the bill and its 302(b) suballocations, it is in violation of this budget information requirement. However, without the waiver in this rule, we could not even take up the bill. But I would caution the Appropriations Committee against overlooking this important requirement in the future.

Clauses 2 and 6 of House Rule 21 are waived against legislative and transfer provisions in the bill. As I mentioned in my remarks on the previous rule, such violations are legion, comprising about one-fourth of the bill. We also waive these clauses and some other rules against several amendments made in order by the rule. This bill has obviously become a popular vehicle on which to legislate and not just appropriate; and that just adds to the veto bait.

The amendments made in order which require special waiver protection had to be printed in yesterday's RECORD and are virtually the same as those specified in the last rule, with two modifications and one addition. The Schroeder amendment has been changed to prevent United States nuclear testing for the rest of this year and until the President certifies that the Soviets have conducted a nuclear test after April 17th of this year. The rule also limits the time for debate on the Schroeder amendment, and amendments thereto, to 2 hours.

The other amendments requiring waivers which are identical to those previously made in order include: the Hammerschmidt amendment on dairy indemnity; the Fauntroy amendment on aid to Haiti; the Mica amendment on Embassy security; the Fazio amendment on privatizing Federal power; the Rostenkowski amendment on hospital regulations; and the Bosco amendment on American-made offshore oil rigs.

Mr. Speaker, I am pleased to announce that the Rules Committee this time around has been gracious enough to allow an additional amendment by our distinguished Republican leader [Mr. MICHEL] as an alternative to section 201 in the bill which attempts to repeal part of the President's deferral authority. I say "attempts" to repeal that authority because, according to the American Law Division in the Library of Congress, the actual effect of the provision is to simply repeal the requirement that the President report deferrals. In any event, the provision was hastily and sloppily drawn and is a clear case of overkill. From fiscal 1975–85 about $121 billion in deferrals have been proposed, on which only around $21 billion, or 17 percent, have been rejected by Congress. The Appropriations Committee proposes to eliminate so-called policy deferrals which makeup about 40 percent of total deferrals each year. What this means is that if the appropriations language had been in effect from the outset, around $40 billion could not have been deferred over the last decade. Think of how that would have added to our deficit problems.

Rather than eliminating these policy deferrals, most of which have been noncontroversial over the years, the Michel amendment would simply cap these at $5 billion a year. I think this makes much better sense than throwing the baby out with the bathwater, and I hope my colleagues will vote for the Michel amendment when it is offered.

My preference would have been to excise section 201 in the rule, as we did the conservation reserve and congressional franking provisions. That way the Rules Committee and Government Operations Committee could consider deferral reform in a more deliberative manner. And it is my understanding the gentleman from Texas [Mr. ARMEY] will first offer an amendment to simply strike section 201. I think that is the preferred way to go while we study the matter in our committees. But, failing that, the Michel amendment is the only sensible course available to us at this time.

Mr. Speaker, the Rules Committee has done a better job on what is still a bad rule and a bad bill.

□ 1355

Mr. YATES. Will the gentleman yield on that point?

Mr. LOTT. I yield to the gentleman.

Mr. YATES. Deferrals are not rescissions, obviously, and they are deferrals of spending. There is no money that is saved because the amount that is deferred is deferred to be spent at a later date. The gentleman may be confusing that with the rescission which the President——

Mr. LOTT. No, I certainly understand the difference between rescissions and deferrals, and I think that there is no question that the deferral process was intended by the Congress in the Budget and Impoundment Act, that when you do defer or postpone, you are saving money for that time, and particularly if it is money that cannot be well spent at that particular time.

That applies to the management side, for sure, but also the policy deferrals have been used by presidents of both parties and have served us well. Why change it?

Mr. YATES. If the gentleman will yield further, I will tell him why it has changed. It has been changed from the original congressional intention.

I have dealt with deferrals and rescissions, as has every other member of the Committee on Appropriations since passage of the budget law. Until the Chadha decision, until really this year's budget, it worked well because the Congress followed its original intention of providing for a one-house veto. Either the House could veto the bill or the Senate could veto the bill.

Now we have a situation where, because of the Chadha decision, we have what amounts to a single-item veto on the part of the President because in order to upset the deferral, the Congress must pass it by both Houses; and the President must in turn sign it.

So what we have is a reappropriation of the item that is the subject of the deferral. That is a total departure of what Congress intended; it is a total departure of what happened under the first 11 years of the operation of the Budget Act.

Mr. LOTT. Reclaiming my time, I would like to say to the gentleman, I think this is an area where we need to do some work. I acknowledge that there is some uncertainty with regard to deferrals and the Chadha decision.

My question is, though, should the Appropriations Committee do this? Should not this be done by the Committee on Rules and by the Committee on Government Operations? Should it not be done in a deliberative way?

Does your section 201 do what you would like for it to do? Should not we really look closer at the question of management deferral versus policy deferral?

My main objection here is that we are launching off into this, realizing there is a problem, without having really thought it through; and that is why I did think it was very important that the gentleman from Illinois be able to offer his amendment which is, by the way, a middle ground. He says that there should be some limit—in his amendment, of the policy deferrals, and would put a $5 billion cap on it; so he takes a middle ground.

Mr. YATES. The gentleman is speaking of the minority leader's amendment?

Mr. LOTT. Yes; that is correct.

Mr. YATES. If the gentleman will yield further.

Mr. LOTT. I will be glad to yield further.

Mr. YATES. Because I consider this to be such an important matter, I raised it. I took the matter very seriously. I do not lightly put legislation in an appropriations bill.

I put it into this bill because of the experiences which we were having in the Committee on Appropriations this year, where the administration was using the deferral process as a rescission process; not to delay an expenditure, but actually to wipe out an expenditure.

I had to pass on the question as to whether I should put my amendment in the appropriations bill. Before I did so, I appeared before the Committee on Government Operations and testified in favor of a change of the basic law; a legislative committee. When I was before the Committee on Rules, I said to that committee, "I bring this before the Rules Committee because you have jurisdiction over the Budget Act."

I said, "I have put this amendment in this bill. If you think that you want to take jurisdiction of it and consider it, bless you. You go ahead and you do it. If you think that for the time being, until you have a chance to do it, my amendment should receive the attention of the House, then give me the waiver."

Mr. LOTT. I certainly understand where the gentleman is coming from, Mr. Speaker, and why he would like to act, but I do feel like it is the responsibility of the Committee on Rules and the Committee on Government Operations; and we should have already been acting on it, as a matter of fact, and we certainly should be doing it now.

I still do not think it should be done in the appropriations urgent supplemental, and maybe we will have time anyway, because this urgent supplemental is going to take another 3 to 4 weeks, and maybe the President will wind up vetoing it, and we still will not have dealt with the deferral question.

So in the meantime, the Committee on Rules, I would hope, and would like to urge the distinguished leader and the leadership of the Committee on Rules that we take this issue up and deal with it, and let us work together. This should be a bipartisan solution, because it has been used in a bipartisan way.

The President has not abused his deferral authority. Previous Presidents have used it to a greater extent; and I have right here, President Carter, for instance 1 year, had a $7.3 billion deferral proposal. President Ford had a $21.6 billion deferral; and this deferral, this year, is below the one that President Ford had asked for.

Mr. YATES. If the gentleman will yield further, may I point out to the gentleman that the process, the procedure, under both Presidents Ford and Carter, was the one-House veto. We do not have that now; and what is happening is that we must—for example, take the case of the strategic petroleum reserve and the construction of storage capacity in Texas.

We passed that 2 years ago; the President sent down a deferral; the Congress overruled that last year. The President sent down another deferral this year, and we thought that—it was in our appropriations bill last year—he sent down another deferral this year. We have to go through the entire reappropriations process for the strategic petroleum reserve.

Mr. LOTT. I guess we will debate this later when we get to this section, because there will be, as I understand it, an amendment offered to simply strike section 201, and we will discuss that, and we do have, thanks to the Committee on Rules, the Michel amendment, which would be I think a medium ground.

Basically, though, we fundamentally disagree on the whole substance of the issue. Thank goodness we have Presidents that will try to have rescissions and deferrals, because it is obvious to me the Congress is not going to deal—we are trying to find ways to stop some of this spending when there are reasons to believe it should not go forward.

If I may conclude, let me say that I think the Committee on Rules has done a better job on this rule, but it is still basically a bad rule on a bad bill.

Mr. Speaker, I yield 4 minutes to the gentleman from Texas [Mr. ARMEY.]

Mr. ARMEY. Mr. Speaker, I want to express my appreciation not only to the gentleman from Mississippi, but to the gentleman from Florida and other members of the committee; both the Committee on Appropriations and Rules, for the hard work they are doing.

□ 1405

But I hate to tell you gentlemen in all respect to the hard work you were doing and the sincerity of your efforts, I am very bitterly disappointed in this rule. This is a bad bill and a bad rule. I think some people who may appreciate this whole process someday might be the professors of America who might find this an excellent case, an example to use in a classroom of how the legislation and procedures by which legislation is developed and the rules by which it is allowed to the floor misses the point of so much work that went into our founding documents in this country to protect against the tyranny of the majority.

It is certainly evident in this effort here.

I have many problems with the bill, but the big problem is its name. Why we continue to call this an urgent supplemental bill is beyond me.

You know, another thing that we find in our curricula is supplemental appropriation bills are not dealt with in the universities and in the schools because we expect them to be rather perfunctory pieces of legislation designed to fill a few fiscal gaps and keep operations running.

Now we have one that makes major policy operations. It is completely out of control. I do not understand why, for example, I might not be allowed to offer an amendment that outlaws legal services, bans any further legal services. Yet another Member can come down and be granted a rule that allows them to legislate away any further nuclear testing. The whole question with regard to the deferral process is a bitter disappointment to me. It would seem to me a good rule would have about 90-percent public policy and about 10-percent politics. This rule clearly has about 10-percent public policy and 90-percent politics.

The President needs the deferral authority for reasons we will look at later. I intend to offer an amendment, as I found 70 percent of the Members of the House willing to sign a letter with me asking the Rules Committee to not grant these legislation waivers and to hold the bill to fiscally responsible guidelines.

We will be back on the floor making our best effort to keep those necessary provisions of the Budget Control and Impoundment Act in force. Also, if at all possible, to try to protect the integrity of the committees of jurisdiction which are being bypassed by these short-circuited legislative efforts that we find in this bill and in this rule.

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

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

Mr. YATES. I thank the gentleman for yielding.

Mr. Speaker, I pointed out to the gentleman from Mississippi that I had testified before the Committee on Government Operations and before the Committee on Rules because they are the committees of jurisdiction, telling them this is a subject that

ought to be acted on and that my amendment was solely for the purpose of presenting the question to them if they thought it was proper. I have the approval, for presenting my amendment in this bill, of the gentleman who is chairman of the Committee on Government Operations and the ranking member. Obviously, the Committee on Rules approved it because they gave it a rule.

Mr. ARMEY. If I can reclaim my time. I guess that may be one of the points that I am trying to make here. I do not think the extent to which a committee acts, gives approval or whatever, should rest only in the hands of the chairman of that committee. The sovereignty of committee chairmen in this body, I think, is a problem we ought to deal with. The fact of the matter is there are more Members on the committee who are not chairmen than there are who are chairmen. We all are equally competent to decide the Nation's business. I suppose that is why we were put on the committees.

Mr. LOTT. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Committee on Agriculture, the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. I thank the gentleman for yielding.

Mr. Speaker, I rise to interject my comments at this point with some degree of sadness that this has to be done, but the supplemental appropriation bill has 12 items of basic Agriculture Committee jurisdiction to which the Rules Committee has provided a general waiver. I want to assure the membership that in most of the instances we have no basic argument with the content but rather with the way that it is being done because they are not basically of that emergency nature that cannot be handled by the appropriate committee of jurisdiction.

Further, and I say this with some degree of sadness out of my respect of the institution, that this erosion has been coming on for a considerable length of time, and unless we stop the erosion or unless some accommodation is made between the Appropriations Committee for whom I have the greatest respect, and this I assure you is not related to any of its Members, but unless we have accommodation or at least communication as to vital items that need to be addressed in an appropriations bill, with the respective committees of jurisdiction, then we would have eroded the rules, and we may have put im place a dismantling of orderly procedure, and we may wind up with some degree of confrontation that is not needed, should not be and none of us want.

Mr. Speaker, I have gone to the leadership, I have gone to everyone that would listen to us, that the orderly procedure under the rules must be followed explicitly. My friends of the Rules Committee, I thank them for all of the cooperation they have given us, but I assure you that granting waivers should be something that is not taken very lightly.

Again we offer our cooperation to all but that we do not erode the basic rules of the House.

Mr. ALEXANDER. Mr. Speaker, I rise in support of the rule on H.R. 4515.

The coming of spring usually brings heavy rains and serious flooding in my part of the country. But this year we're seeing another type of flood in Arkansas. This flood is made of paper instead of water.

The county offices of the Agricultural Stabilization and Conservation Service are drowning under a sea of forms, and the flood threatens to wash away this year's spring planting as surely as a tropical storm from the Gulf of Mexico.

Farmers in Arkansas and throughout the Nation are approaching the end of planting season, and they desperately need the money that ASCS owes them but hasn't released. The disbursement of commodity loans and deficiency payments is hopelessly backlogged, and farmers are without the seed money they need to begin this crop year.

The ASCS county offices simply need more people to process the paperwork. The supplemental before us would transfer $71 million from the Commodity Credit Corporation to the salaries and expenses account of ASCS so the county offices can pay the people to do the work that will get money to the farmer.

The week before last, Mr. Speaker, farmers in Poinsett County, AR, told me that the ASCS office there is so swamped that it has not even finished disbursing 1985 deficiency payments—much less advance deficiency payments for this year.

This transfer of funds is needed—not within several weeks or months—but within the next few days. Many of my farmers are desperate. The flood waters are at our door. We must move this provision through with the utmost speed so we can hire the people needed to process the paperwork and put the money in the hands of the people for whom Congress intended it.

Mr. LOTT. Mr. Speaker, I have no additional requests for time and I reserve the balance of my time.

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

Mr. Speaker, the Rules Committee always has problems when these matters come up. Remember that we did not just get these amendments out of the thin air. These provisions that our friends are objecting to were proposed in a bill that came from the Appropriations Committee of the House of Representatives, and they presented to us what they thought and felt were provisions which should be protected in the bill.

They asked for a waiver because they knew they were subject to a technical point of order. Ordinarily, as I said a moment ago, when the chairman of a full committee of an authorizing committee or when the chairman of a subcommittee of an authorizing committee appears before the Rules Committee and asks us not to grant a waiver of a rule violation, we observe their request. But this time with respect to a whole list of things that pertain to agriculture which we all know is having a critical period in our time, the Appropriations Committee felt that these things for which they had provided should be allowed to go to a vote on the floor of the House of Representatives.

I am not in the citrus industry area of Florida. I live in Miami. The citrus industry suffered very badly from canker. But the Appropriations Committee had put in some funds to deal with the citrus canker, and we protected that provision as well as some others.

For example, there are some funds in here to deal with avian flu and the like. But as I say, I told my distinguished friend from Texas that we would very reluctantly go contrary to his request and that of the distinguished gentleman from New York [Mr. STRATTON] in two instances. But after deliberating about the matter, considering the recommendation of the Committee on Appropriations, we decided it would only be fair to give the House an opportunity to vote on these matters. And that is the reason we granted the waivers.

So I am sorry we could not oblige everybody. We conscientiously tried to do what we thought was the right thing and in the best interests of the country.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman.

Mr. DE LA GARZA. I thank the gentleman for yielding.

Mr. Speaker, I rise again to express my deep admiration and respect for the chairman. I am certain that he had to bear the brunt of which decision to make. With that we have no quarrel. My concern, Mr. Chairman, is that I, more than no one, want to help the citrus industry in Florida and, more than no one, is interested in controlling the citrus canker, for example.

It could impact down to my area of Texas. But the citrus industry in Florida should realize and know that they come to the committee of jurisdiction first, and this is where I say the erosion is coming that we grant waivers. They will not know that they have to come to the committee of jurisdiction because they will get their money. This is my concern, that it should be done with communication. We do not know if hearings were held. We held no hearings. We know the problem in Florida. So it is a matter of having to join hands and communicate all around and perhaps we, I am sure in this case, would have been in agree-

ment had the communication been made, had we seen the problems. We would have caused the chairman of the Rules Committee not to have to make this decision. This is what I am trying to get at, that we should not have to come and settle it or dump it on the backs of the Rules Committee or the back of the chairman of the Rules Committee. It should be done with communication, in good order, with cooperation, and with a friendly manner so that we do not have to come and be discussing this on the floor of the House.

I thank the distinguished chairman for yielding.

Mr. PEPPER. May I say to my distinguished friend he knows how reluctantly I am on the opposite side from him.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I thank the gentleman for yielding.

Mr. Speaker, the chairman is not on the opposite side on this because, I point out to you, the provision relating to canker is a transfer of appropriated money. The committee of jurisdiction is the Appropriations Committee for transfers, not the Agriculture Committee.

Mr. PEPPER. May I say that if we had made a mistake in allowing these provisions to come to a vote on the floor, I am sure the membership would be ably disposed to take care of the matter itself.

So all the criticisms that have been offered may be presented when the amendment comes up for consideration by the House.

May I add one more word here, Mr. Speaker? When we come to the debate on the floor on the Michel amendment, I will have more to say about it, but I just want to say now that the Rules Committee had a hearing a little while ago, consuming an afternoon, with an excellent and varied group of important witnesses on this whole matter that is brought out and emphasized by the amendment of the gentleman from Illinois [Mr. YATES].

As soon as the testimony from that hearing is printed and available to the members of the Rules Committee, we are going to proceed in an effort to try to bring the Congress together to determine what the Congress should do in dealing with this critical constitutional issue; to what extent the Executive may decline to carry out the provisions of laws established by the Congress of the United States in a constitutional way, including appropriations made by the Congress.

Mr. LOTT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. PEPPER. 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 resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. LOTT. 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 187, nays 220, not voting 26, as follows:

[Roll No. 89]

YEAS—187

Ackerman
Alexander
Anderson
Andrews
Annunzio
Applegate
Aspin
Atkins
AuCoin
Barnes
Beilenson
Bennett
Berman
Bevill
Biaggi
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brooks
Brown (CA)
Bryant
Burton (CA)
Byron
Carper
Carr
Chappell
Clay
Coelho
Coleman (TX)
Collins
Conyers
Cooper
Crockett
Dellums
Derrick
Dingell
Dixon
Donnelly
Dowdy
Downey
Durbin
Dwyer
Dymally
Eckart (OH)
Edwards (CA)
Erdreich
Evans (IL)
Fascell
Fazio
Feighan
Flippo
Florio
Foley
Ford (MI)
Ford (TN)
Frank
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gibbons
Gilman
Gonzalez
Gordon
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hammerschmidt
Hawkins
Hayes
Hefner
Hendon
Hertel
Howard
Hoyer
Jones (NC)
Jones (OK)
Kanjorski
Kastenmeier
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lipinski
Long
Lowry (WA)
Luken
Lundine
Manton
Markey
Matsui
Mavroules
Mazzoli
McCloskey
McDade
McHugh
Mica
Mikulski
Mineta
Mitchell
Moakley
Montgomery
Moody
Morrison (CT)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nowak
O'Brien
Oakar
Obey
Ortiz
Owens
Pease
Pepper
Perkins
Pickle
Price
Rahall
Rangel
Robinson
Rodino
Roe
Rostenkowski
Roybal
Sabo
Savage
Scheuer
Schroeder
Schumer
Seiberling
Shelby
Sikorski
Sisisky
Skelton
Smith (FL)
Smith (IA)
Solarz
Spratt
St Germain
Stark
Stokes
Studds
Swift
Synar
Taylor
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Vento
Walgren
Watkins
Waxman
Weaver
Weiss
Wheat
Whitten
Wise
Wolpe
Wright
Wyden
Yates
Yatron
Young (MO)

NAYS—220

Armey
Badham
Barnard
Bartlett
Barton
Bateman
Bates
Bedell
Bentley
Bereuter
Bliley
Boehlert
Boulter
Broomfield
Brown (CO)
Broyhill
Bruce
Burton (IN)
Bustamante
Callahan
Campbell
Carney
Chandler
Chapman
Chappie
Clinger
Coats
Cobey
Coble
Coleman (MO)
Combest
Conte
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daschle
Daub
Davis
de la Garza
DeWine
Dickinson
Dicks
DioGuardi
Dorgan (ND)
Dornan (CA)
Dreier
Duncan
Dyson
Eckert (NY)
Emerson
English
Evans (IA)
Fawell
Fish
Fowler
Franklin
Frenzel
Gallo
Gekas
Gingrich
Glickman
Goodling
Gradison
Gregg
Gunderson
Hall, Ralph
Hamilton
Hansen
Hatcher
Henry
Hiler
Hillis
Holt
Hopkins
Horton
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jenkins
Johnson
Jones (TN)
Kaptur
Kasich
Kemp
Kindness
Kolbe
Lagomarsino
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Lott
Lowery (CA)
Lungren
Mack
MacKay
Madigan
Marlenee
Martin (IL)
Martin (NY)
Martinez
McCain
McCandless
McCollum
McCurdy
McEwen
McGrath
McKernan
McKinney
McMillan
Meyers
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Molinari
Mollohan
Monson
Moore
Moorhead
Morrison (WA)
Nielson
Olin
Oxley
Packard
Panetta
Parris
Pashayan
Penny
Petri
Porter
Quillen
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Roberts
Roemer
Rogers
Rose
Roth
Roukema
Rowland (CT)
Rowland (GA)
Rudd
Russo
Saxton
Schaefer
Schneider
Schuette
Schulze
Sensenbrenner
Sharp
Shaw
Shumway
Shuster
Siljander
Skeen
Slattery
Slaughter
Smith (NE)
Smith (NJ)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Snyder
Solomon
Spence
Staggers
Stallings
Stangeland
Stenholm
Strang
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Tauzin
Thomas (CA)
Thomas (GA)
Valentine
Vander Jagt
Visclosky
Volkmer
Vucanovich
Walker
Weber
Whitehurst
Whitley
Whittaker
Williams
Wirth
Wolf
Wortley
Wylie
Young (AK)
Young (FL)

NOT VOTING—26

Akaka
Anthony
Archer
Bilirakis
Breaux
Cheney
Coyne
DeLay
Early
Edgar
Edwards (OK)
Fiedler
Fields
Foglietta
Gephardt
Grotberg
Hartnett
Heftel
Kramer
Loeffler
Lujan
Nichols
Oberstar
Pursell
Wilson
Zschau

□ 1430

Messrs. CAMPBELL, CHAPMAN, and HORTON, Mrs. JOHNSON, Messrs. VISCLOSKY, JEFFORDS, WEBER, and MILLER of California, Mrs. LLOYD, and Messrs. PENNY, VALENTINE, RINALDO, and VOLK-

MER changed their votes from "yea" to "nay."

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

So the resolution was not agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FARM SITUATION DESPERATE

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

Mr. WHITTEN. Mr. Speaker, in H.R. 4515, the urgent supplemental appropriations bill, we only try to help the farmer. We have not attempted to take over any committee's jurisdiction. We try to turn back to the law which worked and which is still on the books, a law under which the farmer bought land but which he now loses under the new law and current conditions.

We call for a return to last year's requirements to qualify for production loans.

American agriculture is our biggest industry. Our best and most economic supplier to the consumer is our biggest employer and chief dollar earner in word trade. Farm income of course is V × P less C—volume times price less cost. When you limit both his volume and his price, he cannot hope to cover his cost. The PIK Program, which cost $12,000,000,000, was charged to the farmer, and transferred 11 percent of our production overseas to our competitors and did little to help the farmer other than provide some badly needed cash.

Since World War II, industry and labor's share of the consumer dollar increased from 49 to 73 percent under law. The farmers' share during this period, however, has decreased from 51 to 27 percent.

Mr. Speaker, today hundreds of thousands of farmers are bankrupt. They are rapidly losing their land, often land that has been in the family for more than 100 years. More than 120 banks have failed this year and an additional 120 are said to be in danger of closing.

The Farm Credit Administration is on the ropes and is notifying farmers that they must look elsewhere for farm operating loans.

The Federal Land Banks are foreclosing. Banks in rural areas are hesitant to make any new loans.

Less than one-fourth of those who were approved for loans last year have been approved for loans this year.

In many areas we have seen suicides.

FARMERS PAY FOR FOREIGN POLICY

When we look for the cause we see that in 1973, farmers were urged to withhold exports. In 1974, 1975, and 1980, basic farm commodities were embargoed by the Government to punish Russia.

When the grain companies bought from the farmer and our Government refused to let them deliver, we paid the grain companies. But the Government did nothing for the producer who produced and could not sell his crop. Our country is the only country which has failed to use its authority to make the offering price in world trade competitive. Yet the Commodity Credit Corporation, a $25 billion corporation, was set up to support domestic prices and to retain our foreign markets. Secretary Butz used the private world traders to restore our exports but now our Government will use neither traders or CCC.

Since 1980 we have continued to have our farmers finance our foreign policy, which results in giving their market to our competitors.

Under law, we are making advance deficiency payments because the farmer's financial condition is so bad.

In view of present conditions, a big percentage of our production which should be moved into world trade by us will be lost to competitors as was 11 percent under "PIK," and we will lose the dollars in export sales we could have made.

PERISHABLE COMMODITIES

Of course, perishables commodities are another matter. There we attempt to purchase the surplus and bring supply and demand into balance, thereby maintaining a reasonable price for the farmer. So far as livestock is concerned, under the new law, prices have dropped by $6 to $8 per hundred weight.

NEED TO RETURN TO OLD LAW

Mr. Speaker, under such conditions we have asked that the old laws which are still on the books be used, where loan rates were tied to costs, where the price was paid by the user, and the surplus moved into world trade at competitive prices.

We ask for a return to last year's requirement for production loans. This would save 75 percent of the borrowers.

Mr. Speaker, we have not attempted to take over any committee's jurisdiction. Conditions of American farmers are so bad that we would be glad to turn to any committee.

EXPLANATION OF H.R. 4515

Mr. Speaker, the original bill began on March 12, 1986, when I introduced H.R. 4380, an urgent supplemental appropriations bill for fiscal year 1986. This bill provided $449 million for emergency disaster relief and several other urgently needed items as follows:

	Millions
Disaster relief (Federal Emergency Management Agency)	$250
Disaster Loan Fund (Small Business Administration)	52
Disaster assistance (Impact Aid)	20
Flood control and coastal emergencies	25
Watershed and flood prevention operations	25
Emergency Conservation Program (Agricultural Stabilization and Conservation Service)	10
FAA (Air traffic operations and safety)	60
Fees of Jurors (Judiciary)	3
Food Safety and Inspection Service	3

This bill (H.R. 4380) was considered by the full committee on March 20. When it became apparent that additional funding was needed for the Internal Revenue Service, the Customs Service, and Embassy Security, and that these and other items would probably be added by the Senate, various subcommittee chairmen and other members amended the bill by adding these and other items which were considered essential. As a result of these actions, both the size and scope of the original bill which I introduced was increased from $449 million to $1.705 million. The bill as amended was reported to the House as original legislation—H.R. 4515.

RELATIONSHIP TO THE BUDGET RESOLUTION

I want to stress that both the bill which I introduced, and the bill which was reported by the committee are under the budget allocation given to this committee pursuant to the conference agreement on the fiscal year 1986 budget resolution. It has been pointed out to me that in the scorekeeping report to the Speaker submitted by the House Budget Committee, that our Committee on Appropriations is under its allocation for fiscal year 1986.

Mr. Speaker, we are proud of the historical record of the Appropriation Committee. Even after you account for the effect of this legislation (H.R. 4515), we are still under our budget allocation. This must be clearly understood in this era of fiscal restraint. Because of final action by the Congress affecting military spending and legislation which permits additional program funding to be drawn from the Commodity Credit Corporation, several of the individual 302(b) subdivisions adopted by the committee on October 28, 1985, have been affected. This reflects a change in our original priorities, however, without the total allocation to the committee being breached.

At the request of the House leadership, the committee delayed the consideration of the bill in order to accommodate certain possible amendments. This has caused the legislation to be scheduled after April 15. This slippage in scheduling created what I considered a technical violation of the so-called 302(b) subcommittee allocations, but not the overall ceiling. As I stated earlier, the legislation is within our committee's overall 302 budget allocation for fiscal year 1986. The Rules Committee considered this a technical matter arising out of new provisions in the Gramm-Rudman legislation, and in this rule waives the 302(f) requirement because the bill still is under the overall 302 allocation.

CONGRESSIONAL MAIL

It should also be noted that the rule would have eliminated $42 million and legislative provisions which deal with congressional mail.

CONSERVATION RESERVE

I would like to call to your attention the new Conservation Reserve Program of the Department of Agriculture. As you know, I have been personally supportive for many years of the conservation programs of the Department of Agriculture as well as other conservation programs throughout the Government. When the conferees met to consider House Joint Resolution 534—the urgent supplemental for the Commodity Credit Corporation—we addressed this specific item. The new program was intended by the authors of the farm legislation to be in addition to the existing Soil Conservation Program.

The Office of Management and Budget, however, has recommended a cut of 60 percent in the regular program and a reduction of 3,700 employees in the fiscal year 1987 budget which would lead to eventual program elimination. As a result, House Joint Resolution 534, as signed (Public Law 99-263) states that the new ". . . conservation reserve program shall not replace or reduce any

existing conservation program." With the addition of this language in conference, the provisions of section 2 that I included in this legislation—before we had conference agreement—are no longer required since their goal has been achieved. When I appeared before the Rules Committee, I requested a self-executing rule which would delete section 2 of chapter 1 from the legislation. This would have been done by the adoption of the rule.

SUSPENSION OF DEFERRAL AUTHORITY

Also, I would like to call your attention to section 201 of the bill. This is provided as an emergency measure to deal with problems presented by the Chadha decision of the Supreme Court and actions of the administration.

As a temporary measure, the Appropriations Committee has included language which removes the administration's authority to defer future spending under title X of the Budget Act. In effect this suspends the process until something permanent can be worked out under the leadership of the Rules Committee led by Senator PEPPER and the Government Operations Committee led by our good friend, JACK BROOKS. We hope they will come up with the workable solution.

Mr. Speaker, defeat of this rule will not solve many of the problems addressed in H.R. 4515. These problems must be addressed, either today or in the very near future. The loser today is the American farmer, who is already on the ropes.

LEGISLATIVE PROGRAM

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

Mr. LOTT. Mr. Speaker, I have asked for this time for the purpose of determining for the membership what the schedule will be for the balance of the day and for the week, in view of the fact that the rule on the urgent supplemental was just defeated.

I yield to the majority leader.

Mr. WRIGHT. Mr. Speaker, in view of the vote on the rule, we will go now to the rule on military retirement, H.R. 4420, revising military retirement system for new members of the Armed Services. We will go into that rule and, assuming the adoption of that rule, we will take up that bill and debate it for the remainder of today, expecting to arise at least by 7 o'clock if we have not completed action on that bill by that time. That is an open rule, with 2 hours of general debate.

Then tomorrow, assuming we shall have completed the military retirement bill, we hope to take up the Garrison Diversion Unit Reformulation Act and try to complete it.

Mr. LOTT. Did we complete general debate on that bill at an earlier point?

Mr. WRIGHT. It is my understanding that general debate has been completed. But that is an open rule, and we may have amendments that will be offered.

It is my further understanding that most of the controversy which beset that legislation in times past has been resolved and there is some general agreement as to the direction we will go.

□ 1444

So I do not expect that it will take an extraordinarily long time, but it is our purpose to finish the military retirement bill first. If we finish that today, so much the better. If we do not, we will try to finish it tomorrow. Having finished it, we will try to go back to the Garrison bill and see if we could conclude it; in any event, rising at the reasonable hour we earlier had planned tomorrow in order that Members might observe the Jewish religious holidays.

Mr. LOTT. It is still the intention of the leadership that we come in at 10 o'clock on Wednesday?

Mr. WRIGHT. That is correct.

Mr. LOTT. I understand there is some time left on general debate on the Garrison diversion, so there may be some time that is still required under general debate, after the House comes in at 10 o'clock.

Mr. WRIGHT. I think that is altogether possible.

Mr. LOTT. Since the House just defeated the rule on the supplemental appropriations, I would certainly hope that maybe now we could have a rule on a clean urgent supplemental appropriations bill. Does the leadership have any indication when we would take that matter up again of when the Rules Committee would consider it further, if at all?

Mr. WRIGHT. Cleanliness is said to be next to godliness and if it is, we are an ungodly lot.

Mr. LOTT. Was there a pun intended there, may I ask the leader, "ungodly lot"?

Mr. WRIGHT. Cleanliness may be in the eye of the beholder. We would have thought that that bill was as clean as a hound's tooth, but there were certain Members who found abscesses in the hound's teeth.

Mr. LOTT. I think the leader is saying that, "We don't know yet, we'll talk about it later," is that right?

Mr. WRIGHT. We will talk about it on another day when we can get the Borax and all the cleansing fluids possible and try to bring back a bill that will be acceptable.

Mr. LOTT. Well, every dog will have his day, that is for sure, on this subject.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1236. An act to amend title 18 of the United States Code and other laws to make minor or technical amendments to provisions enacted by the Comprehensive Crime Control Act of 1984, and for other purposes.

MILITARY RETIREMENT REFORM ACT OF 1986

Mr. FROST. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 421 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 421

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4420) to amend title 10, United States Code, to revise the retirement system for new members of the uniformed services, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and amendment made in order by this resolution and which shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered for amendment by titles instead of by sections and each title shall be considered as having been read, and all points of order against said substitute for failure to comply with the provisions of clause 7 of rule XVI and clause 5(a) of rule XXI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas [Mr. FROST] is recognized for 1 hour.

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume.

Mr. FROST. Mr. Speaker, House Resolution 421 is an open rule providing for the consideration of H.R. 4420, the Military Retirement Reform Act of 1986. The rule provides 2 hours of general debate, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

The rule also provides that it shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Armed

Services now printed in the bill as original text for the purpose of amendment under the 5-minute rule and further provides that the committee substitute shall be considered for amendment by titles rather than by sections and that each title shall be considered as having been read.

In addition, the rule waives two points of order against the substitute. The first point of order waived in the rule, is specifically provided for the provisions of title IV of the committee substitute. This title relates to fiscal year 1986 unauthorized appropriations and the provisions of the title are not germane to the military reform provisions of the introduced bill. Therefore, in order to allow the Committee on Armed Services the opportunity to address the issue of unauthorized appropriations contained in the fiscal year 1986 Department of Defense appropriations, the Committee on Rules has included a waiver of clause 7, rule XVI, which prohibits nongermane amendments, in the resolution.

The second, a waiver of clause 5(a) of rule XXI, which prohibits appropriations in a legislative bill, is provided because the authorizations contained in title IV have the effect of releasing previously appropriated funds for obligation. The fiscal year 1986 continuing appropriation provided that the unauthorized amounts contained therein could not be obligated unless and until an authorization was enacted. Therefore, because these funds are being released and earmarked in law for obligation by virtue of the authorizations in title IV, the waiver of clause 5(a), rule XXI is necessary and has been provided by the Committee on Rules.

The rule also provides that at the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. Finally, the rule provides that the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. Speaker, H.R. 4420 represents significant changes in the military retirement system. These changes are intended to not only save many billions of dollars in payments to future military retirees, but more importantly, these changes are intended to encourage our military personnel to remain in the armed services past 20 years of service. Under current law, military personnel may retire after 20 years and immediately receive a pension equal to 50 percent of the average basic pay they received in their 3 highest pay years. The incentives provided in the restructured military retirement system recommended by the Committee on Armed Services will encourage our most experienced military personnel—those with 20 years or more of service—to remain on active duty and to continue to contribute their irreplaceable training, education, and experience to an increasingly technologically complex Armed Forces.

To provide these incentives, the Committee on Armed Services is recommending that those personnel who choose to retire after only 20 years service be entitled to a pension equal to 40 percent of their 5 years highest basic pay. For every year a member of the military remains in the service beyond 20 years, pension benefits would increase by 3.5 percent so that by 30 years a retiree would be entitled to 75 percent of basic pay as under current law. In addition, the averaging period used to compute the average basic pay would be reduced by 1 month for each 5 months of additional service beyond 20 years so that by 30 years, a retiree would be entitled to average his three highest basic pay rates, as under current law.

The Committee on Armed Services estimates that these changes, which will affect only those members of the armed services who join after the date of enactment, will cut pension costs for the military by $3.1 million on an annualized basis. These savings are mandated by the fiscal year 1986 Department of Defense authorization, and the Committee on Armed Services is to be commended for recommending this legislation which is fair to all military personnel—retirees, active duty members, as well as future members of the armed services.

Mr. Speaker, H.R. 4420 contains provisions which are unrelated to the reform of the military retirement system, but which are of critical importance to the proper functioning of the authorization/appropriations process in the Congress. Title IV of the bill provides authorizations for $2.3 billion of the $5.6 billion in unauthorized appropriations for various military weapons and programs included in the continuing appropriations act for fiscal year 1986. The remaining $3.3 billion, minus $506 million which would be eliminated by the first Gramm-Rudman sequester order, is specifically prohibited from obligation until future authorizing legislation is enacted. The Committee on Armed Services has taken this step in order to exert control over that vast sum of Federal dollars contained in the fiscal year 1986 continuing appropriation which are either unauthorized or exceed authorization levels contained in the fiscal year 1986 Department of Defense authorization. The Committee on Rules, which continues to watch the difficulties the Congress has had in recent years in enacting authorizations in a timely manner so that appropriations may move forward, commends the Committee on Armed Services for taking this action. In these times of fiscal constraint, action by authorizing committees to specifically define the limits of any Federal spending program is to be commended.

Mr. Speaker, H.R. 4420 is a bill which represents significant savings to the Federal treasury, both in the future and in the present. The Committee on Armed Services has crafted a fair and equitable retirement system for future military retirees and has addressed a significant problem contained in the current appropriation for the Department of Defense. It is for this reason that I urge my colleagues to adopt this rule and to adopt this legislation.

Mr. QUILLEN. Mr. Speaker, I yield myself as much time as I may use.

Mr. Speaker, it would be redundant for me to explain the provisions of the rule because it has been explained very ably.

We all know that we face a very critical situation in our defense posture. Unless this is passed, we face a reduction in the number of personnel in our defense system. It is in my opinion mandatory that we get down to the business of passing this measure on the floor of the House as quickly as possible so those coming into the service will know what to expect. By reducing retirement expenses, we can retain our current strength or even increase it.

Mr. Speaker, I urge adoption of the rule and measure when it is debated on the floor.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. FROST. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. QUILLEN. 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 403, nays 1, not voting 29, as follows:

[Roll No. 90]

YEAS—403

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

NAYS—1

Crane

NOT VOTING—29

Akaka
Anthony
Archer
Breaux
Cheney
Coyne
DeLay
Early
Edgar
Edwards (OK)
Fiedler
Fields
Fowler
Gephardt
Grotberg
Hartnett
Heftel
Kramer
Loeffler
Lujan
Madigan
McCloskey
Nichols
Oberstar
Udall
Wilson
Wirth
Wise
Zschau

□ 1510

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 421 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4420.

□ 1518

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4420), to amend title 10, United States Code, to revise the retirement system for new members of the uniformed services, and for other purposes, with Mr. TRAXLER in the chair.

The Clerk read the title of the bill.

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

Under the rules, the gentleman from Wisconsin [Mr. ASPIN] will be recognized for 1 hour and the gentleman from Indiana [Mr. HILLIS] will be recognized for 1 hour.

The Chair recognizes the gentleman from Wisconsin [Mr. ASPIN].

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

Mr. Chairman, I am pleased to bring to the floor of the House today H.R. 4420, the Retirement Reform Act of 1986.

H.R. 4420 would revise the uniformed services nondisability retirement system for individuals who become members of the uniformed services for the first time on or after the date of enactment and would provide authority to obligate certain appropriations contained in the fiscal year 1986 Defense Appropriations Act.

Mr. Chairman, the committee recommends to the full House two changes in the uniformed retirement system. The first is a change in the formula for computing the multiplier and second is a change in the length of the averaging period used to calculate the base for computing retirement pay.

Mr. Chairman, the two things we want to make absolutely clear about this legislation—one is that it does not affect anybody who is currently retired and it does not affect anyone who is currently a member of the uniformed services. This provision that we are enacting today is strictly prospective.

Any person joining one of the uniformed services after the date of enactment, meaning after the date it is signed into law by the President, are the people who are going to be affected. Anybody who joins the uniformed services before that date is under the old system.

Second, I would like to point out, Mr. Chairman, that this system that we are presenting to the Congress here today does not change the retirment system in any way for any member who serves a full 30-year career. Any person who serves a full 30-year career gets the same benefits under the new provision as they got under the old provision. What it does do is change the benefits for the people who serve a 20-year career.

In particular, it means that after 20 years, instead of 50 percent of base pay, a person will retire with 40 percent of base pay and instead of that retirement being calculated on the high 3 years of service, it would be calculated on the high 5 years of service.

Mr. Chairman, the reason for this, and the rationale behind it is to encourage people toward a longer career in the uniformed services. There are a lot of people who join the services, who get valuable training, who are reaching a point after 20 years of serv-

ice of maximum value to the services because of their training, because of their experience and, of course, because of their value to the Armed Forces, they are also of extreme value to any industry on the outside, and after 20 years of service under the current system, they really are performing a financial sacrifice to stay in the services.

What is happening is these people are leaving. They are getting a good salary on the outside; they are getting one-half of their base pay for having served the 20 years in uniform and we are losing these people. It is the hope of the authors of this legislation to try and encourage people to stay for the full 30 years in the career and to help, therefore, in getting our Armed Forces to keep the people who are most experienced and who are most valuable.

The second part of this bill here before us is a bill that relates to a problem that we brought before this Congress, this body, last year. That is the problem of authorizations and appropriations.

The Appropriation Committee in the other body appropriated a large number of dollars that were never authorized in the authorizing process. I would point out that the problem lies not with the Appropriations Committee in the House. The Appropriations Committee in the House was very cooperative and we worked together and I would like to commend the current chairman of the committee, the gentleman from Florida [Mr. CHAPPELL] and the former chairman, the late gentleman from New York [Mr. ADDABBO], for their cooperation with us in avoiding this problem on the House side.

However, unfortunately, in the other body, things were not so good and in the other body, a lot of money was appropriated for which there was no authorization.

In the conference on the appropriations, the number was brought down some, but not enough. And, in fact we had approximately $5.6 billion that was appropriated for about 100 programs. These are projects and activities above the levels authorized.

The committee here is recommending in this language. This additional part of H.R. 4420, which we are considering here today, does clear up the authorization/appropriation issue by authorizing some of the unauthorized projects.

□ 1525

In particular, we are authorizing $2.3 billion for recommendation of approval. Of the remaining amount, $500 million—$506 million to be exact, was taken out of the $5.6 billion on the sequestration under Gramm-Rudman for 1986, and the other amount, $2.8 billion, we are recommending be denied under this legislation.

Mr. Chairman, I am pleased to bring to the floor of the House today H.R. 4420, the Retirement Reform Act of 1986.

H.R. 4420 would revise the uniformed services nondisability retirement system for individuals who become members of a uniformed service for the first time on or after the date of enactment and would provide authority to obligate certain appropriations contained in the fiscal year 1986 Defense Appropriations Act.

RETIREMENT REFORM

The committee recommends two basic changes to the uniformed services retirement system: a change in the formula for computing the multiplier and a change in the length of the averaging period used to calculate the base for computing retired pay. I want to make absolutely clear that no member who had joined a uniformed service before the date of enactment of the change—much less any retiree of a uniformed service—would be affected by the committee's recommendations.

The committee recommends a formula that would result in a multiplier of 40 percent of average basic pay for 20 years of service—compared to 50 percent today—and a maximum of 75 percent of average basic pay for 30 years of service—the same as current law.

The committee also recommends that service members who retire with 20 years of service compute their average basic pay based on the highest basic pay they received during any 5 years of service—currently 3 years. The averaging period would be reduced by 1 month for each 5 months of additional service beyond 20 years. For members who serve for 30 or more years, the averaging period would be 3 years (the same as current law).

UNAUTHORIZED APPROPRIATIONS

The second issue addressed by the bill before us today also involves a complex institutional question: the relationship between the authorization and appropriation process.

As a result of the final action on the Defense Authorization and Appropriations Act for fiscal year 1986, approximately $5.6 billion was appropriated for about 100 programs, projects, and activities above the levels authorized. The committee provides specific recommendations that would allow some of the excess appropriations to be spent and that would prohibit the remainder from being spent.

Of the total of $5.6 billion in excess appropriations, $2.3 billion is recommended for approval. A total of $506 million of the excess appropriations would be eliminated as a result of the March sequester and other reductions, and a total of $2.8 billion would be denied under the recommendations.

COST IMPACTS

The Congressional Budget Office estimates that enactment of the changes to the uniformed services retirement system would reduce outlays from the national defense function—050—by $1.3 billion in fiscal year 1986 and by $186 million in fiscal year 1987. The reduction would increase to $1.5 billion by 1991. Eventually, outlays would be reduced by slightly over $3 billion per year. Outlays from the Federal budget would not be affected until service members actually retire under the revised system. At that time, savings to the Federal budget would also be $3 billion per year.

It is important to keep in mind that the committee's recommendations reflect a policy decision that will have very substantial and long-term cost savings in the Department of Defense budget and, eventually, in the Federal budget as a whole. These cost savings will be accomplished with no adverse affect on U.S. military capabilities and will result in a more effecient allocation of resources within the defense budget.

With regard to the unauthorized appropriations, the Congressional Budget Office estimates that prohibiting $2.8 billion from being obligated would reduce outlays by $624 million in fiscal year 1986, $854 million in fiscal year 1987, decreasing to $161 million by fiscal year 1990.

SUMMARY

Mr. Chairman, the legislation being considered today represents a major policy change in one of the most complex and emotional areas within the jurisdiction of the Committee on Armed Services. Military retirement reform has been a goal sought by a number of military and civilian leaders in the Department of Defense and by many Members of Congress—myself included—for the past two decades. The bill represents the culmination of this effort and a resolution of the various issues in such a way as to improve the management of the critical personnel resource rather than simply "cutting costs."

The legislation focuses on a major issue within our institution as well—the gradual erosion of the viability of the authorizing process. Defense priorities are established through the process of considering the Defense authorization bill. When the Defense appropriations bill provides over $5 billion outside of the priorities established, the process has run amok. The legislation provides an opportunity to reestablish the priorities.

Mr. Chairman, during the process of considering the retirement reform portion of this bill, a number of Members on both sides of the aisle have suggested that the change to the retirement system should be more substantial—especially considering that this may be the last opportunity we will have for many years. I would urge the Members, however, to support the committee's recommendation because it represents a substantial and beneficial change, a change that has been a long time in the coming.

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

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

Mr. Chairman, as the ranking minority member of the Subcommittee on Military Personnel and Compensation, I rise in support of titles I, II, and III, the military retirement portions of H.R. 4420, as reported by the Committee on Armed Services.

Last year, as a part of the fiscal year 1986 Defense Authorization Act Congress made a landmark decision: to change the military retirement system. The battles over the propriety of that decision and the magnitude of the cut were fought in committee, on

the floor, and in conference. The battle ended with the enactment of a $2.9 billion cut in the authorized funding level for military retirement. The legislation before us today simply implements last year's decision.

As part of the $2.9 billion reduction in the accrual charge for fiscal year 1986—an accrual charge is the projected percentage of current payroll needed to pay the retirement cost of new entrants into the work force—Congress directed the Department of Defense to submit two plans to revise the nondisability military retirement system to achieve the required level of savings. Although the Pentagon met the literal requirement of the law, the two plans were deficient; both, for example, contained complex multipliers—43 percent of basic pay after 20 years of service, for example—that made little sense. As a result, the committee decided to develop its own option: H.R. 4420.

One of the principal criticisms repeatedly directed at the current military retirement system is the early age at which experienced, highly trained personnel are able to retire. Clearly, 20-year retirement has a vital role to play in maintaining a young, physically fit, and combat-ready fighting force. Today, however, only a small portion of the current force, particularly at more senior levels, is going to be engaged in actual combat.

Instead, much of the current force is composed of highly trained engineers, technicians, and managers—individuals in whom the services have invested thousands of dollars in military and civilian education. The current military retirement system encourages these service members to leave in the prime of their working careers. The incentives are perverse. Despite Pentagon claims to the contrary, the current system is not an efficient force management tool.

The committee, therefore, decided that any restructuring of the military retirement system should enhance its usefulness as a force management tool and opted to revise the financial incentives to encourage more people to remain for 30 years. The change is twofold: A change in the multiplier and a change in the averaging period.

Under current law, the retired pay multiplier is 2½ percent times years of service, that is 50 percent of basic pay after 20 years of service increasing to a maximum of 75 percent at 30 years of service. Under H.R. 4420, this would change to 2 percent per year for the first 20 years of service and 3½ percent for each of the next 10 years. Thus, a service member would receive 40, rather than 50 percent of basic pay after completing 20 years. The benefit at 30 years of service would remain unchanged from current law—75 percent of basic pay.

Presently, the averaging period for those entering active duty after September 7, 1980, is the high-3 average of basic pay. Under H.R. 4420, this would increase to the high-5 average at 20 years of service, gradually decreasing—at the rate of 1 month for every 5 months of service—to high-3 after 30 years of service. Like the multiplier, the benefit at 30 years of service would remain unchanged from current law.

In conclusion, let me restate what I said at the outset: The retirement changes incorporated in H.R. 4420 implement the decision of the Congress last year to change the system. The committee's recommendations are designed to enhance the attractiveness of longer careers by leaving untouched the current 75 percent of basic pay at 30 years of service while reducing the benefit at 20 years of service. Finally, I want to stress that these changes would be applicable only to those entering the Armed Forces after the date of enactment. Everyone in the current system—whether on active duty or already retired—would be grandfathered under the system.

The time is short. Unless Congress acts quickly, a mandated reduction in military personnel funds included in the continuing appropriation resolution last year will be triggered, effective May 1, 1986. The Congress must act quickly, and I urge my colleagues' support of H.R. 4420, as reported.

Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. Mr. Chairman, I thank the gentleman for yielding me this time, and I would like to join in support of the retirement part of the bill presently under discussion.

If we reflect back many years ago, we had difficulty in attracting young men to come in to the service; and particularly to retain then so they would make a career of it. The wisdom of the House at that time, and the Congress at that time was: Well, as an inducement, we would allow them to come in and retire at half pay after 20 years and then 75 percent pay after 30 years.

Perhaps it was needed at that time, but a lot has changed since then. I get more mail in my office asking my assistance in keeping certain servicemen in the service, because they are being threatened with being not allowed to extend than I do in trying to keep them out. It used to be the mail would be: "Would you help Johnny or Willie get out of the service because of this reason; we need him at home." The thrust now is, if they are not performing, if they are not a good soldier, sailor, airman, et cetera, get rid of them.

We have raised their pay since 1980, some 35 percent; well above the inflation factor. They are well paid now and because of the economic situation in this country today, to let a person retire after 20 years with 50 percent of his base pay is a disincentive to stay in.

We bring them onboard; we spend thousands and thousands of dollars to give them a skill, and then by the time they reach sergeant or above, they have served to the point that they are most valuable to the service; then there is an incentive for them to hang it up and to get up and to go with industry.

If a person comes in when he is 19 years old and spends 20 years, he gets out at 39 years of age, then for the rest of his life, he has got half of his base pay; he is equipped with a skill, and he can go out and do quite well for himself.

This simply says that he will not get 50 percent; he gets 40 percent. It does not affect anyone presently serving. This is prospective in nature only; I think it is only fair to those who are onboard, but from now on, if this passes, everybody is on notice that they will not get 50 percent, they will get 40 percent.

As to the other aspect of this bill, that appropriated but not authorized, I think the chairman has stated it very succinctly and very properly. We have a process in the House, and it is the law, that we authorize, on the Armed Services Committee, and then the Committee on Appropriations may appropriate up to but not exceeding the funds that were authorized. It works pretty good; they do not have to appropriate as much as is authorized, but they should not appropriate more.

We have seen, in the past few years in the other body, a total ignoring of the rules of procedures and the rules of the Congress. If they do not like something they just will not give it the money; if they like something over here that has not been authorized, "That's all right—throw the money in there; we're running this thing. We don't have to worry about what the House of Representatives does; we don't have to worry about the sequence that things come up in; we can both authorize and appropriate" seems to be their attitude; and that is what they have been doing.

In conference it was said that these matters that were appropriated, that we had not yet authorized could not be spent unless they were subsequently authorized. We had a chance to look at them.

So that is what we are in the process of doing now. We have gone back and looked at some of these things. Some were justified by events that occurred after we marked up, and before appropriations did.

□ 1535

So we have approved a little over $2 billion. We have authorized that amount of the over $5 billion that was added by the other body. But there are over $2 billion that we did not authorize. We do not think it is a wise expenditure, whether it be for somebody's pet project back home or whatever.

We did not authorize it, it should not be authorized.

We are looking for ways to keep from cutting further into authorized projects under Gramm-Rudman and other constraints that we have, and it is certainly unwise to allow the other body just to run roughshod over the House procedure and to add what they please and if they do not like what we authorize they do not appropriate that. Then to be a little authorizing and appropriating committee all to itself and run the whole show.

I would hope that the House would support our chairman and our committee position and support us on final passage and that we authorize those things which we feel should be and eliminate those that we did not feel should be authorized.

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

Mr. ASPIN. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. ORTIZ].

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

Mr. Chairman, I rise in strong support of this legislation, H.R. 4420—a bill to amend title 10, United States Code, to revise the retirement system for new members of the uniformed services, and for other purposes. I compliment our distinguished chairman, Mr. ASPIN and his leadership ability in bringing this measure to the floor today. I find it a distinct privilege to participate with my hard-working colleagues of the committee and with such a truly professional staff, to preserve the commitment we have to our servicemen and women who have honorably served this great country of ours in the past, to those now serving, and to those who will serve America in the future.

Additionally, the chairman, committee, and staff are to be complimented on the manner in which this matter of unauthorized appropriations have been resolved. I believe, in this time of fiscal constraints and efforts to reduce the deficit, that this bill provides those resources so necessary to preserve and improve both our deterrent and defense capabilities, as well as the infrastructure necessary to support these weapons systems and quality of life for those service personnel who defend our free Nation.

We need not be reminded, based upon the events of this past week, that we need to support our Armed Forces with the materiel and tangible benefits that:

Provide the resources to project and enforce our national policies throughout the world; and

Provide those tangible benefits that let our service personnel and their families know that we support them and that we will truly provide for their welfare.

Truly, this bill provides those resources needed to improve our deterrent and defense capabilities, as well as to honor our commitment to those who have served, are serving, and who will serve by providing retirement benefits which will encourage the retention of physically fit, true professionals who comprise our Armed Forces.

Mr. HILLIS. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. I thank the gentleman for yielding.

Before delivering my remarks which will be certainly less than 5 minutes, I would like to commend the distinguished gentleman from Indiana and the ranking member of the Subcommittee on Military Personnel and Compensation who by his choice will be retiring at the end of this session of Congress. We will certainly miss him.

He is one of the grand and dedicated, conscientious, and effective Members of this body.

Mr. Chairman, I would like to echo the comments made by the gentleman from Alabama about the quality of the people who are serving in the uniformed services of the United States of America at this time.

The quality has never been higher, and it is a credit to the Congresses which provided levels of compensation, quality of life benefits and retirement benefits which have made this possible.

We should be extremely nervous about changing it in any way that would denigrate the quality of those people.

I have visited them on the flight lines, in their submarines, in their tanks, and I just could not be more proud of the quality of those who serve us.

With reference to this bill today, Mr. Chairman, I rise in support but most assuredly in reluctant support of the measure. We are, when we face up to it, legislating a reduction in retirement benefits for those who serve from 20 to 30 years in the military service, a reduction at least in terms of what they would now receive under present law.

Why then do I support this bill? I support it because in our last session we enacted legislation which in effect says to the Department of Defense:

Unless you make suggestions of changes in the retirement system which will reduce appropriations to the retirement accrual account, we are going to take $2.9 billion out of the personnel account of the Department of Defense. We have got to enact something that you recommended to us or a modification thereof before May 1, 1986.

Well, we are near that date, we must act or otherwise some very draconian things would have to happen to the personnel account and literally thousands and thousands of qualified people in the uniformed services would have to be released from service.

We cannot permit that to happen. This bill, when passed, will prevent it from happening.

For that reason it is entitled to my support and, I believe, the support of the full membership of the House. I do, however, utter my regrets that it is necessary for us to reduce these retirement benefits. I certainly hope that it is going to be possible that this be implemented in a way that is going to give the maximum encouragement within these financial parameters for people remaining in our services for longer than 20 years.

I thank the gentleman for yielding.

Mr. ASPIN. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this legislation and thank my chairman for giving me this opportunity. But I will offer an amendment at the proper time which should be very soon. I would like to briefly explain this amendment and say that this amendment which I will offer today has the total support of all the Reserve forces in this country. This amendment would add for the Army National Guard $100 million, for the Army Reserve $100 million, for the Naval Reserve $25 million, for the Marine Reserve $10 million, for the Air Force Reserve $10 million, and for the Air National Guard $40 million, which totals out to $285 million.

Yes, that is a lot of money, but we get a lot from our Reserve forces and National Guard.

Let me point out to my colleagues that this amendment I will offer contains no big-ticket items, no purchase of big airplanes, tanks, or ships; items like simulators for the Marine Corps Reserve back at the armories, training aids for the Army Reserve, modification kits for the A-7's in the Air Guard and Reserve to make these planes safer for our reservists flying them; and devices to improve safety on our equipment.

The money will not go, Mr. Chairman, just to 1 or 2 States in this amendment, but the money will go to all 50 States. It is a good possibility that some of the equipment purchased under this amendment will end up in the armory in your hometown or your municipal airport where the Air Reserve units are located.

Mr. Chairman, I want to point out that in the last 10 to 12 years there has been in the Reserve forces a great improvement, and a lot of credit for that improvement of Reserve forces has to go to the House of Representatives and especially to the House Committee on Armed Services with the help of the Committee on Appropriations.

We started about 10 years ago putting items in to give new equipment and incentives to the Reserves and National Guard. We did not get much help from the Defense Department, but this House of Representatives said, "We want a strong Reserve, we want a strong National Guard."

So we started adding incentives to treat the reservists just like we treat the regular forces.

By the Congress giving better equipment and incentives to the citizen soldier, I personally have observed the readiness of the Guard and Reserve improve tremendously.

Now we have Reserve units, and listen to this, my colleagues, we have Reserve units now that are as good as or better than some of our regular forces. Now that is good.

We now have two strong military units out there, the regulars and the Reserve forces.

Let me point out that the Reserves are a good buy for the taxpayer. It costs half as much to train and maintain an Air Guard unit as it costs the regular unit with the same mission.

I am aware and I respect our chairman, LES ASPIN, I am aware of the problems we are having approving unauthorized appropriations in this bill by authorizing funding that has already been done by the Appropriations Committee, but I am also very concerned about the equipment shortages that we have in the Reserves. This is a one-time shot that we have got, my friends, to get some money for the Reserves. Let me close by saying that the Reserve forces have about 50 percent of all the combat support missions of the total force, yet the total funding on authorization for 1986 and 1987, the Reserves got less than 5 percent of all the moneys, less than 5 percent.

Now, as I said earlier, the Reserve Association, National Guard Association, Reserve forces themselves, with the chiefs of the different services, together we sat down and we worked out to this figure of $285 million.

Yes, we could have asked for $840 million that has actually been appropriated but not authorized. I think this amendment is a reasonable approach, and if you believe in the National Guard and the Reserve and you have been contacted, you have been contacted by the reservists back in your home district, I certainly hope you will support this amendment.

Mr. HILLIS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New York [Mr. CARNEY].

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

Mr. Chairman, I rise in opposition to H.R. 4420, the Military Retirement Reform Act of 1986, not because I believe the bill represents a change that should not be made but, rather, because I do not believe the bill goes far enough.

Advocates of changing the military retirement system have worked for two decades to get to the point at which we stand today. This is a golden opportunity to make a change that will stand for many decades in the future. This opportunity will not come again—at least in the near term. Yet the committee chose to make a change that, although in the right direction, falls far short of the magnitude needed to position the military retirement system properly in the 21st century.

My objections to the bill are twofold.

First, the bill provides no payment from the military retirement system to those members who fail to complete 20 years of service. We require private sector plans to provide such a payment to employees with as little as 10 years of service. The Federal civil service provides a deferred annuity to those who complete only 5 years of service. This is an equity issue.

Second, 20-year retirement is so ingrained in the system that the committee did not even seriously consider moving that threshold for receipt of an immediate annuity to a later point. There is nothing magic in 20 years other than it has been there for a long time—but not always. Service members have been eligible to retire as early as 15 years of service during certain periods in the past and have been required to remain until 40 years of service at other times. It is interesting to note that, in 1861, officers could voluntarily retire, at the discretion of the President, only after 40 years of service. This occurred at a time when the demands of military service were arguably more substantial than today. Twenty years of service only happens to be the threshold at the current time.

I believe the time has come to change the threshold in response to the needs of the future. Why should the most experienced segment of the force, the segment with the most training, the broadest range of backgrounds, the most education—acquired at Government expense—be provided an incentive to leave the military service at the peak of their career? That is exactly what the current system allows.

Personally, I would like to see a magic number imposed that would restrict the point in time when a service member could first receive an immediate annuity. The magic number could be varied to respond to the needs of the military service. Under such a system, when the combination of the service member's age and years of service reached the magic number, the member could receive retired pay.

For example, say the magic number were set at 70. A service member with 20 years of service would be able to retire with an immediate annuity at age 50—early by almost any standard in the public or private sector. If the member were not age 50 when he completed 20 years of service, he would have a very significant incentive to stay on active duty until he reached 50. This is the very incentive we need.

A magic number of 70 may not always be the right number; it may not be the right number to start with now, for example. If that turns out to be the case, the number could be set or changed to respond to changing circumstances—just as the threshold has changed in the past—without changing the other characteristics of the military retirement system, such as the formula and the averaging period.

Mr. Chairman, I would like to see the change in the military retirement system we make today be the final structural change that needs to be considered by the Congress for many years. Unfortunately, I believe that the attacks on the military retirement system will continue because we will not have used this opportunity to put the issue to rest in our minds or in the minds of our constituents. Such attacks can only continue to raise uncertainties in the minds of current service members even though the changes would be unlikely to apply to them.

□ 1550

Mr. ASPIN. Mr. Chairman, I yield 8 minutes to the gentleman from Florida [Mr. HUTTO].

Mr. HUTTO. Mr. Chairman, I would like to enter into a dialog, if I may, about Coast Guard funding.

Mr. Chairman, I think the gentleman would agree with me that the administration has been gung ho in defense funding, and we have made some great strides in modernizing our forces and doing something for our defense in recent years, but it has been just to the contrary on the Coast Guard. The Coast Guard has been hurting, really, as far as its funding is concerned.

When we took up the unauthorized appropriations in our committee and I went down the list, I did not see the $235 million that had been appropriated for the Coast Guard that was not authorized. Perhaps it was there and I missed it.

Of course, the Coast Guard has been very hurt in recent years, and particularly in this year. I know we are trying to recover some of that, the Gramm-Rudman cut for fiscal year 1986.

But there is $235 million that the Coast Guard needs for procurement of vessels, aircraft, and equipment to be acquired by the Navy to augment the Coast Guard inventory and their coastal defense augmentation program.

Mr. Chairman, I realize that we are trying to hold this, and the gentleman is fighting amendments to add money, but I do think it is very important for the Coast Guard.

I would like to ask the gentleman and Mr. DICKINSON if, when they get into conference with the Senate, and I understand it is in their Senate bill, that they would look favorably toward possibly receding and providing the Coast Guard, because with the drug trafficking and the enforcement that the Coast Guard needs to do, they need this procurement to carry out their job. So I would appreciate it very much of the gentleman would look favorably toward that.

Mr. ASPIN. Mr. Chairman, will the gentleman yield.

Mr. HUTTO. I yield to the gentleman.

Mr. ASPIN. Mr. Chairman, let me respond to the gentleman from Florida by saying that I very much understand the concern of the gentleman, and especially the part of the country that the gentleman represents, about the problem of the Coast Guard getting adequate funding for the drug smuggling issue. I am very sympathetic to the problem, and I believe that the gentleman in the well is making a very, very good case, as the gentleman has done in the committee and as the gentleman has done before the committee many times before, on the need for an adequate Coast Guard.

The gentleman in the well must realize that the chairman is in a difficult position, because I think it is important not to have any amendments to this bill. If the Chair were to start to talk about some amendments, we would have amendments coming at us every which way.

But I did check with the staff. The gentleman in the well is correct. It is in the Senate bill, as we understand it. Therefore, I would like to say that we would be very sympathetic to the gentleman's concerns when we get to conference, if that would help the gentleman in this issue.

Mr. HERTEL of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HUTTO. I would be happy to yield to the gentleman from Michigan.

Mr. HERTEL of Michigan. Mr. Chairman, I want to thank the gentleman from Florida for bringing this to the attention once again to the Committee on Armed Services.

Mr. TRAXLER, the gentleman presiding over the Committee today, and Mr. DAVIS, also from the State of Michigan, have been very concerned about this and have been fighting that battle with the gentleman from Florida and myself. So we are so very happy to hear the chairman of the Armed Services Committee today say that they would be very interested in agreeing with the Senate on this money.

As the gentleman from Florida has pointed out, while the other services have gotten great increases over the last 5 years, the Coast Guard has been virtually frozen, and this has really made it much more difficult for them to do the important duties that no one else can replace them in for our States and the people of our country. So I commend the gentleman.

I understand that procedurally the chairman wants to keep the bill on one subject, but that we can use the Senate amendment and accept that as the vehicle to get these needed funds. I think that is an excellent understanding today.

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

Mr. HUTTO. I yield to the gentleman from Alabama.

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

Mr. Chairman, this is a matter of legitimate concern. I realize that the Coast Guard is being called on to perform more services in drug interdiction, the smuggling of aliens, and so forth, than it has in the past.

But I think one of the dilemmas that our committee is faced with is that historically we do not have jurisdiction over the Coast Guard. That belongs to the Department of Transportation. That is where their funding normally comes from. It is to the Department of Transportation and that bill dealing with the Coast Guard that, under normal circumstances, a raise for the Coast Guard should be coming. That is their child. They look after it.

As I understand it, the other body added this money, an unauthorized appropriation, getting back to the point that I made before that they do not care what we do over here. They are king over there. They are going to put what they want to in there and leave out what they want without any regard to the authorization process.

So it does leave us with a dilemma. It is something that we should be sympathetic to. It is an irregular procedure.

I support the chairman of the full committee when the gentleman says if we make this exception, add this amendment, then where do we stop. There would be another good amendment coming and we ought to consider it. And then there is a great amendment that ought to be considered. At the same time, we are trying to find enough money so that we can keep the Gramm-Rudman sequester from being triggered in.

So perhaps when we get into conference with the other body, we can work on some accommodation. But speaking for this Member, I do not want to mislead anyone to feel that I am saying, yes, I for one am going to support it if it got to conference, because there are many other things that are going to be considered, as the gentleman knows having sat through conferences. I am just saying that I am sympathetic with the purpose. I do not like the procedure by which it got here. I think we are abrogating the House rules, and if we continue in this vein, I think we might as well do away with the Armed Services Committee and just let the Appropriations Committee do it all.

Mr. HUTTO. Mr. Chairman, I certainly understand what the gentleman is saying.

However, I would like to say that this money was appropriated through the Defense Appropriations and the House Appropriations Committee. They also saw fit to do that.

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

Mr. HUTTO. I yield to the gentleman from Alabama.

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

Mr. Chairman, I agree with the gentleman wholeheartedly on the gentleman's request to the members of the conference committee that indeed we certainly ought to give the consideration to the $235 million to the Coast Guard.

We can stand here all afternoon and talk about the merits of our basic defense system, which is the U.S. Coast Guard.

I agree also with the gentleman from Alabama with respect to jurisdiction. But I might also add that this is the only train leaving the station at this point. If indeed we are going to do anything favorable for the Coast Guard in this respect, this is the time. And I would respectfully request and echo the sentiments of the gentleman from Florida in requesting that we recede to the demands of the Senate on this particular issue.

□ 1600

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

Mr. HUTTO. I yield to the gentleman from Wisconsin.

Mr. ASPIN. I would like to point out that we are, in fact, doing some things for the Coast Guard in this bill. It is not that we have not done anything.

Mr. HUTTO. I understand.

Mr. ASPIN. The Appropriations Committee in the House appropriated $100 million for operating expenses, and we do have that covered.

We also have allowed to have covered another $140 million for transfers for procurement.

We have already got $240 million in what we are proposing before the Congress today in additional money for the Coast Guard. What the gentleman in the well is talking about is an additional $235 on top of the original $240.

So we are doing something. It is not that we have ignored the problem. It is just that the gentleman in the well thinks we ought to do more. As I say, we will take a very close took at it in conference. As I told the gentleman from Florida, I am essentially sympathetic with his views.

Mr. HUTTO. I appreciate that very much.

Mr. Chairman, I certainly agree with the gentleman from Alabama [Mr. DICKINSON] in that the Transportation Department has the Coast Guard under its wing, but the administration does not request the funding they need, and they have to fight every year to try to get the basic needs for operation, and none for procurement.

So I appreciate the comments of the chairman and the others who have entered into this discussion, and I hope you will look favorably on helping us out in the conference.

Mr. WEISS. Mr. Chairman, I oppose passage of this legislation, H.R. 4420, in its current form, although I do support many of the military retirement reforms it would enact. However, the bill would authorize the military to perform massive, mandatory testing of service personnel for HTLV-III antibody, regarding AIDS. This policy is not justified on either medical or military grounds.

The Food and Drug Administration has licensed the HTLV-III test only for the purpose of screening blood and plasma, not for evaluation of a person's health status. In fact, the manufacturers of the test have labeled it with that specific limitation, and including the following:

It is inappropriate to use this test as a screen for AIDS or as a screen for members of groups at risk for AIDS in the general population. The presence of HTLV-III antibody is not a diagnosis of AIDS.

And in addition, the HTLV-III testing will also not serve the purposes of the military for another reason stated on its labeling, that "a negative test result does not exclude the possibility of exposure to or infection with HTLV-III." Thus, persons with AIDS or at risk may be given incorrect medical information, based on this misuse of the test.

In the several years since this epidemic came to light, it has been well established that AIDS is not transmitted by casual contact, and thus presents no risk to coworkers because of the presence of a person with AIDS. Consequently, the Centers for Disease Control have never recommended mandatory HTLV-III testing for the general population, or the military.

Unfortunately, the test will likely be used to attempt to identify members of at-risk groups, so that they can be denied entry or be removed from the military will less than honorable discharges. Because of the uncertainties of the test, there is no doubt that this will not only discriminate against persons with AIDS, but those incorrectly diagnosed at risk.

While it is true that the military, and all of our society, face a serious threat from this killer disease, the military's proposed test will provide only a false sense of security, and fail to serve medical need.

Mr. HILLIS. Mr. Chairman, I have no further requests for time on this side, and I yield back the balance of my time.

Mr. ASPIN. Mr. Chairman, I have no further requests for time on this side, and I yield back the balance of my time.

The CHAIRMAN. Pursuant to the rule, the committee amendment in the nature of a substitute now printed in the reported bill shall be considered by titles as an original bill for the purpose of amendment, and each title shall be considered as having been read.

The Clerk will designate section 1.

The text of section 1 is as follows:

H.R. 4420

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCES TO TITLE 10, UNITED STATES CODE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Military Retirement Reform Act of 1986".

(b) REFERENCES TO TITLE 10.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 10, United States Code.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TABLE OF CONTENTS

Sec. 1. Short title; references to title 10, United States Code; table of contents.

TITLE I—RETIREMENT PROGRAM CHANGES

Sec. 101. Retired pay multiplier.
Sec. 102. Retired pay base for computation of retired pay.
Sec. 103. Rules of construction for purposes of computing of retired pay.
Sec. 104. Years of service for computing retired pay.

TITLE II—COMPUTATION OF RETIRED PAY

Sec. 201. Retired pay computed under subtitle A.
Sec. 202. Members of the Army.
Sec. 203. Members of the Navy and Marine Corps.
Sec. 204. Members of the Air Force.
Sec. 205. Members of the Coast Guard.
Sec. 206. Commissioned officers of the National Oceanic and Atmospheric Administration.
Sec. 207. Commissioned officers of the Public Health Service.

TITLE III—MISCELLANEOUS RETIREMENT PROVISIONS

Sec. 301. Unreduced retired pay as basis for Survivor Benefit Plan annuities.
Sec. 302. Requirement of reserve-component membership for receipt of non-regular-service retired pay.
Sec. 303. Definition.
Sec. 304. Technical and conforming amendments.
Sec. 305. Codification of permanent limitations on retired and retainer pay provided in appropriation Acts.
Sec. 306. Repeal of limitation on payments to accrual fund for fiscal year 1986.

TITLE IV—FISCAL YEAR 1986 UNAUTHORIZED APPROPRIATIONS

Sec. 401. Prohibition on obligation of unauthorized fiscal year 1986 defense appropriations.
Sec. 402. Authorization of obligation for certain unauthorized appropriations.
Sec. 403. Programs for which amounts are not authorized for obligation.
Sec. 404. Authorized military construction project.

The CHAIRMAN. Are there any amendments to section 1?

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

Mr. Chairman, I really feel I should speak about this legislation. H.R. 4420 is a measure which tries to balance the budget on the backs of our Nation's career military men and women. This bill would reduce for future newcomers to the military the existing retirement benefits available to military personnel. It is an unwise bill from the standpoint of our national defense.

I oppose this bill because it does two very unfortunate things. First, it discourages bringing to the forces men and women for a career in the U.S. military.

Second, it destroys the device now available to keep the military both young and able.

The existing law allows those with two decades of service to be eliminated competitively, in order to make deserved promotions available for the third decade in a timely manner.

This new legislation does not allow this process. We cannot have military services with an overgenerous number of generals and admirals.

I asked Admiral Watkins, the Chief of Naval Operations, what he felt about this legislation. He replied in a letter that says, and I quote:

Those who don't understand that retirement is one part of a complex compensation system won't understand that changing one part of that system can have a major impact. Deferred compensation is a major part of civilian plans. Certainly, those who deal in civilian salary and retirement programs would realize that a major change to either salary or retirement, or perhaps to other important parts of their benefit package, would make continued employment with the company either more—or less attractive. . . .

The question those who would change the system must ask themselves is equally basic. Are they willing to add compensation in some other area to offset the loss in retirement? If the answer is yes, we should embark on the work necessary to determine how best to do it. If the answer is no, we have another problem. How shall we deal with smaller numbers of individuals willing

to volunteer for military service, and, of much more importance at this juncture, can we provide adequate manpower to achieve needed readiness levels with reduced numbers of career personnel?

You will note that Admiral Watkins feels that if revisions are to be undertaken, we must have a thoughtful, careful approach to determine the impact on retention and recruiting. Cutting retirement without considering any corresponding increase in other compensation will inevitably result in less people joining the military, less people staying in for a career, and less able people staying in.

A young man or woman with a family and 6 years of service, who has just been transferred to a remote base away from all civilian comforts, will obviously be more willing to make sacrifices if he can see a light at the end of 20 years service than if that light has been dimmed.

If adequate pensions are such an evil thing, why do we have similar retirement systems for firefighters and police officers? These occupations require youth and physical vigor and demand a certain degree of personal sacrifice. The analogy is not complete, though, because a person in the military is put in greater danger of injury or death, and is expected to function under very dangerous and difficult circumstances, including taking the lives of the enemy.

It seems to me this is just another example of the sad way the military is too often treated and looked at in our country. We are safe, free, and secure because the Armed Forces are eternally vigilant.

Watching our treatment of these fine individuals brings to mind the following lines penned by Rudyard Kipling, who expresses his thoughts far better than I:

For it's Tommy this, an' Tommy that, an' "Chuck him out, the brute!"
But it's "Saviour of 'is country" when the guns begin to shoot;

We can do far better than shouting "Chuck him out, the brute!" and I urge you to reconsider this issue and not vote for this legislation.

In essence this legislation is about fairness and leadership. By cutting the available pension to our military men and women, we ask them to once again help bear the burden for the country's well-being. After 20 years of military service, I believe they have paid their fair share.

This bill also deals with the important issue of leadership in our armed services. With constant advances in technology we need bright young officers and enlisted men. By reducing pensions we reduce the incentive for good men and women to choose the military as a career. The bill is faulted. We should look at the issue again for another solution.

Mr. Chairman, I would just like to conclude my remarks by saying that I feel that this will discourage people from wanting to come into the service, and I think it gets away from the device of using the 20-year period as a time to see what people should be advanced and what people should not be advanced.

I think a very real loss will occur to us from this legislation. I think it is an unwise thing to do it this way, and I think we could have done it—if we had to do it—in a better way. I suggested a better way in subcommittee, which was, in my opinion, to give some sort of additional benefit at the end of 20 years to encourage people to get out for that reason, if that is what you want to do, to encourage them to get out.

The present system is a good system. It has worked a long time. It has brought us good personnel into the military, and I think it is one that should not be ended.

The CHAIRMAN. Are there any amendments to section 1?

The Clerk will designate title I.

The text of title I is as follows:

TITLE I—RETIREMENT PROGRAM CHANGES

SEC. 101. RETIRED PAY MULTIPLIER.

Chapter 71 (relating to computation of retired pay) is amended by adding at the end the following new section:

"§ 1409. Retired pay multiplier

"(a) RETIRED PAY MULTIPLIER FOR REGULAR-SERVICE NONDISABILITY RETIREMENT.—In computing—

"(1) the retired pay of a member who is a regular-service nondisability retiree; or

"(2) the retainer pay of a member who is transferred to the Fleet Reserve or the Fleet Marine Corps Reserve,

the retired pay multiplier or retainer pay multiplier is the percentage determined under subsection (b).

"(b) PERCENTAGE.—

"(1) GENERAL RULE.—Subject to paragraphs (2) and (3), the percentage to be used under subsection (a) is the product (stated as a percentage) of—

"(A) 2½, and

"(B) the member's years of creditable service.

"(2) REDUCTION FOR RETIREMENT BY NEW-RETIREMENT MEMBERS WITH LESS THAN 30 YEARS OF SERVICE.—In the case of a member who first became a member of a uniformed service on or after the date of the enactment of the Military Retirement Reform Act of 1986 and who has less than 30 years of creditable service, the percentage determined under paragraph (1) shall be reduced by—

"(A) 1 percentage point for each full year that the member's years of creditable service are less than 30; and

"(B) 1/12 of 1 percentage point for each month (or fractional part thereof) by which the member's years of creditable service (after counting all full years of such service) are less than a full year.

"(3) 75 PERCENT LIMIT.—In the case of a member with more than 30 years of creditable service, the percentage to be used under subsection (a) is 75 percent.

"(c) DEFINITIONS.—In this section:

"(1) REGULAR-SERVICE NONDISABILITY RETIREE.— 'Regular-service nondisability retiree' means a member of a uniformed service who is retired as a member under any provision of law other than—

"(A) chapter 61 of this title (relating to retirement or separation for physical disability); or

"(B) chapter 67 of this title (relating to retirement for non-regular service).

"(2) YEARS OF CREDITABLE SERVICE.—'Years of creditable service' means the number of years of service creditable to a member in computing the member's retired or retainer pay (including 1/12 of a year for each full month of service that is in addition to the number of full years of service of the member).".

SEC. 102. RETIRED PAY BASE FOR COMPUTATION OF RETIRED PAY.

(a) TRANSFER OF SECTION 1406.—Section 1406 is transferred to the end of chapter 67, redesignated as section 1338, and amended—

(1) by designating the first sentence as subsection (a) and striking out "chapter 67 of this title" both places it appears therein and inserting in lieu thereof "this chapter"; and

(2) by designating the second sentence as subsection (b).

(b) CONSOLIDATION OF RETIRED PAY BASE STATUTES AND ESTABLISHMENT OF GRADUATED HIGH-PERIOD AVERAGE FOR NEW ENTRANTS.—Chapter 71 (relating to the computation of retired pay) is amended by striking out section 1407 and inserting in lieu thereof the following:

"§ 1406. Retired pay base for members who first became members before September 8, 1980

"(a) USE OF RETIRED PAY BASE IN COMPUTING RETIRED PAY.—

"(1) GENERAL RULE.—The retired pay or retainer pay of any person entitled to that pay who first became a member of a uniformed service before September 8, 1980, is computed using the retired pay base or retainer pay base determined under this section.

"(2) EXCEPTION FOR RECOMPUTATION.—Recomputation of retired or retainer pay to reflect later active duty is provided for under section 1402 of this title without reference to a retired pay base or retainer pay base.

"(b) RETIREMENT UNDER SUBTITLE A.—

"(1) DISABILITY RETIREMENT.—

"(A) IN GENERAL.—In the case of a member of a uniformed service who is entitled to retired pay under chapter 61 of this title (relating to retirement or separation for physical disability), the retired pay base is the monthly basic pay of the grade—

"(i) to which the member is entitled under section 1372 of this title; or

"(ii) to which the member was entitled on the day before the member's retirement or placement on the temporary disability retired list,

whichever is higher.

"(B) RATE OF BASIC PAY TO BE USED.—The rate of basic pay to be used under subparagraph (A) is the rate applicable to the grade determined under that subparagraph on the date of the member's retirement or the date when the member's name was placed on the temporary disability retired list, as the case may be.

"(2) RETIREMENT FOR NON-REGULAR SERVICE.—In the case of a person who is entitled to retired pay under section 1331 of this title (relating to retired pay for non-regular service), the retired pay base is the monthly basic pay (computed at the rates applicable on the date when retired pay is granted) of

the highest grade held satisfactorily by the person at any time in the armed forces.

"(3) WARRANT OFFICERS.—In the case of a member who is retired under section 564, 1263, 1293, or 1305 of this title, the retired pay base is—

"(A) the monthly basic pay to which the member would have been entitled if he had served on active duty in his retired grade on the day before retirement; or

"(B) if the pay of that grade is less than the pay of any warrant officer grade satisfactorily held by the member on active duty, the monthly basic pay of that warrant officer grade.

"(4) INVOLUNTARY RETIREMENT OF OFFICERS FOR SERVICE OR AGE.—

"(A) GENERAL RULE.—In the case of an officer who is retired under section 633, 634, 635, 636, or 1251 of this title, the retired pay base is the monthly basic pay (computed at the rates applicable on the date of retirement) of the officer's retired grade.

"(B) SPECIAL RULE FOR CERTAIN PERMANENT PROFESSORS AT THE MILITARY AND AIR FORCE ACADEMIES.—The retired pay base of an officer whose retired grade is determined under section 3962(b) or 8962(b) of this title shall be determined as if that section did not apply.

"(c) VOLUNTARY RETIREMENT FOR MEMBERS OF THE ARMY.—

"(1) IN GENERAL.—In the case of a member whose retired pay is computed under section 3991 of this title or who is entitled to retired pay computed under section 3992 of this title, the retired pay base is determined in accordance with the following table.

"For a member entitled to retired pay under section:	The retired pay base is:
3911 3918 3920 3924	Monthly basic pay of member's retired grade.[1]
3914 3917	Monthly basic pay to which member was entitled on day before he retired.
3992	Monthly basic pay of grade to which member is advanced on retired list.

[1] For the purposes of this subsection, determine member's retired grade as if section 3962(b) did not apply.

"(2) RATE OF BASIC PAY TO BE USED.—The rate of basic pay to be used under paragraph (1) is the rate applicable on the date of the member's retirement.

"(d) RETIREMENT FOR MEMBERS OF THE NAVY AND MARINE CORPS.—In the case of a member whose retired pay is computed under section 6328 of this title, who is advanced on the retired list under section 6151 of this title, or who is entitled to retainer pay under section 6330 of this title, the retired pay base or retainer pay base is determined in accordance with the following table.

"For a member entitled to retired or retainer pay under section:	The retired pay base or retainer pay base is:
6323 6325(a) 6383	Basic pay of the grade in which the member retired.[1]
6325(b)	Basic pay of the grade the officer would hold if he had not received an appointment described in section 6325(b).
6326	Basic pay of the pay grade in which the member was serving on the day before retirement.
6330	Basic pay that the member received at the time of transfer to the Fleet Reserve or Fleet Marine Corps Reserve.
6151	Basic pay of the grade to which the member is advanced under section 6151.

[1] If the rate specified is less than the pay of any warrant officer grade satisfactorily held by the member on active duty, use the monthly basic pay of that warrant officer grade.

"(e) VOLUNTARY RETIREMENT FOR MEMBERS OF THE AIR FORCE.—

"(1) IN GENERAL.—In the case of a member whose retired pay is computed under section 8991 of this title or who is entitled to retired pay computed under section 8992 of this title, the retired pay base is determined in accordance with the following table.

"For a member entitled to retired pay under section:	The retired pay base is:
8911 8918 8920 8924	Monthly basic pay of member's retired grade.[1]
8914 8917	Monthly basic pay to which member was entitled on day before he retired.
8992	Monthly basic pay of grade to which member is advanced on retired list.

[1] For the purposes of this subsection, determine member's retired grade as if section 8962(b) did not apply.

"(2) RATE OF BASIC PAY TO BE USED.—The rate of basic pay to be used under paragraph (1) is the rate applicable on the date of the member's retirement.

"(f) COAST GUARD.—In the case of a member who is retired under any section of title 14, the member's retired pay is computed under section 423(a) of title 14 in the manner provided in that section.

"(g) COMMISSIONED CORPS OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—In the case of an officer whose retired pay is computed under section 16 of the Coast and Geodetic Survey Commissioned Officers' Act of 1948 (33 U.S.C. 853o), the retired pay base is the basic pay of the rank with which the officer retired.

"(h) COMMISSIONED CORPS OF PUBLIC HEALTH SERVICE.—In the case of an officer who is retired under section 210(g) or 211(a) of the Public Health Service Act (42 U.S.C. 211(g), 212(a)), the retired pay base is determined as follows:

"(1) MANDATORY RETIREMENT.—If the officer is retired under section 210(g) of such Act, the retired pay base is the basic pay of the permanent grade held by the officer at the time of retirement.

"(2) VOLUNTARY RETIREMENT.—If the officer is retired under section 211(a) of such Act, the retired pay base is the basic pay of the highest grade held by the officer and in which, in the case of a temporary promotion to such grade, the officer has performed active duty for not less than six months.

"(i) SPECIAL RULE FOR FORMER CHIEFS OF SERVICE AND SENIOR ENLISTED MEMBERS.—For the purposes of subsections (b) through (e):

"(1) FORMER CHIEFS OF SERVICE.—

"(A) GENERAL RULE.—In determining the rate of basic pay to apply in the determination of the retired pay base of an officer who served in a covered position, the highest rate of basic pay applicable to the officer while serving in that position shall be used, if that rate is higher than the rate otherwise authorized by this section.

"(B) COVERED POSITION DEFINED.—In this paragraph, 'covered position' means any of the following:

"(i) Chairman of the Joint Chiefs of Staff.

"(ii) Chief of Staff of the Army.

"(iii) Chief of Naval Operations.

"(iv) Chief of Staff of the Air Force.

"(v) Commandant of the Marine Corps.

"(vi) Commandant of the Coast Guard.

"(2) SENIOR ENLISTED MEMBERS.—

"(A) GENERAL RULE.—In determining the rate of basic pay to apply in the determination of the retired pay base of an enlisted member who served in a covered position, the highest rate of basic pay applicable to the member while serving in that position shall be used, if that rate is higher than the rate otherwise authorized by this section.

"(B) COVERED POSITION DEFINED.—In this paragraph, 'covered position' means any of the following:

"(i) Sergeant Major of the Army.

"(ii) Master Chief Petty Officer of the Navy.

"(iii) Chief Master Sergeant of the Air Force.

"(iv) Sergeant Major of the Marine Corps.

"(V) Master Chief Petty Officer of the Coast Guard.

"§ 1407. Retired pay base for members who first became members after September 7, 1980

"(a) USE OF RETIRED PAY BASE IN COMPUTING RETIRED PAY.—The retired pay or retainer pay of any person entitled to that pay who first became a member of a uniformed service after September 7, 1980, is computed using the retired pay base or retainer pay base determined under this section.

"(b) GRADUATED HIGH-PERIOD AVERAGE.—The retired pay base or retainer pay base of a member under this section is the member's high-period average determined under subsection (c).

"(c) COMPUTATION OF HIGH-PERIOD AVERAGE.—

"(1) FORMULA.—For the purposes of this section, a member's high-period average is the amount equal to—

"(A) the total amount of monthly basic pay to which the member was entitled for the member's countable high-pay months, divided by

"(B) the number of such countable high-pay months.

"(2) NUMBER OF MONTHS TO BE USED IN COMPUTATION.—

"(A) GENERAL RULE.—Subject to subparagraph (B) and to subsection (e), the number of countable high-pay months of a member is 36.

"(B) INCREASE IN NUMBER OF COUNTABLE MONTHS FOR NEW-RETIREMENT MEMBERS WITH LESS THAN 30 YEARS OF SERVICE.—In the case of a new-retirement member who has less than 30 years of creditable service, the number of countable high-pay months shall be increased by one for each period of five months (including any portion thereof) that the member's years of creditable service are less than 30.

"(3) COUNTABLE HIGH-PAY MONTHS DEFINED.—

"(A) GENERAL RULE.—A member's countable high-pay months are those months (the number of which is determined under paragraph (2)) out of all the months of active duty served by the member as a member of a uniformed service for which the monthly basic pay to which the member was entitled was the highest.

"(B) RULE FOR NON-REGULAR SERVICE RETIREES.—In the case of a member who is entitled to retired pay under section 1204 or 1205 of this title or under chapter 67 of this title, a member's countable high-pay months are those months (the number of which is determined under paragraph (2) or subsection (e)) out of all the months the member was a member of a uniformed service before becoming entitled to retired pay for which the monthly basic pay to which the member would have been entitled had he served on active duty during those months was the highest.

"(d) LIMITATION FOR ENLISTED MEMBERS RETIRING WITH LESS THAN 30 YEARS' SERVICE.—In the case of a member who is retired under section 3914 or 8914 of this title or who is transferred to the Fleet Reserve or Fleet Marine Corps Reserve under section 6330 of this title, the member's high-period average shall be computed using only rates of basic pay applicable to months of active duty of the member as an enlisted member.

"(e) SPECIAL RULES FOR SHORT-TERM DISABILITY RETIREES.—

"(1) MEMBERS ENTITLED TO RETIRED PAY UNDER SECTION 1201 OR 1202.—IN THE CASE OF A MEMBER WHO—

"(A) is entitled to retired pay under section 1201 or 1202 of this title; and

"(B) served on active duty—

"(i) for less than 36 months, in the case of a member who is subject to this section but is not a new retirement member; or

"(ii) for less than 60 months, in the case of a new retirement member,

the number of the member's countable high-pay months (notwithstanding subsection (c)(2)) is the number of months (including any fraction thereof) that the member served on active duty.

"(2) MEMBERS ENTITLED TO RETIRED PAY UNDER SECTION 1204 OR 1205.—In the case of a member who—

"(A) is entitled to retired pay under section 1204 or 1205 of this title; and

"(B) was a member of a uniformed service—

"(i) for less than 36 months, in the case of a member who is subject to this section but is not a new retirement member; or

"(ii) for less than 60 months, in the case of a new retirement member,

the number of the member's countable high-pay months (notwithstanding subsection (c)(2)) is the number of months (including any fraction thereof) that the member was such a member.

"(3) MAXIMUM NUMBER OF MONTHS FOR NEW RETIREMENT MEMBERS.—In the case of a new retirement member who is entitled to retired pay under chapter 61 of this title (relating to retirement or separation for physical disability) and who was a member for more than 60 months before becoming entitled to such pay, the number of countable high-pay months may not exceed 60.

"(f) SPECIAL RULE FOR MEMBERS RETIRING WITH NON-REGULAR SERVICE.—

"(1) DISABILITY RETIREMENT.—In the case of a member of a uniformed service who is entitled to retired pay under section 1204 or 1205 of this title (relating to members on active duty for 30 days or less), the high-period average is determined as if the member served on active duty and was entitled to basic pay for the member's countable high-pay months.

"(2) CHAPTER 67 RETIREMENT.—In the case of a person who is entitled to retired pay under section 1331 of this title (relating to retired pay for non-regular service), the person's high-period average is determined as if the person served on active duty and was entitled to basic pay for the person's countable high-pay months.

"(g) DEFINITIONS.—In this section:

"(1) YEARS OF CREDITABLE SERVICE.—'Years of creditable service' means the number of years of service creditable to a member in computing the member's retired or retainer pay (including 1/12 of a year for each full month of service that is in addition to the number of full years of service of the member).

"(2) NEW-RETIREMENT MEMBER.—'New-retirement member' means a member of a uniformed service who first became a member of a uniformed service on or after the date of the enactment of the Military Retirement Reform Act of 1986.".

(c) CONFORMING AMENDMENTS.—

(1) Sections 5083 and 5201(c) are each amended by striking out the last sentence.

(2) Section 6325(c) is amended by striking out the second sentence.

SEC. 103. RULES OF CONSTRUCTION FOR PURPOSES OF COMPUTING OF RETIRED PAY.

Chapter 71 (relating to computation of retired pay) is amended by adding after section 1409 (as added by section 101) the following new sections:

"§ 1410. Rules of construction

"(a) CONSTRUCTION OF 'FIRST BECAME A MEMBER'.—For the purpose of this chapter and other provisions of law providing for computation of retired or retainer pay of members of the uniformed services, a person shall be considered to first become a member of a uniformed service on the first date the person is enlisted, inducted, or appointed in a uniformed service.

"(b) REFERENCES IN TABLES.—Section references in tables in this chapter are to sections of this title.

"§ 1411. Rounding to next lower dollar

"Amounts computed under this chapter, if not a multiple of $1, shall be rounded to the next lower multiple of $1.".

SEC. 104. YEARS OF SERVICE FOR COMPUTING RETIRED PAY.

Section 1405 (relating to determination of years of service for computation of retired pay) is amended—

(1) by inserting "(a) IN GENERAL.—" before "For the purposes of";

(2) by striking out "section 1401" and all that follows through "of this title" and inserting in lieu thereof "the computation of the years of service of a member of the armed forces under a provision of this title providing for such computation to be made under this section"; and

(3) by adding at the end the following:

"(b) FRACTIONAL YEARS OF SERVICE.—In determining a member's years of service under subsection (a)—

"(1) each full month of service that is in addition to the number of full years of service creditable to the member shall be credited as 1/12 of a year; and

"(2) any remaining fractional part of a month shall be disregarded.".

The CHAIRMAN. Are there any amendments to title I?

There being no amendments to title I, the Clerk will designate title II.

The text of title II is as follows:

TITLE II—COMPUTATION OF RETIRED PAY

SEC. 201. RETIRED PAY COMPUTED UNDER SUBTITLE A.

(a) DOPMA OFFICERS AND WARRANT OFFICERS.—Section 1401 (relating to computation of retired pay) is amended—

(1) by inserting "(a) DISABILITY, NON-REGULAR SERVICE, WARRANT OFFICER, AND DOPMA RETIREMENT.—" before "The monthly";

(2) by striking out the third, fourth, and fifth sentences;

(3) by striking out column 1 of the table and inserting in lieu thereof the following:

"Column 1 Take
Retired pay base as computed under section 1406(b)(1) or 1407.
Retired pay base as computed under section 1406(b)(1) or 1407.
Retired pay base as computed under section 1406(b)(2) or 1407.
Retired pay base as computed under section 1406(b)(3) or 1407.
Retired pay base as computed under section 1406(b)(4) or 1407.";

(4) by striking out the matter relating to formulas 4 and 5 under columns 2, 3, and 4 of the table and inserting in lieu thereof the following:

"The retired pay multiplier prescribed in section 1409(a) for the years of service credited to him under section 1405.
The retired pay multiplier prescribed in section 1409(a) for the years of service credited to him under section 1405.";

(5) by striking out "pay" each place it appears in columns 3 and 4 of the table and inserting in lieu thereof "retired pay base";

(6) by striking out footnotes 1, 2, 4, and 5 of the table and redesignating footnote 3 as footnote 1;

(7) by redesignating the references to footnote 3 in column 2 of the table to conform to the redesignation made by paragraph (6); and

(8) by adding at the end the following new subsection:

"(b) USE OF MOST FAVORABLE FORMULA.—If a person would otherwise be entitled to retired pay computed under more than one formula of the table in subsection (a) or of any other provision of law, the person is entitled to be paid under the applicable formula that is most favorable to him.".

(b) RECOMPUTATION FOR LATER ACTIVE DUTY.—

(1) FORMULA FOR RECOMPUTATION OF NEW RETIREMENT MEMBERS.—Subsection (a) of section 1402a (relating to recomputation of retired or retainer pay to reflect later active duty of members who first became members after September 7, 1980) is amended to read as follows:

"(a) IN GENERAL.—A member of an armed force—

"(1) who first became a member of a uniformed service after September 7, 1980;

"(2) who has become entitled to retired pay or retainer pay; and

"(3) who thereafter serves on active duty (other than for training),

is entitled to recompute his retired pay or retainer pay upon his release from that duty according to the following table.

"Column 1 Take	Column 2 Multiply by
Retired pay base or retainer pay base under section 1407 which he would be entitled to use if— (1) he were retiring upon release from that active duty; or (2) he were transferring to the Fleet Reserve or Fleet Marine Corps Reserve upon that release from active duty.	The retired pay multiplier or retainer pay multiplier prescribed in section 1409 for the sum of— (1) the years of service that may be credited to him in computing retired pay or retainer pay; and (2) his years of active service after becoming entitled to retired pay or retainer pay.".

(2) TECHNICAL AMENDMENTS.—Such section is further amended—

(A) by inserting "NEW DISABILITY INCURRED DURING LATER ACTIVE DUTY.—" in subsection (b) after "(b)";

(B) by inserting "ADDITIONAL OR AGGRAVATED DISABILITY INCURRED DURING LATER ACTIVE DUTY.—" in subsection (c) after "(c)";

(C) in subsection (d)—

(i) by inserting "COMPUTATION FOR LATER DISABILITY.—" after "(d)";

(ii) by striking out the second sentence; and

(iii) by striking out "monthly" both places it appears in the table; and

(D) by inserting "ALTERNATIVE RECOMPUTATION TO SUBSECTION (a) FORMULA.—" in subsection (e) after "(e)".

(3) CONFORMING AMENDMENTS.—Section 1402 is amended by striking out the second sentence of subsections (a) and (d).

SEC. 202. MEMBERS OF THE ARMY.

(a) INITIAL COMPUTATION OF RETIRED PAY.—The text of section 3991 (relating to computation of retired pay) is amended to read as follows:

"(a) COMPUTATION.—

"(1) IN GENERAL.—The monthly retired pay of a member entitled to such pay under this subtitle is computed according to the following table. For each case covered by a section of this title named in the column headed 'For sections', retired pay is computed by taking the steps prescribed opposite it in columns 1 and 2.

"Formula	For Sections	Column 1 Take	Column 2 Multiply by
A	3911 3918 3920 3924	Retired pay base as computed under section 1406(c) or 1407.	The retired pay multiplier prescribed in section 1409 for the years of service credited to him under section 1405.
B	3914 3917	Retired pay base as computed under section 1406(c) or 1407.	The retired pay multiplier prescribed in section 1409 for the years of service credited to him under section 3925.

"(2) ADDITIONAL 10 PERCENT FOR CERTAIN ENLISTED MEMBERS CREDITED WITH EXTRAORDINARY HEROISM.—If a member who is retired under section 3914 of this title has been credited by the Secretary of the Army with extraordinary heroism in the line of duty, the member's retired pay shall be increased by 10 percent of the amount determined under paragraph (1) (but to not more than 75 percent of the retired pay base upon which the computation of such retired pay is based). The Secretary's determination as to extraordinary heroism is conclusive for all purposes.

"(b) GENERAL RULES.—

"(1) USE OF MOST FAVORABLE FORMULA.—If a person would otherwise be entitled to retired pay computed under more than one formula of the table in subsection (a) or the table in section 1401 of this title, he is entitled to be paid under the applicable formula that is most favorable to him.

"(2) ROUNDING TO NEXT LOWER DOLLAR.—The amount computed under subsection (a), if not a multiple of $1, shall be rounded to the next lower multiple of $1.

"(3) REFERENCES.—Section references in the table in subsection (a) are to sections of this title.".

(b) RECOMPUTATION FOR ENLISTED MEMBERS AND WARRANT OFFICERS ADVANCED ON THE RETIRED LIST.—The table in section 3992 (relating to recomputation of retired pay to reflect advancement on retired list) is amended to read as follows:

"Formula	Column 1 Take	Column 2 Multiply by
A	Retired pay base as computed under section 1406(c) or 1407 of this title.	The retired pay multiplier prescribed in section 1409 of this title for the number of years credited to him under section 3925 of this title.[1]
B	Retired pay base as computed under section 1406(c) or 1407 of this title.	The retired pay multiplier prescribed in section 1409 of this title for the number of years credited to him under section 1405 of this title.

[1] In determining retired pay multiplier, credit each full month of service that is in addition to the number of full years of service creditable to the member as 1/12 of a year and disregard any remaining fractional part of a month.".

(c) CONFORMING AMENDMENT.—Section 3925 is amended by adding at the end the following new subsection:

"(c) In determining a member's years of service under subsection (a) for the purpose of computing the member's retired pay under section 3991 of this title—

"(1) each full month of service that is in addition to the number of full years of service creditable to the member shall be credited as 1/12 of a year; and

"(2) any remaining fractional part of a year shall be disregarded.".

SEC. 203. MEMBERS OF THE NAVY AND MARINE CORPS.

(a) RETIRED AND RETAINER PAY FORMULA.—Section 6333 is amended to read as follows:

"§ 6333. Computation of retired and retainer pay

"(a) The monthly retired pay or retainer pay of a member entitled to such pay under this chapter or under section 6383 of this title is computed in accordance with the following table.

"Formula	For sections	Column 1 Take	Column 2 Multiply by
A	6325(a) 6326	Retired pay base computed under section 1406(d) or 1407.	75%
B	6323 6325(b) 6383	Retired pay base computed under section 1406(d) or 1407.	Retired pay multiplier prescribed under section 1409 for the years of service that may be credited to him under section 1405.
C	6330	Retainer pay base computed under section 1406(d) or 1407.	Retainer pay multiplier prescribed under section 1409 for his years of active service in the armed forces.

"(b)(1) Retired pay or retainer pay computed under this section, if not a multiple of $1, shall be rounded to the next lower multiple of $1.

"(2) References in the table in subsection (a) are to sections of this title.".

(b) CONFORMING AMENDMENTS.—

(1) Section 6322 is amended by striking out subsection (c).

(2) Section 6323(e) is amended by striking out "retired pay—" and all that follows and inserting in lieu thereof "retired pay computed under section 6333 of this title.".

(3) Section 6325 is amended by striking out "retired pay—" in subsections (a)(2) and (b)(2) and all that follows in those subsections and inserting in lieu thereof "retired pay computed under section 6333 of this title.".

(4) Section 6326(c)(2) is amended by striking out "retired pay—" and all that follows and inserting in lieu thereof "retired pay computed under section 6333 of this title.".

(5) Section 6328 is repealed.

(6) Section 6330(c) is amended—

(A) by striking out "retainer pay—" in paragraph (1) and all that follows in that paragraph and inserting in lieu thereof "retainer pay computed under section 6333 of this title."; and

(B) by striking out paragraph (4).

(7) Section 6383 is amended—

(A) by striking out "retired pay—" in subsection (c)(2) and all that follows in that subsection and inserting in lieu thereof "retired pay computed under section 6333 of this title."; and

(B) by striking out subsection (k).

(c) MEMBERS ADVANCED ON RETIRED LIST.—Section 6151 (relating to higher retired grade and pay for members who serve satisfactorily under temporary appointments) is amended by striking out subsections (b) and (c) and inserting in lieu thereof the following:

"(b) Each member (other than a former member of the Fleet Reserve or the Fleet Marine Corps Reserve) who is advanced on the retired list under this section is (unless otherwise entitled to higher retired pay) entitled to retired pay determined in accordance with the following table. References in the table are to sections of this title.

"Column 1 Take	Column 2 Multiply by
Retired pay base computed under section 1406(d) or 1407	Retired pay multiplier prescribed under section 1409 for the years of service that may be credited to him under section 1405.

"(c) Each former member of the Fleet Reserve or the Fleet Marine Corps Reserve who is advanced on the retired list under this section is entitled to retired pay determined in accordance with the following table. References in the table are to sections of this title.

"Column 1 Take	Column 2 Multiply by
Retired pay base computed under section 1406(d) or 1407	Retired pay multiplier prescribed under section 1409 for the number of years of service creditable for his retainer pay at the time of retirement.".

SEC. 204. MEMBERS OF THE AIR FORCE.

(a) INITIAL COMPUTATION OF RETIRED PAY.—The text of section 8991 (relating to computation of retired pay) is amended to read as follows:

"(a) COMPUTATION.—

"(1) IN GENERAL.—The monthly retired pay of a member entitled to such pay under this subtitle is computed according to the following table. For each case covered by a section of this title named in the column headed 'For sections', retired pay is computed by

taking the steps prescribed opposite it in columns 1 and 2.

"Formula	For sections	Column 1 Take	Column 2 Multiply by
A	8911 8918 8920 8924	Retired pay base as computed under section 1406(e) or 1407.	The retired pay multiplier prescribed in section 1409 for the years of service credited to him under section 1405.
B	8914 8917	Retired pay base as computed under section 1406(e) or 1407.	The retired pay multiplier prescribed in section 1409 for the years of service credited to him under section 8925.

"(2) ADDITIONAL 10 PERCENT FOR CERTAIN ENLISTED MEMBERS CREDITED WITH EXTRAORDINARY HEROISM.—If a member who is retired under section 8914 of this title has been credited by the Secretary of the Air Force with extraordinary heroism in the line of duty, the member's retired pay shall be increased by 10 percent of the amount determined under paragraph (1) (but to not more than 75 percent of the retired pay base upon which the computation of such retired pay is based). The Secretary's determination as to extraordinary heroism is conclusive for all purposes.

"(b) GENERAL RULES.—

"(1) USE OF MOST FAVORABLE FORMULA.—If a person would otherwise be entitled to retired pay computed under more than one formula of the table in subsection (a) or the table in section 1401 of this title, he is entitled to be paid under the applicable formula that is most favorable to him.

"(2) ROUNDING TO NEXT LOWER DOLLAR.—The amount computed under subsection (a), if not a multiple of $1, shall be rounded to the next lower multiple of $1.

"(3) REFERENCES.—Section references in the table in subsection (a) are to sections of this title.".

(b) RECOMPUTATION FOR ENLISTED MEMBERS AND WARRANT OFFICERS ADVANCED ON THE RETIRED LIST.—The table in section 8992 (relating to recomputation of retired pay to reflect advancement on retired list) is amended to read as follows:

"Formula	Column 1 Take	Column 2 Multiply by
A	Retired pay base as computed under section 1406(e) or 1407 of this title.	The retired pay multiplier prescribed in section 1409 of this title for the number of years credited to him under section 8925 of this title.[1]
B	Retired pay base as computed under section 1406(e) or 1407 of this title.	The retired pay multiplier prescribed in section 1409 of this title for the number of years credited to him under section 1405 of this title.

[1] In determining retired pay multiplier, credit each full month of service that is in addition to the number of full years of service creditable to the member as 1/12 of a year and disregard any remaining fractional part of a month.".

(c) CONFORMING AMENDMENT.—Section 8925 is amended by adding at the end the following new subsection:

"(c) In determining a member's years of service under subsection (a) for the purpose of computing the member's retired pay under section 8991 of this title—

"(1) each full month of service that is in addition to the number of full years of service creditable to the member shall be credited as 1/12 of a year; and

"(2) any remaining fractional part of a year shall be disregarded.".

SEC. 205. MEMBERS OF THE COAST GUARD.

(a) IN GENERAL.—Section 423 of title 14, United States Code (relating to the computation of retired pay), is amended to read as follows:

"§ 423. Computation of retired pay

"(a)(1) The retired pay of a member who first became a member of a uniformed service (as defined in section 101 of title 10) before September 8, 1980, is determined by multiplying—

"(A) the sum of—

"(i) the basic pay of the member's retired grade or rate, and

"(ii) all permanent additions thereto including longevity credit to which the member was entitled at the time of retirement; and

"(B) the retired pay multiplier determined under section 1409 of title 10 for the number of years of service that may be credited to the member under section 1405 of such title.

"(2) In the case of an officer who served as Commandant of the Coast Guard, retired pay under paragraph (1) shall be computed at the highest rate of basic pay applicable to the officer while so serving.

"(3) In the case of an enlisted member who served as the master chief petty officer of the Coast Guard, retired pay under paragraph (1) shall be computed at the highest rate of basic pay to which the member was entitled while so serving, if that basic pay is greater than the basic pay of the grade or rate to which the member is otherwise entitled at the time of retirement.

"(4) In the case of an officer whose retired pay is computed on the pay of a grade for which basic pay is not based upon years of service, retired pay under paragraph (1) shall be computed on the basis of the number of years of service for which the officer would be entitled to credit in the computation of pay on the active list had the officer been serving in the grade of captain at the time of retirement.

"(b) The retired pay of a member who first became a member of a uniformed service (as defined in section 101 of title 10) on or after September 8, 1980, is determined by multiplying—

"(1) the retired pay base determined under section 1407 of title 10; and

"(2) the retired pay multiplier determined under section 1409 of title 10 for the number of years of service that may be credited to the member under section 1405 of such title.

"(c)(1) In computing for the purpose of subsection (a) or (b) the number of years of service that may be credited to a member under section 1405 of title 10—

"(A) each full month of service that is in addition to the number of full years of service creditable to the member shall be counted as 1/12 of a year; and

"(B) any remaining fractional part of a month shall be disregarded.

"(2) Retired pay computed under this section, if not a multiple of $1, shall be rounded to the next lower multiple of $1.".

(b) CONFORMING AMENDMENTS.—

(1) Section 46 of such title is amended by striking out "and retired pay computed at the highest rates of basic pay applicable to him while he served as Commandant" in subsections (a), (b), and (c).

(2) Section 47 of such title is amended—

(A) by striking out "and retired pay" in subsections (b) and (c); and

(B) by striking out "and with the retired pay of that grade" in subsection (d).

(3) Section 51 of such title is amended—

(A) by striking out "and retired pay" in subsections (a) and (b); and

(B) by striking out "and with the retired pay of that grade" in subsection (c).

(4) Section 288(b) of such title is amended by striking out "Except as provided in section 423(b) of this title, the retired pay" and inserting in lieu thereof "Retired pay computed under section 423(a) of this title".

(5) Sections 291, 292, and 293 of such title are amended by striking out ", with retired pay of the grade with which retired".

(6) Section 327(b)(1) of such title is amended by striking out ", and with the pay".

(7) Section 334 of such title is amended—

(A) by striking out ", with retired pay of the grade with which retired" in subsections (a) and (b); and

(B) by striking out the second sentence of subsection (b).

(8) Sections 353, 354, 355, and 362 of such title are amended by striking out ", with retired pay of the grade or rating with which retired".

(9) Section 357 is amended—

(A) by striking out "the retired pay of the grade or rating with which retired" in subsection (b) and inserting in lieu thereof "retired pay"; and

(B) by striking out "by an amount" and all that follows in subsection (c) and inserting in lieu thereof "by an amount equal to 10 percent of—

"(1) the active-duty pay and permanent additions thereto of the grade or rating with which retired, in the case of a member whose retired pay is computed under section 423(a) of this title; or

"(2) the member's retired pay base under section 1407 of title 10, in the case of a member whose retired pay is computed under section 423(b) of this title.".

(10) Sections 421 and 422 of such title are amended by striking out "rating" each place it appears and inserting in lieu thereof "rate".

(11) Section 424 of such title is amended to read as follows:

"§ 424. Limitations on retirement and retired pay

"(a) The provisions of any section of this title shall not be construed so as to prevent any member from being placed on the retired list with the highest grade or rate and the highest retired pay to which the member may be entitled under the provisions of any other section of this title or under any other law.

"(b) In no case may the retired pay of a member exceed 75 percent of (1) the sum of the active-duty pay and all permanent additions thereto (including longevity credit to which the member is entitled) of the grade or rate on which the member's pay is computed, or (2) the retired pay base determined under section 1407 of title 10, as appropriate.".

SEC. 206. COMMISSIONED OFFICERS OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

Section 16 of the Coast and Geodetic Survey Commissioned Officers Act of 1948 (33 U.S.C. 853o) is amended to read as follows:

"SEC. 16. (a) Each commissioned officer on the retired list who first became a member of a uniformed service (as defined in section 101 of title 10, United States Code) before the date of the enactment of the Military Retirement Reform Act of 1986 shall re-

ceive retired pay at the rate determined by multiplying—

"(1) the retired pay base determined under section 1406(g) of title 10, United States Code; and

"(2) 2½ percent of the number of years of service that may be credited to the officer under section 1405 of such title as if the officer's service were service as a member of the Armed Forces.

The retired pay so computed may not exceed 75 percent of the retired pay base.

"(b) Each commissioned officer on the retired list who first became a member of a uniformed service (as defined in section 101 of title 10, United States Code) on or after the date of the enactment of the Military Retirement Reform Act of 1986 shall receive retired pay at the rate determined by multiplying—

"(1) the retired pay base determined under section 1407 of title 10, United States Code; and

"(2) the retired pay multiplier determined under section 1409 of such title for the number of years of service that may be credited to the officer under section 1405 of such title as if the officer's service were service as a member of the Armed Forces.

"(c)(1) In computing the number of years of service of an officer for the purposes of subsection (a)—

"(A) each full month of service that is in addition to the number of full years of service creditable to the officer shall be credited as 1/12 of a year; and

"(B) any remaining fractional part of a month shall be disregarded.

"(2) Retired pay computed under this section, if not a multiple of $1, shall be rounded to the next lower multiple of $1.".

SEC. 207. COMMISSIONED OFFICERS OF THE PUBLIC HEALTH SERVICE.

(a) MANDATORY RETIREMENT.—Section 210(g)(3) of the Public Health Service Act (42 U.S.C. 211(g)(3)) is amended by striking out subparagraphs (A) and (B) and inserting in lieu thereof the following:

"(A) in the case of an officer who first became a member of a uniformed service before the date of the enactment of the Military Retirement Reform Act of 1986, at the rate of 2½ percent of the retired pay base determined under section 1406(h) of title 10, United States Code, for each year, not in excess of 30, of his active commissioned service in the Service; or

"(B) in the case of an officer who first became a member of a uniformed service on or after the date of the enactment of the Military Retirement Reform Act of 1986, at the rate determined by multiplying—

"(i) the retired pay base determined under section 1407 of title 10, United States Code; and

"(ii) the retired pay multiplier determined under section 1409 of such title for the number of years of his active commissioned service in the Service.".

(b) VOLUNTARY RETIREMENT.—Section 211(a) of such Act (42 U.S.C. 212(a)) is amended—

(1) in paragraphs (4) and (5), by striking out "paragraph (6)" and inserting in lieu thereof "paragraphs (6) and (7)";

(2) in paragraph (6), by striking out "on or after the date of the enactment of the Department of Defense Authorization Act, 1981," and inserting in lieu thereof "during the period beginning on September 8, 1980, and ending on the date of the enactment of the Military Retirement Reform Act of 1986";

(3) by redesignating paragraph (7) as paragraph (8) and by striking out "(4) or (5)" in such subsection and inserting in lieu thereof "(4), (5), or (7)"; and

(4) by inserting after paragraph (6) the following new paragraph (7):

"(7) The retired pay of a commissioned officer retired under this subsection who first became a member of a uniformed service on or after the date of the enactment of the Military Retirement Reform Act of 1986 is determined by multiplying—

"(A) the retired pay base determined under section 1407 of title 10, United States Code; and

"(B) the retired pay multiplier determined under section 1409 of such title for the number of years of service credited to the officer under paragraph (4).".

The CHAIRMAN. Are there any amendments to title II?

There being no amendments to title II, the Clerk will designate title III.

The text of title III is as follows:

TITLE III—MISCELLANEOUS RETIREMENT PROVISIONS

SEC. 301. UNREDUCED RETIRED PAY AS BASIS FOR SURVIVOR BENEFIT PLAN ANNUITIES.

(a) DEFINITION OF BASE AMOUNT.—Section 1447(2)(A) (relating to the definition of "base amount" for purposes of the Survivor Benefit Plan) is amended by inserting "(determined without regard to any reduction under section 1409(b)(2) of this title)" after "retired or retainer pay".

(b) CONFORMING AMENDMENTS.—

(1) Section 1451 is amended by adding at the end the following new subsection:

"(h) Computation of a member's retired pay for purposes of this section shall be made without regard to any reduction under section 1409(b)(2) of this title.".

(2) Section 1452(c) is amended by adding at the end the following new sentence: "Computation of a member's retired pay for purposes of this subsection shall be made without regard to any reduction under section 1409(b)(2) of this title.".

SEC. 302. REQUIREMENT OF RESERVE-COMPONENT MEMBERSHIP FOR RECEIPT OF NON-REGULAR-SERVICE RETIRED PAY.

Section 1331(a) (relating to age and service requirements for retired pay for non-regular service) is amended—

(1) by striking out "and" at the end of paragraph (3);

(2) by striking out the period at the end of paragraph (4) and inserting in lieu thereof "; and"; and

(3) by adding at the end the following new paragraph:

"(5) in the case of a person who completed the years of service required for eligibility for such retired pay on or after the date of the enactment of the Military Retirement Reform Act of 1986, he is a member of a reserve component.".

SEC. 303. DEFINITION.

Section 101 (relating to definitions for purposes of title 10) is amended by adding at the end the following new paragraph:

"(43) 'Uniformed services' means—

"(A) the armed forces;

"(B) the commissioned corps of the National Oceanic and Atmospheric Administration; and

"(C) the commissioned corps of the Public Health Service.".

SEC. 304. TECHNICAL AND CONFORMING AMENDMENTS.

(a) UNIFORMED SERVICES DEFINITION.—

(1) Section 716 is amended by striking out subsection (c).

(2) Section 1040(c) is amended by striking out "'Dependent' and 'uniformed services' in this section have the meanings of those terms as defined in" and inserting in lieu thereof "In this section, 'dependent' has the meaning given that term in".

(3) Section 1402 is amended by striking out "(as defined in section 1407(a)(2) of this title)" each place it appears.

(4) Section 2830 is amended by striking out subsection (c).

(b) CLERICAL AMENDMENTS.—

(1) The table of sections at the beginning of chapter 67 is amended by adding at the end the following new item:

"1338. Limitations on revocation of retired pay.".

(2) The table of sections at the beginning of chapter 71 is amended—

(A) by striking out the item relating to section 1402 and inserting in lieu thereof the following:

"1402. Recomputation of retired or retainer pay to reflect later active duty of members who first became members before September 8, 1980.";

(B) by striking out the items relating to sections 1406 and 1407 and inserting in lieu thereof the following:

"1406. Retired pay base for members who first became members before September 8, 1980.

"1407. Retired pay base for members who first became members after September 7, 1980."; and

(C) by adding at the end the following new items:

"1409. Retired pay multiplier.

"1410. Rules of construction.

"1411. Rounding to next lower dollar.".

(3) The heading of section 1402 is amended to read as follows:

"§ 1402. Recomputation of retired or retainer pay to reflect later active duty of members who first became members before September 8, 1980".

(3) The table of sections at the beginning of chapter 571 is amended—

(A) by striking out the item relating to section 6328; and

(B) by striking out the item relating to section 6333 and inserting in lieu thereof the following:

"6333. Computation of retired and retainer pay.".

SEC. 305. CODIFICATION OF PERMANENT LIMITATIONS ON RETIRED AND RETAINER PAY PROVIDED IN APPROPRIATION ACTS.

(a) LIMITATION ON CREDITING CERTAIN UNSERVED SERVICE IN ENTITLEMENT TO AND COMPUTATION OF RETAINER PAY.—

(1) CODIFICATION.—Section 6330(d) is amended—

(A) by inserting "(1)" after "(d)";

(B) by striking out the second sentence; and

(C) by adding at the end the following:

"(2) In determining a member's eligibility for transfer to the Fleet Reserve or the Fleet Marine Corps Reserve under subsection (b)—

"(A) a completed minority enlistment of the member is counted as four years of active service, if creditable to the member for such purpose before December 31, 1977; and

"(B) an enlistment of the member terminated within three months before the end of the term of enlistment is counted as active service for the full term, if creditable

to the member for such purpose before December 31, 1977.

"(3)(A) Subject to subparagraph (B), in determining a member's years of active service for the computation of retainer pay under subsection (c)—

"(i) a completed minority enlistment of the member is counted as four years of active service; and

"(ii) an enlistment of the member terminated within three months before the end of the term of enlistment is counted as active service for the full term.

"(B) In the case of a member who is transferred to the Fleet Reserve or the Fleet Marine Corps Reserve under this section after December 30, 1977, service attributable under subparagraph (A) to time which, after December 31, 1977, is not actually served by the member may not be counted.".

(2) REPEAL OF SOURCE LAW.—Section 8039 of the Department of Defense Appropriations Act, 1985 (as contained in section 101(h) of Public Law 98-473 (98 Stat. 1930)), is repealed.

(b) TERMINATION OF SIX-MONTH ROUNDING RULE.—

(1) GENERAL RULE.—Retired pay or retainer pay may not be paid to a covered member of the Armed Forces for any month in an amount that is greater than the amount otherwise determined to be payable after such reductions as may be necessary to reflect adjusting the computation of retired pay or retainer pay that includes credit for a part of a year of service to permit credit for a part of a year of service only for such month or months actually served.

(2) EXCEPTIONS.—The limitation in paragraph (1) does not apply to a member who before January 1, 1982—

(A) applied for retirement or transfer to the Fleet Reserve or Fleet Marine Corps Reserve;

(B) was being processed for retirement under the provisions of chapter 61 of title 10, United States Code, or who was on the temporary disability retired list and thereafter retired under the provisions of section 1210(c) or 1210(d) of such title; or

(C) was retired or in an inactive status and would have been eligible for retired pay under the provisions of chapter 67 of such title, but for the fact that the person was under 60 years of age.

(3) DEFINITION OF COVERED MEMBER.—For the purposes of this subsection, the term "covered member of the Armed Forces" means a member of the Armed Forces who became entitled to retired or retainer pay during the period beginning on January 1, 1982, and ending on September 30, 1983.

(4) REPEAL OF SOURCE LAW.—Section 8054 of the Department of Defense Appropriations Act, 1985 (as contained in section 101(h) of Public Law 98-473), is repealed.

(5) CROSS REFERENCE.—For the effective date of October 1, 1983, for provisions making permanent programmatic changes in law to accomplish the policy provided in such section 8054 (and prior provisions of law), see section 923(h) of the Department of Defense Authorization Act, 1984 (Public Law 98-94).

SEC. 306. REPEAL OF LIMITATION ON PAYMENTS TO ACCRUAL FUND FOR FISCAL YEAR 1986.

Section 666 of the Department of Defense Authorization Act, 1986 (Public Law 99-145; 99 Stat. 659), is repealed.

The CHAIRMAN. Are there any amendments to title III?

There being no amendments to title III, the Clerk will designate title IV.

The text of title IV is as follows:

TITLE IV—FISCAL YEAR 1986 UNAUTHORIZED APPROPRIATIONS

SEC. 401. PROHIBITION ON OBLIGATION OF UNAUTHORIZED FISCAL YEAR 1986 DEFENSE APPROPRIATIONS.

(a) PROHIBITION.—None of the amounts described in subsection (b), totaling $5,582,130,000, may be obligated or expended for any purpose except as authorized in section 402 or as authorized after the date of the enactment of this Act in a law other than an appropriation Act (including a continuing resolution).

(b) COVERED AMOUNTS.—The amounts referred to in subsection (a) are the amounts provided for programs, projects, and activities of the Department of Defense in fiscal year 1986 defense appropriations that are in excess of the amounts provided for such programs, projects, and activities in fiscal year 1986 defense authorizations.

(c) DEFINITIONS.—For the purposes of this title:

(1) FISCAL YEAR 1986 DEFENSE APPROPRIATIONS.—The term "fiscal year 1986 defense appropriations" means amounts appropriated or otherwise made available to the Department of Defense for fiscal year 1986 in the Department of Defense Appropriations Act, 1986 (as contained in section 101(b) of Public Law 99-190).

(2) FISCAL YEAR 1986 DEFENSE AUTHORIZATIONS.—The term "fiscal year 1986 defense authorizations" means amounts authorized to be appropriated for the Department of Defense for fiscal year 1986 in the Department of Defense Authorization Act, 1986 (Public Law 99-145), as set forth in such Act and in the joint explanatory statement of the committee of conference on the bill S. 1160 (99th Congress), printed in House Report 99-235.

SEC. 402. AUTHORIZATION OF OBLIGATION FOR CERTAIN UNAUTHORIZED APPROPRIATIONS.

(a) AMOUNT AVAILABLE FOR OBLIGATION.—Of the amounts described in section 401(b), $2,291,630,000 may be obligated or expended for programs, projects, and activities of the Department of Defense listed in subsection (b) (for which amounts were provided in fiscal year 1986 defense appropriations).

(b) SPECIFICATION OF PROGRAMS, PROJECTS, AND ACTIVITIES.—Programs, projects, and activities referred to in subsection (a) (and the total amount of fiscal year 1986 defense appropriations that may be obligated or expended for each such program, project, and activity) are as follows:

(1) ARMY PROCUREMENT.—

Mortar ammunition, $91,490,000, of which—

$30,800,000 is available only for 4.2-inch high-explosive cartridges;

$45,400,000 is available only for 81-millimeter for high-explosive United Kingdom round cartridges;

$2,300,000 is available only for 81-millimeter Imp 1/10 range training cartridges;

$7,100,000 is available only for 81-millimeter illuminating cartridges; and

$5,900,000 is available only for 81-millimeter smoke cartridges.

War reserve ammunition, $190,200,000.

Snap anti-jam equipment program, $14,650,000.

AFATADS, $24,320,000.

Boat, bridge erection program, $25,400,000.

Follow-on air defense equipment, $142,650,000 (subject to subsection (c)).

(2) NAVY PROCUREMENT.—

F-14A aircraft, $590,830,000.

P-3C aircraft modification, $361,110,000.

AN/SQR-17 acoustic processor, $21,340,000.

Battleship reactivation program, $466,380,000.

Cost growth for the MCM mine countermeasures ship program, $97,000,000.

MCM-1 mine countermeasures ship program, $189,010,000.

ARTB training ship (conventional) program, $174,100,000.

Service craft, $60,850,000.

Procurement, Marine Corps, general increase, $13,260,000.

(3) AIR FORCE PROCUREMENT.—

Air defense competition, $182,590,000.

AC-130H drug interdiction aircraft, $31,760,000.

(4) DEFENSE AGENCIES PROCUREMENT.—Other DIS equipment, $5,120,000.

(5) AIR FORCE RESERVE, PROCUREMENT.— C-130H aircraft, $144,120,000.

(6) RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.—

DIVAD alternatives, Army, $38,520,000 (subject to subsection (c)).

Rolling air frame missile, Navy, $10,340,000.

Whitehall quick reaction surveillance system, Navy, $18,910,000.

(7) OPERATION AND MAINTENANCE, ARMY.—

Drug testing, $1,430,000.

AIDS testing, $40,510,000.

Medical enhancements, $19,020,000.

Medical readiness, $37,280,000.

DIVAD alternatives, Army, $4,560,000.

Readiness initiatives, $130,290,000.

(8) OPERATION AND MAINTENANCE, NAVY.—

Ready Reserve fleet dispersal, $3,420,000.

P3-A modifications, $2,850,000.

AIDS testing, $4,760,000.

Coast Guard reimbursement, $100,000,000.

(9) OPERATION AND MAINTENANCE, AIR FORCE.—

Medical readiness, $5,330,000.

AIDS testing, $4,760,000.

Classified project, $480,000.

(10) OPERATION AND MAINTENANCE, DEFENSE AGENCIES.—

Peer review, $7,130,000.

Quality assurance, $28,530,000.

Defense Agencies classified project, $1,200,000.

(11) OTHER OPERATION AND MAINTENANCE ACCOUNTS.—

Force structure initiative, Army Reserve, $6,610,000.

Roland missile maintenance, Army National Guard, $3,900,000.

AIDS testing, Army National Guard, $2,380,000.

Force structure initiative, Army National Guard, $3,900,000.

Environmental Projects, Army National Guard, $380,000.

Environmental restoration, $360,520,000.

ADP management fund, $100,000,000.

(c) PRIOR REPORT REQUIREMENTS FOR CERTAIN PROJECTS.—Fiscal year 1986 defense appropriations for programs, projects, and activities which under subsection (b) are made subject to this subsection may not be obligated or expended until the Secretary of Defense submits to the appropriate committees of Congress a report setting forth in detail the manner in which funds are proposed to be obligated or expended for such project.

(d) MODIFICATION OF FISCAL YEAR 1986 AUTHORIZATION FOR CERTAIN SHIPBUILDING PROGRAMS.—Notwithstanding the amounts specified in section 102(c) of the Department of

Defense Authorization Act, 1986 (Public Law 99-145; 99 Stat. 592)—

(1) the amount authorized to be appropriated for fiscal year 1986 for Shipbuilding and Conversion, Navy, is $10,703,750,000; and

(2) the amounts available for the following shipbuilding and conversion programs for fiscal year 1986 are as follows:

For the battleship reactivation program, $466,380,000.

For the MCM-1 mine countermeasures ship program, $189,010,000.

For cost growth for the MCM mine countermeasures ship program, $97,000,000.

For the ARTB nuclear training ship program, $174,100,000.

For service craft, $60,850,000.

(e) MODIFICATION OF FISCAL YEAR 1986 AUTHORIZATION FOR OTHER APPROPRIATION ACCOUNTS.—Notwithstanding the amounts specified in the Department of Defense Authorization Act, 1986 (Public Law 99-145; 99 Stat. 595), the amounts authorized to be appropriated for fiscal year 1986 for the following accounts are as follows:

(1) Air Force Reserve Procurement, $144,120,000.

(2) Environmental Restoration, Defense, $360,520,000.

(3) ADP Equipment Management Fund, $100,000,000.

(f) PROGRAM LIMITATIONS.—All limitations and requirements set forth in the Department of Defense Authorization Act, 1986 (and in the joint explanatory statement of the committee of conference on the bill S.1160 (99th Congress), printed in House Report 99-235), shall apply to the obligation of funds authorized by subsection (b) in the same manner as if the funds made available for obligation by such subsection had been authorized in such Act.

(g) TRANSFER AUTHORITY.—For the purposes of section 1401 the Department of Defense Authorization Act, 1986 (99 Stat. 742), authorizations in subsection (b) shall be deemed to have been made available to the Department of Defense in such Act.

SEC. 403. PROGRAMS FOR WHICH AMOUNTS ARE NOT AUTHORIZED FOR OBLIGATION.

Programs, projects, and activities of the Department of Defense for which amounts provided in fiscal year 1986 defense appropriations are subject to section 401 (other than those programs, projects, and activities described in section 402) are the following:

(1) ARMY PROCUREMENT.—

AH-1S attack helicopter (Cobra Tow).

Army Helicopter Improvement Program (AHIP).

Stinger missile program.

M577A2 Carrier, command post light, FT.

M113 Carrier, personnel, FT, ARM.

M88 recovery vehicles.

120-millimeter mortar.

AT-4 lightweight multipurpose system.

Chemical demilitarization program.

Production base modernization.

Special operations forces communications equipment.

KG-84 dedicated loop encrypting device.

AFRTS (audiovisual).

Deployable medical system.

CBT Support equipment medical.

(2) NAVY PROCUREMENT.—

Refueling tanker modification.

APN weapons production facility.

War reserve munitions.

Medical support equipment.

Undistributed reduction, Other Procurement, Navy.

SSN-688 submarine program.

Coastal defense augmentation.

Undistributed reduction, Shipbuilding and Conversion, Navy.

(3) AIR FORCE PROCUREMENT.—

Air Force One replacement.

KC-10 aircraft.

B-1B modifications.

B-52 modifications.

A-7 modifications.

F/RF-4 modifications (including $92,000,000 for FA INS/HUD upgrade).

Airborne command post modifications.

AMRAAM advanced procurement.

Rapier (Turkey).

Minutemen modifications.

War reserve munitions, Air Force.

Intelligence data handling system.

Medical readiness, Air Force.

(4) ARMY RESERVE PROCUREMENT.—

Miscellaneous equipment.

Truck SLEP.

(5) NAVY RESERVE PROCUREMENT.—Miscellaneous equipment.

(6) MARINE CORPS RESERVE PROCUREMENT.—Miscellaneous equipment.

(7) AIR FORCE RESERVE PROCUREMENT.—Miscellaneous equipment.

(8) ARMY NATIONAL GUARD PROCUREMENT.—

Miscellaneous equipment.

Improved TOW vehicle.

M198 howitzer.

Truck SLEP.

(9) AIR NATIONAL GUARD PROCUREMENT.—Miscellaneous equipment.

(10) RESEARCH AND DEVELOPMENT.—

Medical research/AIDS, Army.

Ship subsystems development/LBTS, Navy.

Bigeye operational test, Navy.

Space Defense System, Air Force.

MEECN communications upgrade, Air Force.

Air Force One, Air Force.

Liquid synthetic fuels, Air Force.

Precision tactical approach system, Air Force.

Director of Test and Evaluation.

(11) OPERATION AND MAINTENANCE.—

Real growth reductions not taken.

Audit/inventory report reduction not taken.

Civilian training.

F-4 upgrade, Air Force Reserve.

SEC. 404. AUTHORIZED MILITARY CONSTRUCTION PROJECT.

(a) AUTHORIZED PROJECT.—

(1) AUTHORIZATION.—The Secretary of the Navy may carry out the military construction project described in paragraph (2), funds for such project having been appropriated in the Military Construction Appropriations Act, 1986 (Public Law 99-173; 99 Stat. 1024).

(2) PROJECT DESCRIPTION.—The project referred to in paragraph (1) is a project for the construction of a berthing pier and bulkhead at the Naval Station, Staten Island, New York. The amount authorized for the project is $37,750,000.

(b) CONSTRUCTION WITH PUBLIC LAW 99-167.—

(1) PROJECT AUTHORIZATIONS.—The project authorization in subsection (a) shall be deemed to have been included in section 201(a) of the Military Construction Authorization Act, 1986 (Public Law 99-167; 99 Stat. 966).

(2) APPROPRIATION AUTHORIZATION TOTALS.—The total amount authorized to be appropriated for the Department of the Navy set forth in section 602(a) of such Act (99 Stat. 980), and the amount authorized for military construction projects inside the United States set forth in paragraph (1) of that section, shall be deemed to be increased by the amount specified in subsection (a)(2).

(3) LIMITATION RELATING TO FUNDS FOR NAVAL STRATEGIC HOMEPORTING.—For the purposes of section 205 of such Act (99 Stat. 971), amounts available for the project authorized in subsection (a) shall be deemed to be funds appropriated pursuant to an authorization in section 602 of such Act for Naval Strategic Homeporting.

(c) PROHIBITION ON OBLIGATION OF EXCESS APPROPRIATION.—Of the amount appropriated for military construction for the Navy for fiscal year 1986, $1,950,000 may not be obligated or expended for any purpose except as authorized after the date of the enactment of this Act in a law other than an appropriation Act (including a continuing resolution), such amount being the amount by which the amount appropriated for the project authorized by subsection (a) is in excess of the amount authorized for that project by subsection (a).

AMENDMENT OFFERED BY MR. MONTGOMERY

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

The Clerk read as follows:

Amendment offered by Mr. MONTGOMERY:

Page 51, line 12, insert "(1)" before "Of the".

Page 51, after line 17, insert the following:

(2) Of the amount described in section 401(b) which was appropriated for procurement of National Guard and Reserve equipment, $285,000,000 may be obligated or expended. The authority provided in the preceding sentence is in addition to the authority provided in paragraph (1).

Page 56, strike out lines 22 and 23 and insert in lieu thereof the following:

(1) National Guard and Reserve Equipment Procurement, $941,130,000, as follows:

Army Reserve, $100,000,000.

Army National Guard, $312,450,000.

Naval Reserve, $67,760,000.

Marine Corps Reserve, $67,060,000.

Air Force Reserve, $154,120,000.

Air National Guard, $239,710,000.

Page 57, line 18, insert "(a) IN GENERAL."—before "Programs".

Page 59, strike out line 18 and all that follows through page 60, line 9 (and redesignate the following paragraphs accordingly).

Page 61, after line 1, insert the following:

(b) RESERVE COMPONENT EQUIPMENT PROCUREMENT.—Section 401 applies with respect to fiscal year 1986 defense appropriations for procurement of equipment for the reserve components only to the extent that amounts appropriated for such purposes exceed the amount specified in section 402(e)(1). Programs, projects, and activities for which amounts provided in fiscal year 1986 defense appropriations for procurement of equipment for the reserve components are subject to section 401 (except to the extent to which funds are available to be obligated or expended as provided in section 402) are the following:

(1) ARMY RESERVE.—

Miscellaneous equipment.

Truck SLEP.

(2) NAVAL RESERVE.—Miscellaneous equipment.

(3) MARINE CORPS RESERVE.—Miscellaneous equipment.

(4) AIR FORCE RESERVE.—Miscellaneous equipment.

(5) ARMY NATIONAL GUARD.—

Miscellaneous equipment.

Improved TOW vehicle.

M198 howitzer.

Truck SLEP.

(6) AIR NATIONAL GUARD.—Miscellaneous equipment.

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

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

There was no objection.

Mr. MONTGOMERY. Mr. Chairman, this possibly will be the only amendment, and I feel very strongly about offering this amendment today.

What it actually does is that it calls for $285 million to be authorized for the National Guard and Reserve. $100 million will go to the Army Guard, $40 million will go to the Air National Guard, $100 million for the Army Reserve, $25 million for the Navy Reserve, $10 million for the Marine Corps Reserve, and the Air Force Reserve under this amendment will receive $10 million.

We have met with the different Chiefs of the Reserve Forces plus the associations, and we have come up with this reasonable amendment.

Now, $840 million was appropriated for the Reserve Forces. It had not been authorized. Now we came out with this authorization bill today that only provides for $30 million to be authorized of the appropriated funds. That is not enough, Mr. Chairman, for the Reserve Forces.

I point out that you go through the bill, and our committee has authorized $2.4 billion, I believe, under this bill that was appropriated, not authorized. Now under this bill it will be authorized. All I am asking for is $285 million. If you look over the sheet, further in this piece of paper I have here, nothing is marked for the Reserve Forces.

On the Senate markup of the Supplemental appropriation bill for items that were not authorized, they put in $488 million for the Reserve Forces. Under our bill, as I said earlier, there is only $30 million. Mine will add $285 million, and these are basic funds that will go to your armories back home, they will go to your municipal airports, there will be simulators, they are safety devices.

I point out that for the Air National Guard A-7 night vision goggles. They should have had those years ago. They do not have them. Under this amendment they would be given night vision goggles. They would have video recorder systems that they do not have now. They do not have the proper medical kits and damage repair kits that they need.

None of these items or moneys of the $285 million are big-ticket items. They are not big airplanes, they are not tanks, they are not ships. And the reason I offered this amendment was that when our committee met—and I would have offered the amendment in the committee, but it moved so quickly that there was some misunderstanding what we were doing in the committee. We have some unauthorized amendments, authorization in this bill now. All I am doing is adding what we have already done in committee. If the committee would not have authorized any nonauthorization appropriations, I would not have done that either. But I want to point out this has a lot of merit for the Reserve Forces. We have put a lot of responsibility in the Reserves. I point out that the Air Reserve last year won all of the competitions against the regulars and also against the Air Guard. They won the F-16 competition, they won the ground-to-air reconnaissance, the air refueling. So we have got some great units, but we need to give them equipment.

List of equipment follows:

Type of equipment needed	*Millions*
Army National Guard:	
Armored personnel carriers	4.2
M 198 howitzers	21.5
Tactical communications equipment	44.3
Storage, training, and maintenance projects	30.0
Total	100.0
Air National Guard:	
Aircrew combat maneuvering instrumentation [ACMI]	8.2
Tactical communications equipment (radios, terminals, technical controls, etc.)	22.5
A-7/F-4 video recorder systems	1.3
AIM 9L missile modification	2.6
A-7 night vision goggles	1.7
Combat support equipment (battle damage repair kits, medical kits)	3.7
Total	40.0
Navy Reserve:	
Aircraft modifications:	
Weather radar	2.5
VHF radios	5.0
Navigation systems	8.7
Controller modifications	4.5
Civil engineering support equipment:	
5-ton trucks	1.2
Generators	.5
1.5-ton trucks	.2
Water tanks	.1
Maintenance trucks	.2
AQA sound signal processors	2.1
Total	25.0
Marine Corps Reserve:	
Marksmanship training: Indoor ranges (live fire/simulators)	7.7
Maintenance and operator training devices (simulators, video discs, etc.)	.3
Precision gunnery training systems (simulated laser trainers, tank gunnery trainers, etc.)	2.0
Total	10.0
Air Force Reserve:	
Tactical radio systems	1.7
Various type vehicles (security, refueling, aircraft loading, etc.)	4.2
Aircraft support equipment (avionics test, engine test stands, etc.)	4.1
Total	10.0
Army Reserve:	
Medical equipment (field operating tables, surgical instruments, etc.)	.4
Communications equipment (radios, meters, etc.)	12.2
Aviation support equipment (2 aircraft, etc.)	1.4
Various type vehicles (trucks, jeeps, etc.) and associated equipment	78.9
Missile electronic test equipment	1.5
Arms and ammunition	1.6
Other electronic/communication equipment (regulators, power supply assemblies, etc.)	2.1
Other miscellaneous equipment (generators, water purifiers, flood lights, etc.)	1.9
Total	100.0

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

Mr. MONTGOMERY. I yield to the gentleman from Indiana.

Mr. HILLIS. I thank the gentleman for yielding.

Mr. Chairman, I have a couple of comments and perhaps a couple of questions. First of all, we are all very aware in this Chamber that the name of the game today is a total force concept, and to have that concept work, the Reserve and the National Guard have to maintain a high state of readiness. I think we all agree to that.

I want to ask the gentleman: As I understand the items, as I listened to the gentleman's presentation both during general debate and now, the gentleman is not talking about procurement items, not large items; the gentleman is talking about things that contribute to the readiness, as I understand it, of the Reserve and National Guard, particularly the Air Reserve and Air National Guard forces; is this correct?

Mr. MONTOGMERY. That is correct. It does not include F-16 aircraft, the M-1 tanks; it includes simulators for the Marine Reserve, the simulators will go back to the armories around the country where the Marine Reserves are located.

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. MONTGOMERY] has expired.

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

Mr. HILLIS. I think what the gentleman is saying—I caught this when he talked about night vision goggles for the A-7 pilots—the gentleman is talking about things that will permit these people to readily use the equipment that we are in the process of procuring for them. If they give a pilot an F-16, you better have a pilot that can fly an F-16. Is that what the gentleman is saying here? If they need a sim-

ulator, or whatever the equipment is and it is going to be provided for them, you have to have the readiness and the training and the backup for the pilot to use it efficiently and to survive and accomplish his mission.

Mr. MONTGOMERY. That is exactly right. Also included is money to update some of the A-7 aircraft, of which the Air National Guard has about 15 squadrons. The planes have a lot of age on them now. They need modifications. There is some money in here just to improve them, make them safer for these pilots to fly.

Mr. HILLIS. As I understand, too, the gentleman was saying originally there was about $840 million that was appropriated for Reserve accounts that was unauthorized, to begin with. Now, the other body authorizing committee has seen fit to authorize $488 million, but in the House here, in this bill we are only talking $40 million. And the gentleman's request is for $285 million, which is still less than what the other body's authorizing committee has authorized. Is that correct?

Mr. MONTGOMERY. I think it is a fair and reasonable approach. I am concerned about the cost of our military. I could have made it $840 million. We did not. We made it $285 million, and the Reserve units agreed to that, the associations agreed to it.

We could have asked for the whole $840 million that has been appropriated, but it has not been authorized. We would still have been legal and we would not have added to the cost of the appropriations on the military for 1986.

Mr. HILLIS. Well, I know the gentleman is very aware of the squeeze that we find ourselves in with Gramm-Rudman, but it seems to me that these are all very necessary items. I am happy to rise in support of the gentleman's amendment.

Mr. MONTGOMERY. I appreciate the gentleman's support.

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Mrs. HOLT. Mr. Chairman, I rise in support of the amendment.

Mrs. HOLT. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Mississippi.

Members of the House Armed Services Committee have worked long and hard over the years to improve the status of our Reserve components. We have done so because there is little doubt that reliance on the Guard and Reserve is an excellent way to save taxpayer dollars. Substantial savings result from such factors as the lower cost of pay and the lower tempo of training required in Reserve units.

While I feel significant improvement in the readiness of these units is evident, I also feel that there is much that needs to be accomplished. In order for the Reserve forces to be truly effective elements in the defense of our country, they must be ready to fight. In order to be ready to fight, they must be properly equipped. This is what the gentleman from Mississippi's amendment is all about.

The authorization called for in the amendment is not intended for expensive or "nice to have" equipment. It is for critically needed combat and support items such as radios, medical kits, various type vehicles, and simulators.

Mr. Chairman, quoting in part from the House Armed Services Committee report on the 1985 DOD authorization bill:

> Given the Nation's limited defense resources, tradeoffs can be made between resources for active and Reserve forces in the future. In order to make full use of these tradeoffs, however, the performance and capability of the Reserves must be improved to the greatest extent possible. * * *

If we are to improve the performance and capability of the Reserve components, we must provide them with the equipment necessary to perform their missions. Mr. MONTGOMERY is attempting to do so by offering an amendment which authorizes a portion of the funds which have already been appropriated for these forces.

I hope the membership will support this amendment.

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

Mr. Chairman, we have worked on this issue of the amount of money to be authorized and appropriated under this bill for a long time, and it seems to me that if we start making exceptions here and there, we are going to end up with a lot more exceptions than we have rules. So I rise in reluctant opposition to the gentleman from Mississippi [Mr. MONTGOMERY] because he is a good friend, and a good friend of the Guard and the Reserve, and the Guard and the Reserve deserve some support.

I would like to point out to the members of the committee that the Guard and Reserve have gotten a lot of support in the fiscal year 1986 authorization bill. In fact we approved $658 million more than the administration asked for in 1986. So before we do anything with this bill, we are already at $658 million higher than the administration's request in fiscal year 1986 for the Guard and Reserve.

The gentleman from Mississippi would like to add another $285 million, which in fact puts us a billion dollars over the Reagan administration request for the Guard and Reserve for fiscal year 1986. I am not saying that there are not things that you can find to spend that kind of money on, but it does seem to me that in a time of fiscal austerity everybody has got to take part of the cuts. When the Gramm-Rudman provision took effect in 1986, the Guard and Reserve lost probably about $250 million through the Gramm-Rudman cuts for 1986. What we are doing here in effect is saying that the Guard and Reserve should be exempt from the Gramm-Rudman cuts. The gentleman from Mississippi is adding a little bit more money back than the Gramm-Rudman cut.

It seems to me that that is not right, that if you are going to have Gramm-Rudman cuts—and a lot of people who voted for the Gramm-Rudman cuts certainly understood what those Gramm-Rudman cuts were going to mean to every line item in the budget, and that meant the Guard and Reserve line items in the budget—it seems to me that we ought to not now go back and restore the money for those things that were being cut under Gramm-Rudman.

Mrs. HOLT. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. Mr. Chairman, let me make just one more point, and then I will yield to the gentlewoman from Maryland [Mrs. HOLT].

Mr. Chairman, there is one final point: Nothing in this recommendation of the gentleman from Mississippi cannot be dealt with in 1987. The 1987 bill is now just before us. As soon as we get a defense number from the Budget Committee and we get a number that we an mark to, the Armed Services Committee will produce an authorization bill that is consistent with that number.

There is not a single item in the list of the gentleman from Mississippi that is of such urgency that we have to put it into the 1986 bill. Every single one of those items could be considered under the normal budget process of 1987.

It seems to me for all of those reasons that it would be a very bad idea to pass the amendment of the gentleman from Mississippi.

Mrs. HOLT. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I am happy to yield to the gentlewoman from Maryland [Mrs. HOLT].

Mrs. HOLT. I thank the gentleman for yielding.

Mr. Chairman, I am sure that the gentleman, our distinguished chairman, agrees with me that the Guard and the Reserve are very cost-effective parts of our total force concept, that we are getting our dollar's worth out of them.

Mr. ASPIN. Absolutely.

Mrs. HOLT. As we become more austere in the active forces, as we begin to cut the active forces, does the gentleman not feel that it is important to make certain that the Guard and Reserve have the kind of equipment that they need to do the job to perform half of the missions that they are now performing for our total force concepts?

Certainly the simulators are an important part of this. The gentleman says that there are things that can be postponed, but this is very, very important for them to have the simulators to save the money, the cost of training.

Mr. ASPIN. Mr. Chairman, I would just point out to the gentlewoman that under the normal process we passed in our authorization bill an addition of $658 million this year higher than the Reagan administration requested. The gentleman from Mississippi [Mr. MONTGOMERY] was involved in it. The gentleman from Mississippi [Mr. MONTGOMERY] is not lax at looking for things to add to the Guard and Reserve. We went through our whole authorization bill, and indeed, the bill got the support of the gentleman from Mississippi [Mr. MONTGOMERY].

Now all of a sudden the gentleman from Mississippi [Mr. MONTGOMERY] wants $285 million more. This is $285 million more that nobody else on the committee has had a chance to review.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. ASPIN] has expired.

(On request of Mr. MONTGOMERY, and by unanimous consent, Mr. ASPIN was allowed to proceed for 2 additional minutes.)

Mr. ASPIN. Mr. Chairman, this is $285 million that nobody else on the committee outside of the gentleman from Mississippi [Mr. MONTGOMERY] has had a chance to review. It is money that has been put in on the appropriation bill over there in the Senate. It seems to me that what we are dealing with here is that the gentleman from Mississippi sees an opportunity to put in some more money for the Guard and Reserve. It is not a requirement driving this request, it is an opportunity there, because when we were building the 1986 budget, as we did last year, the gentleman from Mississippi was happy with a paltry $658 million added to the President's request. Now there is this other chance to add it and push it over a billion. It seems to me that we should not be legislating in this way.

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

Mr. ASPIN. I am happy to yield to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Chairman, I am really amazed that the gentleman keeps quoting Ronald Reagan's budget. I am glad to hear that he feels it has some merit to it.

I am not apologizing for offering this amendment for $285 million. As the gentleman knows—and I have to be fair, he has tried to help where he could for our Reserve forces—in 1986 the Reserve and National Guard only got 5 percent of the total procurement budget; in 1987, this great budget that you are talking about coming up in a few days, the National Guard and Reserve are only getting 5 percent of that. They have almost 50 percent of all the combat and support missions.

I really do not see how they do as well as they do, and I really cannot see why the gentleman is giving us a problem on this one.

Sure, it is a good buy. We ought to take credit for what we have done in the Congress. Twelve years ago, when I was in the Guard and Reserve, we spent a lot of time sitting on the hoods of automobiles. We did not have any equipment. We did not have any training devices, any simulators.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. ASPIN] has expired.

(On request of Mr. MONTGOMERY, and by unanimous consent, Mr. ASPIN was allowed to proceed for 2 additional minutes.)

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

Mr. ASPIN. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. We really did not have any good training, because we did not have any equipment. Now we have given them the equipment, we have given them the incentives that the regulars have, and they are as good or better than the regular forces, and the regular forces will tell you that. They have some problems in the regulars. Instead of flying an airplane every weekend, they have to be on court-martial boards, they have to be in the Defense Department, they have to be overseas as military attachés, where the Guardsmen and the reservists sit in the cockpits and fly every weekend.

I am not apologizing for this amendment at all. It has a lot of merit to it. What we have done in the last 10 years is created two strong military forces out there, and we have done it in the Congress of the United States. You have $2.4 billion up here today that was not authorized. You are trying to authorize it now. All I am adding in is $285 million.

If I had known it would give you this much trouble, I would have gone with the whole $840 million.

Mr. ASPIN. Mr. Chairman, let me respond to the gentleman that I do not doubt that in the old days the Guard and Reserve were in very, very bad shape. I also would like to commend the gentleman from Mississippi [Mr. MONTGOMERY] for his undying effort to improve the quality of the equipment that the Guard and Reserve have. I would also like to point out that the gentleman from Mississippi has been pretty successful in his effort to improve the quality of the Guard and Reserve.

Mr. MONTGOMERY. From 4 percent to 5 percent.

Mr. ASPIN. Mr. Chairman, I would like to take back my time.

The reason the gentleman from Wisconsin is quoting Ronald Reagan is that Ronald Reagan is not a person who is known to be parsimonious or stingy about defense. Yet we have taken the President's defense request for the Guard and Reserve, and we have added $658 million. That was the authorization bill that passed this body last year for fiscal year 1986. The gentleman from Mississippi was happy with that number.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. ASPIN] has expired.

(By unanimous consent, Mr. ASPIN was allowed to proceed for 3 additional minutes.)

Mr. ASPIN. The gentleman from Mississippi did not ask for any additional money at that time.

□ 1625

That seemed to be a very good number. Now, what has changed? Well, nothing has changed. The only thing that has changed is an opportunity to get a little bit more because of the appropriation process in the U.S. Senate.

None of us, the committee has not looked at this issue. We have not had a chance to review it. There is nothing that says this has to be time urgent. We can do it in the 1987 cycle. We are doing the 1987 bill within a matter of months if the Budget Committee will ever come up with some targets for us to mark up to, and it seems to me that this is a crazy way to proceed with legislation. It seems to me that if we are ever going to get control and get our committee involved in the process here, we have got to stop just going back and authorizing things after they have been appropriated by other committees.

It is for those reasons and the reasons of process and the reasons of the committee that I am opposing this amendment. I have not, in fact, had a chance to look at the gentleman's list in detail to know whether the list makes sense or not. It may be that if I had a chance to sit down and look at it I would approve of some.

But that is not the point. It is a process point. The point at this time, what we ought to do is stick with the bill as we have had it. If we pass an authorization bill that adds $658 million for the National Guard, that is our judgment that that is how much we ought to add to the National Guard and we ought not to go back later and change our minds and add or even subtract, unless there is some different evidence to say that we ought to change it.

So that is the reason why I oppose the amendment offered by the gentleman from Mississippi, Mr. Chairman.

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

Mr. STRATTON. Mr. Chairman, I rise in support of the Montgomery amendment.

Mr. Chairman, I think a good many of us overlook the fact that the National Guard and the Reserve forces have been for a very long time the stepchild in the Pentagon. It has been the practice of the Procurement Subcommittee to recognize the fact that the Guard and the Reserve forces are part of our total force concept. In fact, if the balloon should go up in Europe, if we should get into trouble in dealing with Colonel Qadhafi, it is very likely that it is going to be the National Guard divisions and the Reserve divisions that are going to be sent to Europe to reinforce the troops already there in any conflict that might break out.

You cannot have an adequate Reserve component to provide the necessary additional forces unless they can operate the same kind of equipment that the regular forces are doing.

It is quite true that the gentleman from Mississippi put in an additional fund for 1986, for the Reserves, but the Committee on Armed Services, at the request of the Subcommittee on Procurement, has added an amount every single year because they know the Reserve and the Guard Forces have been living on half rations. They have, in fact, been starved.

Some have the idea, that the Guard and the Reserve just meet once in awhile in somebody's kitchen and talk over the days of World War II. That is no longer the case. If we are going to have a total force concept, we have got to give them the best equipment.

That is what this amendment does.

What has happened here is something that I think is very providential as far as the Guard and the Reserve. These funds that the gentleman has referred to represent some $840 million which the other body has appropriated. The gentleman from Mississippi is only asking for $285 million. That does not have to come out of the 1987 budget. We are going to be living on short rations, of course as the distinguished chairman of our committee has already explained time and again, once Gramm-Rudman goes into operation.

But as of now we have no budget at the present time, let alone triggering in Gramm-Rudman; so we do not know what is going to happen to the kind of annual contribution to the Guard that will be made once Gramm-Rudman triggers in.

I think to provide these relatively minor sums of $10 million for the Marine Corps Reserve, $10 million for the Air Force Reserve, $100 million for the Army Reserve, and $100 million for the Army National Guard, these are figures that providentially are going to make it possible for us to continue the expansion and the improvement of these forces that God forbid we might have to use in Europe or in the Mediterranean or somewhere else.

I think that to suggest that this is a waste is certainly misleading.

I want to commend the gentleman from Mississippi [Mr. MONTGOMERY] for his diligence, because as one who has spent some 34 years in the Navy Reserve I know the importance of having a ready Reserve and one that is fully qualified. This money is not going to be wasted, you can be sure of that.

Mr. Chairman, I urge support and approval of the gentleman's amendment.

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

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

Mr. Chairman, we are here debating an add-on today to the bill. I think most of the rhetoric and most of the arguments in support of the amendment simply obfuscate the facts.

Neither the chairman nor I are in opposition to furnishing adequate equipment to the Guard and the Reserve. As a matter of fact, we very strongly support it.

We have heard those in support of the amendment point out what a great thing it is to have these weapons systems, that we need them, and no one is denying that.

The Guard does a great job, we know that.

The point is that we in the committee have had no chance to have hearings, to have deliberations on what will this money buy. It is just an opportunity that is passing along. Evidently the gentleman from Mississippi does not want to miss an opportunity to help the Guard and the Reserve, which is very commendable. We have got this thing stirred up.

I have heard from any number of my reservists and national guardsmen from home that some have called and said, "I don't know what it's all about, but they told me to call you, so I am calling you in support of the amendment, and please support it."

It runs from there to those who are knowledgeable.

It is not that we do not necessarily need these things, but it is a question of what is the orderly process by which we authorize and then appropriate?

Now, to say that the Guard is a total stepchild and has not been taken care of, first, as has been pointed out by the chairman, there has already been an add on, an additional amount over the budgeted amount that was approved by the committee after hearings of $658 million. Now, that is already here.

Now there is an additional sum, for which we do not know what it will be spent for, no justification. I am sure it will be well spent, but we do not know for what. Everyone is just going to be given a lump sum, as far as I know, of another $285 million.

Now, in the past 2 years, for instance, the Air Force has been given the F-16's, the F-15's, the C5-B's.

The Navy has been given the F-14's, the F-18's and the A-6's. These are new aircraft.

The Army has been given Apache helicopters, the M-1 tanks. These are not just hand-me-downs, things worn out in the regular forces. This is new equipment that has gone into the Reserve. I am not saying that this is enough, my point being, though, that we have recognized and are coming to recognize even more the necessity for the Guard and the Reserve and the part they play, that we cannot just continue to give them hand-me-downs, that they are an integral part of our complete defense posture. They should be funded and they should be adequately provided for and we should do this; but it is the procedure that we are going about that the chairman has objected, as I understand it. It is the way that we are going about it. We do not know. There is no testimony as to what this money will be spent for. I am sure it will be well spent and I am sure that the Guard and the Reserve can spend it wisely. We do not know. Actually, it is just a blank check.

So I feel very strongly that whatever we do here, we would already have gone through the markup session in a normal legislative year. We would already have had hearings and marked up our bill for the coming fiscal year 1987. Because of the budgetary process and because of Gramm-Rudman, we have not got to that yet. These items that this would buy would normally be in the next budget cycle for fiscal year 1987. They are not there because we have not even got to marking up because we are waiting on the Budget Committee.

So there is no urgency. There is no necessity to do this in this out of the ordinary procedure. We can do it in an orderly procedure as we usually follow. It can be done in this year's markup. It can go through just like it does every year. I think that is the proper way to do it. I think that is the reasonable way to do it.

I would just like to point out before I yield to the gentlewoman from Maryland that this is irony at the greatest. I believe of all those who have spoken this afternoon in defense of the effect of Gramm-Rudman here, the chairman and I are the only two who voted against the darn thing.

Mrs. HOLT. Mr. Chairman, if the gentleman will yield, I voted against it.

Mr. DICKINSON. Good for you.

We voted against it because we knew the mischief that would befall us and we voted against it. Now the very ones who voted for it are trying to undo it.

It just does not make sense.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

(At the request of Mrs. HOLT, and by unanimous consent, Mr. DICKINSON was allowed to proceed for 1 additional minute.)

Mrs. HOLT. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. I am very pleased to yield to the gentlewoman from Maryland.

Mrs. HOLT. Mr. Chairman, our leader says that his objection is procedural. Well, this is the problem that I have. Are we not authorizing six or seven items in this particular piece of legislation that were appropriated and not authorized?

Mr. DICKINSON. It is my understanding that there are some items and I do not know for sure which they are.

Mrs. HOLT. And did we have hearings on those particular items?

Mr. DICKINSON. Well, I will be glad to yield to my leader, but I think most of them have been either scrutinized and had discussion on or had hearings, but I am going to yield to the chairman to answer that.

Mrs. HOLT. Well, will the gentleman continue to yield?

Mr. DICKINSON. Well, if the gentlewoman wants an answer to her question, I thought I would yield to the chairman of the committee.

Mrs. HOLT. Well, I just want to say that this is my objection to the whole process, that we are authorizing some things that have been appropriated and we are not authorizing those things that are really important.

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

Mr. DICKINSON. I am happy to yield. We are not adding any amendment. We are opposing any amendment that was not previously considered.

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

(By unanimous consent, Mr. DICKINSON was allowed to proceed for 3 additional minutes.)

Mr. DICKINSON. Mr. Chairman, I am pleased to yield to the gentleman from Wisconsin.

Mr. ASPIN. Mr. Chairman, let me say that I agree entirely with the statement of the gentleman in the well. The only reason that we have added anything in the way of authorizations of things that we did not appropriate is for three reasons.

One is that if what they did in the Senate would have saved money, or what they did in the appropriations process would have saved money, we went along with it.

Second, if there were changed circumstances, and we always recognize in the authorization process that the appropriation bill comes later and that sometimes situations have changed. All of that recognizes that we would have done the same thing had our bill come along a little bit later and we had known the circumstances at that time.

The third category, and a very small category, results from technical differences.

In the main what we did here was stick with the committee's original authorizing position with changes that had to be made due to changed circumstances and really changes in cost.

Basically that is what we are trying to do. I think that is what is important. You cannot just blindly go ahead with the authorization bill in the spring of 1986 the same way as it was in the spring of 1985. Of course, things have changed in the year. We brought this bill onto the floor and did it last spring and did it last summer. Of course, things are different now.

So we have recognized those and we have made a couple changes in here; but remember what is going on. The Senate is adding on in their appropriation process a lot of money.

Let me remind you, it is not free money. I mean, this $285 million that we are talking about is not free money, because they have to make the same budget targets that the authorizing committee does.

□ 1640

When they appropriate more in some categories, that means they are taking the money out of something else.

Mr. DICKINSON. Exactly. It has got to come from somewhere. It is not open end.

Mr. ASPIN. So something that we authorize is being drastically underfunded for them to fund more than we authorized in some other category. So if we do not shut this off, and if we do not send the message to the Senate that we are not going to stand for this, we are going to find this happening more and more and more.

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

Mr. DICKINSON. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. I appreciate the gentleman yielding to me.

Mr. Chairman, I really do not know any other way to get more money for the National Guard and Reserves than to come with amendments. The Department of Defense does not send over in the President's budget each year, as the gentleman knows——

Mr. DICKINSON. The gentleman had his vehicle with the regular bill and we added money in the committee. There is over $600 million already added here.

Mr. MONTGOMERY. Sure. We should have added money, and we should add some more.

Mr. DICKINSON. I do not debate that. My point is that we had hearings and we knew what it was going for. If the gentleman will offer this during the regular process, I will support it.

Mr. MONTGOMERY. I thought the gentleman was going to yield to me.

Mr. DICKINSON. It is my time and I can take it back if I want to. I just thought we would share.

The CHAIRMAN. The time of the gentleman from Alabama [Mr. DICKINSON] has again expired.

(On request of Mr. MONTGOMERY and by unanimous consent, Mr. DICKINSON was allowed to proceed for 2 additional minutes.)

Mr. MONTGOMERY. If the gentleman will yield further, and I will stop after this, does the gentleman agree that we got less than 5 percent in procurement in 1986, including the addition of $600 million, that I beat you over the head with and made you take this money for the Reserve and Guard? It still was less than 5 percent.

Now, they send up again from the Department of Defense only another less than 5 percent for the Reserves. So this is money that has already been appropriated. We are not going to add onto the appropriation. We are going to have every armory in the country, including the gentleman's armory. He has the biggest National Guard units in the country and he ought to be supporting this amendment and not fighting it.

Mr. DICKINSON. I do not have to do it by the amendment process. We can do it by the regular process and not these add-ons, putting patches on things.

Mr. MONTGOMERY. You would not give me the chance. I tried to talk to the chairman.

Mr. DICKINSON. The gentleman had the chance.

Mr. MONTGOMERY. I talked to the chairman.

Mr. DICKINSON. We support it. We are going to support the National Guard and we support the Reserve, but not by adding patches on these pieces of legislation as they come through, but in the main.

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

Mr. Chairman, I do not know whether I should get into this internal battle here between the Committee on Armed Services. I do not know what the credentials are that make one eligible. If it is a vote on Gramm-Rudman, I qualify. I voted against Gramm-Rudman, too, for a lot of reasons. This is just one of many.

But I did spend more than 20 years in the Reserve components after World War II, and I can recall that

right after World War II, it was tough being in a Reserve component. We got all the hand-me-downs, everything we wore out and did bring back from Europe; nothing back from Asia, as I recall.

I remember going to summer camp as a battalion commander and half of my mission was to keep the equipment working. We spent half of our time back home in the home armory repairing worn-out equipment, whether it be mechnical equipment with engines, or whether it was rifles, or recoilless rifles, or whatever it was. We spent half of our time in maintenance, just trying to survive. We would go to summer camp and I would send people in advance to go up and cannibalize as much as we could steal off the active duty vehicles. We would borrow an active duty vehicle and we would change carburetors because ours were worn out. We even went to the extent of changing engines. We had to do that.

Things have changed, because we have started realizing the role that the armed services play and the role that the Reserve components play. Much of that is through the equipment process that this Congress has seen fit to support. It is no longer a contest to see if we can keep our equipment running.

But as Gramm-Rudman is applied more and more, we are going to have to depend more and more for our military defense preparedness on the Reserve components. It is the only way we can go. It is the cheapest way.

So I support the gentleman from Mississippi in his amendment here. I do not know what happened in the process in committee, but I do know there is a need yet in the Reserve components, because I can recall going back on active duty in 1960 for an extended duty and thinking could I compete with active duty? Let me tell my colleagues, it was no problem at all.

The Reserve components are a fighting group. They are a capable group. They need the equipment, and this Congress ought to provide it, especially if we are going to be reducing the armed services in the future because of Gramm-Rudman. The cheapest way is to provide it right through this amendment here. I support the amendment offered by the gentleman from Mississippi..

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

Mr. MYERS of Indiana. I yield to the gentleman from New York.

Mr. CARNEY. I thank the gentleman for yielding.

Mr. Chairman, I would like to point out that I was just relieved after questioning counsel as to the statute of limitations on the UCMJ, and it is only 3 years. So the gentleman does not have to worry; no one will come in and cart him away for what he did as a Reserve officer.

Mr. MYERS of Indiana. It has been longer than 3 years.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. MONTGOMERY].

The question was taken; and the Chairman announced that he was in doubt.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 374, noes 35, not voting 24, as follows:

[Roll No. 91]

AYES—374

Ackerman
Anderson
Andrews
Annunzio
Applegate
Archer
Armey
AuCoin
Badham
Barnard
Barnes
Bartlett
Barton
Bateman
Bates
Bedell
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Biliraki
Bliley
Boehlert
Boggs
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boulter
Boxer
Brooks
Broomfield
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
Coughlin
Courter
Craig
Daniel
Darden
Daschle
Daub
Davis
de la Garza
DeLay
Derrick
DeWine
Dicks
DioGuardi
Dixon
Donnelly
Dornan (CA)
Dowdy
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Eckart (OH)
Eckert (NY)
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Evans (IL)
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flippo
Florio
Foglietta
Foley
Ford (TN)
Fowler
Frank
Franklin
Frost
Fuqua
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gibbons
Gilman
Gingrich
Gonzalez
Goodling
Gordon
Gradison
Gray (IL)
Gray (PA)
Green
Gregg
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hamilton
Hammerschmidt
Hansen
Hatcher
Hawkins
Hayes
Hefner
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
LaFalce
Lagomarsino
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Long
Lott
Lowery (CA)
Luken
Lundine
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martinez
Matsui
Mavroules
Mazzoli
McCain
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McKernan
McKinney
McMillan
Meyers
Mica
Michel
Mikulski
Miller (OH)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nowak
O'Brien
Oakar
Obey
Olin
Ortiz
Oxley
Packard
Panetta
Parris
Pashayan
Pease
Penny
Pepper
Perkins
Petri
Pickle
Porter
Price
Pursell
Quillen
Rahall
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Robinson
Rodino
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Rudd
Sabo
Saxton
Schaefer
Schneider
Schroeder
Schuette
Schulze
Sensenbrenner
Sharp
Shaw
Shelby
Shumway
Shuster
Sikorski
Siljander
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NE)
Smith (NJ)
Smith, Denny (OR)
Smith, Robert (NH)
Snowe
Snyder
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
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Watkins
Waxman
Weaver
Weber
Wheat
Whitehurst
Whitley
Whittaker
Whitten
Williams
Wirth
Wise
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yatron
Young (AK)
Young (FL)
Young (MO)

NOES—35

Aspin
Atkins
Bellenson
Boland
Brown (CA)
Brown (CO)
Cooper
Crane
Crockett
Dannemeyer
Dellums
Dickinson
Dingell
Dorgan (ND)
Downey
Ford (MI)
Frenzel
Glickman
Lipinski
Lowry (WA)
Miller (CA)
Monson
Moody
Nielson
Owens
Rangel
Russo
Savage
Scheuer
Schumer
Smith, Robert (OR)
Solarz
Stark
Weiss
Yates

NOT VOTING—24

Akaka
Alexander
Anthony
Breaux
Coyne
Early
Edgar
Fiedler
Gephardt
Grotberg
Hartnett
Heftel
Kramer
Loeffler
Lujan
Martin (NY)
Mitchell
Nichols
Oberstar
Roberts
Seiberling
Smith (FL)
Wilson
Zschau

□ 1705

Mr. MARTINEZ and Mr. HANSEN changed their votes from "no" to "aye."

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments?

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

Mr. Chairman, I would like to reserve the right to offer an amendment pending a colloquy that I would like to have with the chairman of the Committee on Armed Services.

If the gentleman would respond to a question, section 404(a) deals with the homeport in Staten Island and authorizes $37,750,000. It makes reference on page 62 to section 205 of the act. Section 205 is that section that required that the Navy file a report, and that no action be taken for 90 days thereafter, and spending the money that was authorized and appropriated for fiscal year 1986.

Now on the report language, the report language says that:

No funds may be obligated until the Committee on Armed Services of the Senate and House have approved the ship dispersal concept.

That is not part of the language of the law today. The other body's Armed Services Committee is going to vote tomorrow.

I do not think that is the intent of those who drafted this piece of legislation, and I would hope that the chairman could make a statement. At the present time, the Navy has an agreement whereby if the Senate Armed Services Committee tomorrow votes to approve the Navy home port, they are ready to go out with contracts.

That is critically important from the Navy's standpoint. I am deeply concerned, as others are that share my feeling, that with this report language that will be stopped unless both committees have a vote and it is a favorable vote.

I do not think that is what the gentleman intended, and I would hope that he could help us on this question.

Mr. ASPIN. Will the gentleman yield?

Mr. MOLINARI. I yield to the gentleman.

Mr. ASPIN. I would like to say to the gentleman, as I understand it, what the gentleman is saying is what the committee intends; and the gentleman is right.

The language that we have here, repeating section 205 does not imply any additional delays for the homeporting issue. The language is as it was in the original bill, which was the military construction bill. We are going to have that debate and that discussion and that vote in the committee and on the floor. This does not mean any additional delays.

Mr. MOLINARI. Would the gentleman then agree that the report language on page 59 is incorrect, and that where it says that the funds may not be obligated or expended until the Committee on Armed Services of the Senate and House of Representatives have approved the ship dispersal concept.

That is not present in the law today; that is not a prohibition to the expenditure of moneys today.

Mr. ASPIN. This is report language; it does not apply to the bill language.

Mr. MOLINARI. So it is the gentleman's understanding, then, that the Navy, pending a favorable vote tomorrow by the Senate Armed Services Committee, would be free to go ahead and expend any moneys in contract for the Staten Island homeport site?

Mr. ASPIN. No. Whatever process was in the law before is the same process that will be in the law as this bill passes today. There is no difference. We have not added to the delay. We have still this process to work our way through, but this bill that is before us today does not in any way add to the delay or add to the complexity.

Mr. MOLINARI. One last question. Is it the gentleman's understanding, then, that unless unfavorable action is taken by the Committee on Armed Services in the other body or the House, that the Navy would be free to go ahead and contract or obligate the funds that were authorized last year and appropriated last year?

□ 1715

Mr. ASPIN. We still have a process in the military construction bill that will still have to be followed. But this bill that we are voting on today does not add to that process at all. There are certain things that the Navy will be able to do when certain committees vote, but this bill that we are voting on today does not add to or subtract from that whole process.

Mr. MOLINARI. This is very important. We have been in touch with the Navy today. They did not know that this language was in there. The understanding that I had is that unless, unless the Committee on Armed Services of the House rescinded the 1986 funding, or the other body, that the moneys were free to be obligated, the Navy is ready to go into contract. Is that changing by what is happening here today?

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent Mr. MOLINARI was allowed to proceed for 3 additional minutes.)

Mr. ASPIN. Mr. Chairman, will the gentleman from New York yield?

Mr. MOLINARI. I will yield again to the Chairman.

Mr. ASPIN. I thank the gentleman for yielding.

As I understand it legally those restrictions have been lifted and they are continued to be lifted under this language.

Mr. MOLINARI. Then there is no tie-in here between fiscal year 1986 and fiscal year 1987?

Mr. ASPIN. There is the informal process that we have asked the Navy to observe to give our Committee on Military Construction adequate time to consider the issue. But that is the only thing that is at play, and this bill that we are voting on today does not affect that in any way, shape or form.

Mr. MOLINARI. Mr. Chairman, I am satisfied with the explanation of the Chairman.

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

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

Mr. WEISS. I thank the gentleman for yielding.

Let me see if I can get a question answered by the gentleman from Wisconsin. The gentleman is saying that this authorization in order to be implemented as far as appropriations are concerned still requires an appropriation to be followed through, is that right?

Mr. ASPIN. No. That was already appropriated.

Mr. WEISS. Right. But this particular authorization adds nothing new to that process.

Mr. ASPIN. That is correct.

Mr. WEISS. I thank the gentleman, and I thank the gentleman for yielding.

Mr. MOLINARI. Mr. Chairman, I am satisfied. I have no intention of offering my amendment. I thank the gentleman.

The CHAIRMAN. Are there further amendments?

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

Mr. Chairman, I commend the chairman and ranking minority member for their efforts to preserve the integrity of the military retirement system.

At a time of budgetary austerity, the cost and structure of military retirement has come under greater scrutiny. The concern over the quadrupling of outlays for military retirement between 1963 and 1984 has led to six major studies in the past 10 years. Each study has made major recommendations to change military retirement and improve its ability to meet our defense manpower requirements at reasonable cost. However, none of the proposals was ever adopted. Instead the retirement system has been modified on a piecemeal basis. Those changes have had a serious impact on the lifetime value of a military pension. Under current budgetary pressures, my concern has been that additional piecemeal tinkering with the military retirement system would undermine the long-term stability of the system. I, therefore, support this reform legislation which will provide a stable element of compensation in the indefinite future.

This reform legislation will provide new members of the military a retirement system that makes sense and that is easy to understand. It also

makes it attractive for the highest quality service members to remain in active duty for longer. According to the Congressional Budget Office, the changes in this legislation will increase the numbers of service members with over 20 years of service by 12 percent. These are the most experienced service members. The services have invested the most on their education and training, and they possess a broad range of experience. This legislation anticipates the future needs of our Armed Forces. It anticipates that the weapons systems, tactics, and doctrine of the Armed Forces will be substantially more complex than they are today. It is foward-looking legislation which undoubtedly contributes to the quality of our Armed Forces.

I urge my colleagues to support this legislation to restore the integrity of the military retirement system.

The CHAIRMAN. Are there further amendments?

The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. TRAXLER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill [H.R. 4420) to amend title 10, United States Code, to revise the retirment system for new members of the uniformed services, and for other purposes, pursuant to House Resolution 421, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 399, noes 7, not voting 27, as follows:

[Roll No. 92]

AYES—399

Ackerman
Anderson
Andrews
Annunzio
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Badham
Bartlett
Barton
Bateman
Bates
Bedell
Bellenson
Bentley
Bereuter
Berman
Bevill
Biaggi
Bilirakis
Bliley
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boulter
Boxer
Brooks
Broomfield
Brown (CA)
Brown (CO)
Broyhill
Bruce
Bryant
Burton (CA)
Burton (IN)
Bustamante
Byron
Callahan
Campbell
Carper
Carr
Chandler
Chapman
Chappell
Chappie
Cheney
Clay
Clinger
Coats
Cobey
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Conte
Conyers
Cooper
Coughlin
Courter
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
Eckart (OH)
Eckert (NY)
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Evans (IL)
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Franklin
Frenzel
Fuqua
Gallo
Gejdenson
Gekas
Gibbons
Gilman
Gingrich
Glickman
Goodling
Gordon
Gray (IL)
Gray (PA)
Green
Gregg
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hamilton
Hammerschmidt
Hansen
Hatcher
Hawkins
Hayes
Hefner
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
Kostmayer
LaFalce
Lagomarsino
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lott
Lowery (CA)
Lowry (WA)
Luken
Lundine
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCain
McCandless
McCloskey
McCollum
McDade
McEwen
McGrath
McHugh
McKernan
McKinney
McMillan
Meyers
Mica
Michel
Mikulski
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mitchell
Moakley
Molinari
Mollohan
Monson
Montgomery
Moody
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nielson
Nowak
O'Brien
Oakar
Obey
Olin
Ortiz
Owens
Oxley
Packard
Panetta
Parris
Pashayan
Pease
Penny
Pepper
Perkins
Petri
Pickle
Porter
Price
Pursell
Quillen
Rahall
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Roberts
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
Sensenbrenner
Sharp
Shaw
Shelby
Shumway
Shuster
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
Stark
Stenholm
Stokes
Strang
Stratton
Studds
Stump
Sundquist
Sweeney
Swift
Swindall
Synar
Tallon
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Watkins
Waxman
Weaver
Weber
Wheat
Whitehurst
Whitley
Whittaker
Whitten
Williams
Wirth
Wise
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Young (MO)

NOES—7

Bennett
Carney
Gaydos
Gonzalez
Kolter
Rangel
Weiss

NOT VOTING—27

Akaka
Alexander
Anthony
Barnard
Barnes
Breaux
Coyne
Early
Edgar
Fiedler
Frost
Garcia
Gephardt
Gradison
Grotberg
Hartnett
Heftel
Kramer
Loeffler
Lujan
McCurdy
Nichols
Oberstar
Robinson
Seiberling
Wilson
Zschau

□ 1740

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 4420, THE MILITARY RETIREMENT REFORM ACT OF 1986

Mr. ASPIN. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 4420, the Clerk be authorized to make such clerical and technical corrections as may be necessary.

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

There was no objection.

GENERAL LEAVE

Mr. ASPIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter, on the bill, H.R. 4420.

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

There was no objection.

SUNDRY MESSAGES FROM THE PRESIDENT

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4421, COMMUNITY SERVICES PROGRAMS AMENDMENTS OF 1986

Mrs. BURTON of California, from the Committee on Rules, submitted a privileged report (Rept. 99-549) on the resolution (H. Res. 428) providing for the consideration of the bill (H.R. 4421) to authorize appropriations for fiscal years 1987, 1988, 1989, and 1990 to carry out the Head Start, Follow Through, dependent care, community services block grant, and community food and nutrition programs, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT OF RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3302, NEVADA WILDERNESS PROTECTION ACT OF 1985

Mrs. BURTON of California, from the Committee on Rules, submitted a privileged report (Rept. 99-550) on the resolution (H. Res. 429) providing for the consideration of the bill (H.R. 3302) to designate certain national forest lands in the State of Nevada for inclusion in the National Wilderness Preservation System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PERSONAL EXPLANATION

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

Mr. O'BRIEN. Mr. Speaker, I was not present on Thursday, April 10. Had I been present, I would have voted "aye" on final passage for H.R. 4332, the Federal Firearms Law Reform Act of 1986, as amended by the Volkmer substitute.

CHILDREN'S CHALLENGE CENTER FOR SPACE SCIENCE

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

Mr. BROOKS. Mr. Speaker, I am today, along with Congressman DON FUQUA, chairman of the House Committee on Science and Technology, and Congressman MIKE ANDREWS, my colleague from Texas, introducing a sense-of-Congress resolution expressing our support for the establishment of a Childrens' Challenge Center for Space Science as a living memorial to the seven crew members of the space shuttle *Challenger*. These seven individuals gave their lives to expand the world's knowledge through exploration of the space frontier. What more fitting memorial could we establish than one to provide children of all ages with an opportunity to learn about space and related science through hands-on activities related to space exploration?

Speaker O'NEILL graciously met with these fine people this afternoon.

Representatives of the families of the seven astronauts who were lost on the *Challenger* flight are here in the Capitol. It is their fervent desire that this center be established in conjunction with NASA at the Johnson Space Center to provide activity stations, simulators, dormitories for visiting teachers and students, and other special interest areas devoted to depicting air and space travel. The center, sponsored by the nonprofit childrens' Challenge Center Foundation, will be available to teachers throughout the United States and the rest of the world. We in the Congress should support this effort as a national memorial to these brave and courageous Americans.

CHILDREN'S CHALLENGE CENTER FOR SPACE SCIENCE

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

Mr. FUQUA. Mr. Speaker, I am very delighted to join with my colleagues, the gentleman from Texas [Mr. BROOKS] and the gentleman from Texas [Mr. ANDREWS], in introducing this resolution supporting the wishes of the family of the crew of the *Challenger VII*. These were brave people who continued to stimulate interest in America's space flight and science. The recommendation of the family to have a Children's Challenge Center for Space Science to be established on NASA land at the Johnson Space Center I think is a fitting and living tribute to seven great and very distinguished Americans.

I am very happy to join in this activity because I think having a living memorial is something that can inspire children throughout the world and young people concerning the values of science and technology and hands-on experiments, that they can see and somehow be touched by these seven wonderful people who tragically gave their lives.

I am very delighted to join in this, and I encourage my colleagues to join us in sponsoring this resolution expressing our support.

As the gentleman from Texas [Mr. BROOKS] said, we had a chance to meet with them today. We are very pleased that they are in the Capitol. They had a chance to meet with the Speaker and other Members of the Congress who have all expressed their wholehearted endorsement of this most worthwhile project.

CHILDREN'S CHALLENGE CENTER FOR SPACE SCIENCE

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

Mr. ANDREWS. Mr. Speaker, in 1960, at Rice University, John Kennedy said: "If history teaches us anything, it is that man in his quest for knowledge and progress is determined and cannot be deterred."

And surely as we face the weight of this country's greatest space disaster, we stand on the threshold of some of our countries in the world's greatest achievements in space.

Those achievements will occur through education, through a greater knowledge of this universe and through determination. Our children's generation is the generation that will literally go to the edge of this solar system and reach to every distant star.

The cure for cancer may well be found in outer space and not here on Earth.

The Children's Center that will be located at the Johnson Space Center will not only be a living memorial to those brave seven astronauts who gave their lives, but a lasting educational center for our children, a place they can see, they can feel, they can learn, they can study about man's ongoing contributions and quests for space.

I urge all of my colleagues to join us in this resolution, and let us make this important center a reality.

FISCAL YEAR 1987 BUDGET OF THE DISTRICT OF COLUMBIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 99-206)

The SPEAKER pro tempore (Mr. GARCIA) laid before the House the following message from the President of the United States; which was read and, together with the accompanying

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papers, without objection, referred to the Committee on Appropriations and ordered to be printed.

(For message, see proceedings of the Senate of today, Tuesday, April 22, 1986.)

CONTINUATION OF NICARAGUAN EMERGENCY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 99-207)

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

(For message, see proceedings of the Senate of today, Tuesday, April 22, 1986.)

NINTH ANALYSIS AND EVALUATION OF FEDERAL JUVENILE DELINQUENCY PROGRAMS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 99-208)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on Education and Labor and ordered to be printed.

(For message, see proceedings of the Senate of today, Tuesday, April 22, 1986.)

□ 1755

GENERAL LEAVE

Mr. DONNELLY. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks and to include extraneous material on House Resolution 425, which was considered earlier today.

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

There was no objection.

SIR OLIVER WRIGHT'S SPEECH BEFORE THE HARVARD CLUB, APRIL 17, 1986

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

Mr. PEPPER. Mr. Speaker, on the evening of the 17th of April, it was my rare privilege to hear, at the annual meeting of the Harvard Club of Washington, the principal address of the evening delivered by His Excellency, the British Ambassador, Sir Oliver Wright.

It was a delightful experience to hear this witty and wise Ambassador of our great friends, the British, out of his rich experience, speak of our own Harvard in relation to his Oxford and Cambridge, speak of the background, character, disposition, and attitudes of our own people and those of his own, relations between our two countries, relations between the United States and Russia, many matters of great interest to all of us in respect to our relations to other nations of the world.

I thought my colleagues and many of our countrymen would like to hear the wisdom and enjoy the wit of this learned and great man. So I ask the privilege to offer for the CONGRESSIONAL RECORD for its permanent embodiment, the able and delightful address of Ambassador Wright to follow my remarks.

The address follows:

ANNUAL DINNER OF HARVARD CLUB,
WASHINGTON DC, APRIL 17, 1986

My wife and I are delighted to be able to join you at the Annual Dinner of the Harvard Club of Washington. As a Cambridge man myself, although from the other Cambridge, I am particularly honoured to be your guest in the year that Harvard celebrates its 350th Anniversary; being a sort of harbinger for the Prince of Wales, also a Cambridge man, who will speak at the celebrations at Harvard itself next September. I congratulate you too on the felicitous choice of venue, a hotel named after the ship which bore to these shores from England the members of the Community who formed your great University.

I am also honoured—and terrified—to be here in the company of Carter Brown. Terrifying man, Carter Brown. It's too late now, but up to last Sunday, you could have seen the product of his Reign of Terror: the Treasure Houses exhibition at the National Gallery of Art. Don't be misled by that electrifying smile: like electricity it can both light up, and shock. Carter must have something of the viking in him: certainly, like the vikings, he has pillaged the Stately Homes of England, and Scotland for that matter, to produce that wonderful exhibition.

It was a wonderful exhibition. In fact, it was two exhibitions: an exhibition of our treasures and an exhibition of his exhibitioner's art. The organisation and presentation was in itself a work of genius. Carter is, of course, a genius. And we in Britain, and the owners of the Stately Homes, are greatly in his debt. A Renaissance man, Carter: they had a lot of footpads during the renaissance—but a Renaissance man, nevertheless, who lends distinction to a city of incomparable distinction.

Although I have often visited Harvard, to my profit and pleasure, the first time in 1962, I have never before been asked to speak to the Harvard Club. I accepted with some trepidation. My mind went blank. If it were an Oxford and Cambridge dinner, I would know what to say. As a Cambridge man, I should have been rude about Oxford. It's not very difficult to be rude about Oxford. And the Cambridge men and women present would genuinely love it, while the Oxford men and women would have to pretend to love it, for fear of not being accused of having no sense of humour. The deadliest insult you can offer an Oxford man. No doubt because it is true. So they would grin and bear it, while plotting revenge.

But as one Cambridge man among others, I cannot repay your hospitality by being rude to you, can I? So I sought advice. I was at the University of South Carolina last week and met at dinner the Mayor of Columbia, who is a Harvard man. In desperation I asked him if he knew any Harvard jokes, so as to settle your digestion and provide sugar for the pill which follows. He was very discouraging: "For God's sake don't tell them any jokes" he said "keep it serious: They like it serious".

Tell me, is that really so? Are there no Harvard jokes? Is the one about Dr. Conant not a joke at all? You know the one I mean: someone calls Dr. Conant at home; the butler answers and says: "The President is in Washington seeing Mr. Roosevelt". That's not meant to be funny? Just a statement of fact? If that's so, I'm in deep trouble. I see what the Mayor of Columbia meant.

It rather reminds me of the time when my wife and I were in Copenhagen. Lovely city, Copenhagen, full of delightful people. But admirable though Danes are, as Allies in NATO they do not exactly, how shall I put it, overspend on defence. So I asked a Danish friend of mine how was it that the Danes, who had spent hundreds of years pillaging and laying waste the East Coast of England, were so averse these days to taking defence seriously. He replied: Well, you see, all the warlike Danes went and pillaged England. leaving only peace-loving Danes behind.

You may well ask what is the point of this story and its relevance to this evening's festivities. Be patient, and all shall be revealed.

If I've got my history right, all the Pilgrim Fathers who came to Plymouth—John Harvard himself, I am told, only made it a year after the college which bears his name was founded—all these Pilgrim Fathers certainly feared God and loved freedom and were deeply imbued with the work ethic—all admirable Yankee characteristics to this day—it was of course from the Pilgrim Fathers that that English master of serious frivolity Noel Coward got the phrase "work is more fun than fun"—where was I—O yes—all these very high minded people were of course Puritans. And they came to Harvard to get away from all the incorrigibly frivolous people back in England.

Which is why Harvard men and women don't like jokes.

But this set me wondering about the differences between the people of the two Cambridges. And the differences between then and now.

Life, of course, is not what it was. It never has been. Hence the truth behind the myth of the Garden of Eden. Life, even for Ambassadors, is not what it was. It was Margaret Thatcher who brought that home to me. At a dinner in my house a year ago in honour of President Reagan to celebrate 200 years of diplomatic relations between Britain and the United States, she quoted from a memorandum preserved in the Smithsonian. In that memorandum, President Jefferson is recorded as writing to his Secretary of State as follows: "We have not heard anything from our Ambassador to France for 3 years. If we do not hear from him this year, let us write him a letter . . ." Those were the days.

These days life is very different. In olden times one of my predecessors, an Ambassador to France in the time of Elizabeth I, de-

scribed himself as "an honest man sent to lie abroad on behalf of his country". A modern definition of a modern Ambassador would be "a peaceable sort of chap sent abroad to conduct rows on behalf of his country".

That, at any rate, is what my life is about. At any one time I've got about six rows going with various parts of the Administration: burden sharing, arms control, farm exports, steel imports, Freddie Laker, unitary tax. You name it, we're having a row about it.

I've often wondered why this should be. I can understand why we have trade rows. Although we all have an interest in upholding the international trade rules and in preserving the free world's open trading system, we are, within that system, competitors. And, of course, as competitors up to all sorts of skullduggery, no doubt.

But on defence we are on the same side. Yet we repeatedly rub each other up the wrong way. Why is this?

I think it has to do with differences of historical experience and differences in geographical perspective. We in Europe have been mixed up with Russia over the centuries and tend to see Communism as just adding another—although very important—dimension to the Russianness of Russia. All this time, you were opening up this wonderful country of yours, moving westward with your backs to Europe.

We have had to rub along with our neighbours whether we liked them or not. You have had no neighbours to rub along with, and I know Canadians and Mexicans will forgive me for saying that for they will know what I mean.

We are right up alongside Russia: Helmut Schmidt used to remind people that his home in Hamburg was about 30 miles from the Red Army; about as far as from here to Annapolis. You are, Alaska apart, thousands of miles away from Russia, whether you go East across the Atlantic or West across the Pacific. It makes a difference.

We have de-demonised Russia: I don't think Americans have. That too makes a difference. We shall not convince each other otherwise, so it is pointless to try. Neither of us can un-have our historical experiences nor change our geographical location. We have to learn to live with and accept each others' difference of perspective. We shall continue to say Tom-ah-to: you will continue to say TO-MAY-TO. We can at least agree that we mean the same fruit.

There is also another factor in the relationship which we have to reckon with. It is what I would call differences in cast of mind.

Americans are by nature tremendous optimists. They have had to be, to develop this vast country. I visited Independence, Missouri, a year or so ago to visit the Truman Museum. Truman is one of my favourite Presidents, perhaps because I was Vice-Consul in New York 40 years ago during his presidency and so was present at the creation of the Truman doctrine, the Marshall Plan, launched at Harvard, at the commencement of June 1946, and the foundation of NATO. It was from Independence that, during the last century, whole families would set off in wagons at the first thaw of Spring and hope to get to the Pacific, by the Oregon or Santa Fe trails, before Winter set in. It is a wonderful story.

This "can do" spirit leads to a conviction that all problems are soluble. Just throw enough energy, intelligence, money and good will at a problem and a solution can be found. The immediate American reaction to a problem is "C'mon, fellers, let's go", sometimes, it seems to me, without too much thought of where they're going or what they will do when they get there. British and other sourpusses have been known to mutter under their breath "cowboys".

The British cast of mind is very different. We tend to believe that many problems exist precisely because there are no solutions to them and that the best one can do is to manage them so that they don't get out of hand and so that not too many people get hurt. No prizes offered for naming, say, three of today's insoluble problems.

The British reaction to a new problem is often to sit down and have a cup of tea and think it over and try to think it through. We have to want not only what we want, but the consequences of what we want. And the American reaction to this national characteristic is to mutter "wimps".

Fortunately, in my experience, what happens in real life is that cowboys and wimps alike get round a table and eventually come up with what are on the whole sensible joint answers to the common problems in hand. But we start from different premises and create a lot of aggro and static before we reach agreement.

One final point. To differences of historical experience, geographical perspective and cast of mind, I would add: the attitude to power. America is our friendly neighbourhood superpower and conscious of its strength. Europeans used to be great powers, governing vast tracts of the world's surface. They are no longer.

The European powers are all now—Britain, France, Germany, Italy—powers of the second rank.

It makes a difference. Because our muscles are not as strong as they were, we hesitate to use them. Because yours are strong, you have, shall we say, less inhibitions. But a constant factor is our apprehension lest you throw your weight around too much, and that we shall get hurt in the process. Of course, we have also a contrary fear; that you won't throw your weight around enough when we think it necessary.

It's tough for you. I have to admit that. But then, who said being a Superpower, even a friendly one, was easy.

The task of interpreting America to Britain and Britain to America is, in my experience, unremitting. Take your eyes off the ball for one second and you're in the rough. That's what, I suppose, Ambassadors are for. At least it keeps us off the streets.

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Please don't get me wrong. I am not saying that you are wrong and we are right; still less that you are right and we are wrong. I am merely saying that these objective differences exist, provide the background against which our regular rows are played out, and are worth bearing in mind when our rows go public.

But, when the chips are down, we stand shoulder to shoulder. That I take it, is what friends are for.

For the transatlantic relationship is rather like the Atlantic ocean itself. On the surface, the sea is often stormy, as conflicts of interest churn up the waters, corresponding in real life to the series of crises that regularly plague us: burdensharing, protectionism, anti-trust, the disposal of subsidised agricultural surpluses. These problems provide the grist to the mills of intergovernmental business in Washington and give us diplomats our daily workout.

But just below the surface the deep water is calm, reflecting the deep community of interest which joins Europeans to North Americans and North America to Europe.

For we share a common interest in the maintenance of the free world's open trading system. Five hundred million Europeans and Americans together represent the world's two greatest markets. There is about $100 billion worth of trade in goods and services in both directions across the Atlantic. Britain is the largest foreign investor in the United States and the largest single recipient of US investment overseas. The amounts of money, curiously enough, are about the same: $35 billion.

We share a common interest in the defence of that system and the democratic way of life and the common heritage that it represents. For Americans and Europeans, the North Atlantic Alliance is the cornerstone of our freedom and of our partnership.

The institutions which provide the infrastructure for the free world were put in place during the period of America's economic and military supremacy after World War II. They are still in good shape and a great tribute to the wisdom and far-sightedness of the founding fathers of the post-war world, chief among them Harry Truman, George Marshall and Dean Acheson over here, Ernie Bevin, Paul Henri Spaak, Jean Monnet, Konrad Adenauer over there.

It is the task of statesmen, diplomats, and, perhaps most important of all, of the educated electorates in all our countries, and that includes the alumni of Harvard, to keep them and our friendship in good repair.

Don't leave it to the experts. Just as war is too important to leave to generals—so diplomacy is too important to leave to diplomats and maybe politics too important to leave to politicians.

That said, my wife and I first came to the United States in 1946 as Vice Consul in New York City. Experience of 40 years of our special relationship puts me firmly on the side of the optimists.

And I hope that you are too.

We leave later this year. I commend my successor to you. He is a splendid man, a personal friend of 25 years' standing. There could have been no better choice. He has only one defect: he went to Oxford. But he will be at Harvard with the Prince of Wales for your 350th Anniversary. He will, I know, wish to cherish the links between Harvard and Britain. For Harvard is one of the Treasure Houses of intellectual and moral excellence not only in the United States, but it is one of the Treasure Houses of the human spirit of mankind.

As a man from Cambridge, England which had a small part to play in your foundation, even if only as the piece of grit in the oyster which produced the pearl, I am proud and flattered to bring greetings this evening to the men and women of Cambridge Massachusetts.

We salute achievement and recognise excellence when, as this evening, we are in its presence.

MEDIA SNATCHES DEFEAT FROM JAWS OF VICTORY

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

Mr. DORNAN of California. Mr. Speaker, I would like permission to put into the RECORD from yesterday's paper the media analysis column by Don Kowet. The title of Mr. Kowet's article is "Media Snatches Defeat From Jaws of Victory." He points out that although 80 percent of the American people agreed with President Reagan's difficult decision to finally respond to the terror that Mr. Qadhafi sends around the world, that our media sources, in a rut to get some sort of a news twist on this, have been literally shuttling back and forth by bus to locations that Qadhafi and his people select, putting a twist on the story that is again causing Americans to flagellate ourselves.

The story that Qadhafi wants in every American living room is that civilians have been killed and only one soldier, one.

Joseph Goebbels and Hitler's Nazi Germany never lied with any greater degree of boldness than Mr. Qadhafi.

Our screens are going to be filled with Arab anguish; once again guilt is going to be thrust down our throats. It has been going on for over a week in earnest.

Well, bless People magazine for this cover. There is a handsome young face of Sgt. Kenneth Ford. His death and the death of little Demetra Klug and her mother who was pregnant and her grandmother, also named Demetra, and the horrible sight of a pair of American journalists, man and wife, and their little daugther Samantha Simpson dying in that airport in Rome, these are the pictures that I think our news media should show us every night again to help our memory recall just why the President made this difficult decision.

MEDIA SNATCHES DEFEAT FROM JAWS OF VICTORY

(By Don Kowet)

Monday night, after the air attack against Libya, network newsmen reported that 80 percent of Americans polled believed the president was right. They spent the rest of the week trying to prove those people wrong.

All three over-the-air networks, plus Cable News Network, announced the air raid shortly after 7 p.m. Monday evening. ABC, CBS and NBC stayed with the story until 8 p.m.; CNN persevered until 9 p.m., when President Reagan addressed the nation.

CNN continued its non-stop coverage; the other networks contributed special reports. It wasn't until shortly after 3 a.m. Tuesday that the networks aired their first film from Tripoli. Correspondents and television crews, quarantined till then in their hotel, were herded onto a bus by the Libyan Ministry of Information and driven to a residential neighborhood where several apartment buildings had been blasted by bombs.

American bombs, it turned out, from a doomed F-111.

Throughout the week, the press shuttle would be repeated. Television crews went along with the Libyans, collaborating with Col. Muammar Qaddafi on the one story he wanted in every American living room: Some civilians were dead and wounded; friends and relatives were mourning.

Our screens were going to be filed with Arab anguish; once again, guilt was going to be thrust down our throats.

By Tuesday evening, when the networks aired their nightly newscasts, the issue of the death and destruction wrought against Libyan civilians had reduced any military motive for the attack to a mere footnote.

The networks let their pictures dictate their lead story.

The American warplanes, said ABC's Charles Glass from Tripoli, "killed innocent civilians and destroyed civilian homes. . . ."

Viewers saw children in a hospital crying out in pain.

"In the hospital, children cried out in pain. . . ."

"Among the dead and wounded were a number of children," reported CBS' Allen Pizzey. "Estimates of the wounded ran to more than 100. . . ."

Mr. Pizzey introduced a second motif. The raid, he added, "will almost certainly spark more, not less, acts against U.S. targets."

These would be the twin television themes: Innocent civilians had been killed, among them Col. Qaddafi's adopted infant daughter; and the air attack wouldn't stop international terrorism—just ask our allies.

There were complaints in the British House of Commons, and the French had refused our F-111s overfly privileges. Protesters were marching in Italy, in the Arab world, in Spain.

The bad news kept building.

The Soviets canceled a meeting called to plan the next Reagan-Gorbachev summit.

The Vietnamese scuttled scheduled talks on MIAs.

The television dirge, punctuated by pictures of civilian mourning and death and destruction, droned on.

All three networks led their Wednesday evening newscasts with a Libyan TV clip proving that Col. Qaddafi hadn't perished.

Col. Qaddafi said that, unlike the United States, Libya does not bomb children.

No network newsman bothered to remind viewers why Libya doesn't drop bombs on children: Its agents prefer to machine-gun them in airports or blow them out of airplanes.

ABC's Mr. Glass reported that damage had been done to Col. Qaddafi's main headquarters. "But for many Libyans," he added, "the main concern is still the outcome of the first attack, in which so many civilians were casualties," including Col. Qaddafi's 3- and 4-year-old sons.

How Mr. Glass or his colleagues knew "the main concern" of "many Libyans" was a mystery.

"Charles," said ABC anchor Peter Jennings, "I know Western reporters in Tripoli are restricted tonight. . . ."

The press were still prisoners in their hotel; taking the pulse of the Libyan people meant interviewing each other, or their mentors from the Libyan propaganda ministry.

Mr. Jennings promised that "later in this broadcast," ABC would finally get around to assessing the damage done to the five military targets.

That assessment lasted about 12 seconds. Mr. Jennings resurrected the theme of damage done to civilians.

That evening, all three networks covered the return to home port of the aircraft carrier the USS Saratoga, which had launched planes in an earlier assault against Libya. No one had ever suggested that a single Libyan civilian had been injured in that raid. Nevertheless, said NBC, "The captain conceded to reporters that . . . his men do think about the innocent Libyan civilians who have died in U.S. attacks. . . ."

Gradually the networks' message was getting through: The fact that some civilians had been killed meant this new raid was a failure.

"You and the Defense Department now acknowledge that the United States may have been responsible for civilian casualties in Libya," CBS anchor Dan Rather told Secretary of Defense Caspar W. Weinberger in an interview. "Does that alter your view that the raid was a success?"

"The reports that you're giving credence to—for example, that Qaddafi's children were killed—those are Libyan reports," Mr. Weinberger replied. "There's absolutely no confirmation of that," he added, "except from Libyan sources, which have been something far less than reliable in the past."

Mr. Weinberger's comments were like water rolling off a duck's back.

The Libyans were innocent until proven guilty. The White House was guilty until proven more guilty.

"Counting those buried yesterday in Benghazi," reported NBC's Steve Delaney from Tripoli, "the official Libyan death toll is 37. There was only one soldier," he added, "among the fatalities."

One soldier? After air raids on five terrorist-related military targets, in which tons of explosives were dropped?

White House claims were treated with skepticism unless substantiated in spades. Key Libyan assertions were instantly accepted as facts.

ABC's "Nightline" devoted four programs to the Libyan attack, focusing on the discontent of our allies and alleged CIA connivance in setting up the Libyan terrorist network, among other topics.

CNN's "Crossfire" also devoted a week's worth of programs to the subject.

"We really can look like jerks," said Phil Donahue, who, on his Libya show, got no argument from two of his three guests, Christopher Hitchens (of The Nation) and Sanford Unger (of American University). "We swagger, we swagger." Mr. Donahue added, swaggering.

Thursday evening the networks finally aired full segments about the five terrorist-related targets of the raid. Why? The Pentagon had provided them with some gripping footage, recorded during the bombing runs.

The film, and follow-up reconnaissance, showed that the raid had been deadly accurate, destroying MIGs and Soviet-made cargo planes, as well as barracks. All the intended targets had been hit, only one plane was lost. . . .

Ho-hum.

Who cared how much damage had been done to terrorist targets? Civilians had died, and that meant the attack on Libya would fail to curtail terrorism. The problem was, no network newsman was able to explain exactly why, until former President Jimmy Carter came along.

"If 17 years ago, someone had killed Amy . . ." Mr. Carter told network television, "I would have sworn that as long as my life existed, I would retaliate."

Mr. Carter had synthesized the networks' dangling twin themes (civilian casualties, and the tactical futility of retaliation) into a moral excuse for more murder.

On cue, the bodies of three British hostages were found outside Beirut, Lebanon. One of the three was reported to be a

United Nations employee named Alec Collett. CBS and NBC showed Mr. Collett's son, in Los Angeles, saying that President Reagan and British Prime Minister Margaret Thatcher were "responsible, and . . . no better than murderers themselves for this act of treachery."

The next day, the two networks had to eat crow: Mr. Collett had been mistakenly identified. He was not one of the trio of slain hostages. Who had been killed? An American named Peter Kilburn. The networks substituted Mr. Kilburn's nephew and niece in place of Mr. Collett's son. On national television they, too, blamed Mr. Reagan for their uncle's death.

Now network television was trampling over familiar turf, worn thin during the Iran crisis, and the TWA crisis, and the Achille Lauro crisis. the hostage families (whose loved ones had guns pointed at their heads) were called in front of the cameras to condemn their country.

By the week's end, pathos was giving way to panic.

Watching the "CBS Evening News" in an airport lounge, New York Times columnist Flora Lewis wrote last Sunday: "I wondered what we were doing to ourselves. One day Americans were puffed-up supermen, proudly telling each other that nobody can push them around. The next day," she added, "people were quivering, not at terrorism but in self-induced terror, to a degree no Libyan leader could possibly achieve."

The transformation was proof of the power of television.

VOTE ON JOURNAL OF TUESDAY, APRIL 22, 1986

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 5 minutes.

Mr. WALKER. Mr. Speaker, tomorrow morning I intend to get a vote on the Journal and I thought I would use the time to explain the reason for getting the vote on the Journal.

Today in an action on the House floor, by unanimous consent the outside earnings of Members of Congress were raised by $7,500. In other words, we received a backdoor pay increase on the floor today.

Tomorrow what I intend to do is ask the House to vote down the Journal so that we can vacate the proceedings by which that action was taken. An amendment to the Journal that would knock out the proceedings by which that action took place would in fact eliminate the action and we would therefore be back to square one.

Since it is clear that the action was taken without the proper consultation which is supposed to be accorded to this House before such actions are taken by unanimous consent, we ought to go back to square one and at least assure that before such a unanimous-consent resolution is brought before the House again that all the appropriate leadership is checked with.

That was not done today and the only recourse left to the House then is to try to knock it out by amending the Journal tomorrow. So I will ask for a "no" vote on the Journal. Should the Journal be voted down, I will have an amendment prepared that will knock out that part of the Journal which was the action that resulted in the back door pay increase for Members of Congress.

So I would hope that the Members tomorrow will understand in voting for the Journal that there is a substantive matter involved on it and I will try to have information on the floor to point out the substance of the matter at that point.

NUCLEAR WASTE REPOSITORY STATEMENT, REPRESENTATIVE SNOWE LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. RAY] is recognized for 5 minutes.

Mr. RAY. Mr. Speaker, in 1982, the Congress and the President of the United States approved a law which called for the creation of a primary and a secondary nuclear waste repository.

The need for this legislation was obvious. As a Nation, we are presently creating 2,000 tons of nuclear waste each year and storing this hazardous waste material in temporary sites around our country. A safe and permanent way to store this waste is badly needed and we are already moving toward opening our first permanent site around 1998.

In the process of selecting the primary site, DOE has investigated a number of sites around the country and has now narrowed the choice to three finalists. This process has already cost the country billions of dollars, and more will be spent before the first site is opened.

But the Department of Energy is also moving ahead on creating a secondary site, just as the bill has ordered them to do. They have selected 12 sites around the country, which range from Georgia to Maine to Minnesota, and will spend $760 million in this next fiscal year just to begin testing these sites.

Mr. Speaker, there is no need for our Nation to spend this money now on testing for a secondary site.

The selection of a secondary nuclear waste repository is not feasible, practical, nor does it make any common sense.

The testing cost alone for the 12 selected sites over the next 7 years is over $5 billion.

This $5 billion expense must be reexamined in light of budget realities and the Gramm-Rudman cuts. With $5 billion, we could:

Build two space shuttles;

Provide an additional 846,000 students with educational aid for 1 year;

Provide school lunches and child nutrition programs for the Nation for 1 year; and

Drastically reduce the cost of Medicare and other health costs.

I understand that the prices we pay for technological advances are high and are necessary, but to even consider a secondary site at this time of financial trauma for America makes no common sense.

It is estimated that the first primary site selected will take almost seven decades to fill, once our legislation which lifts the arbitrary storage ceiling is passed.

The entire process of selecting and preparing a site for nuclear waste storage takes less than two decades—so any actions we take now to prepare for a secondary site are premature and even harmful.

The testing process is estimated to take 5 years or more. During this period, communities under consideration will suffer from deteriorating community and industrial development at a time when it can least be afforded. Economic momentum will be devastated in some areas. Personal anguish by the citizens is already intense.

In this time of budget cuts, we need to be practical and economical in actions we take. If in the process of selecting the primary site, we find two or even three sites which could be used for storage or nuclear waste, then it would make economic and budgetary sense for us to use one of those sites as a secondary repository when it is needed.

But the time to look for a secondary site is not now, and this is money which we can and we should find other ways to spend.

Mr. Speaker, today I join 22 of my colleagues in introducing legislation which, if passed, will legislatively eliminate the requirement for a secondary site in a different geographical location.

This bill, if passed, will head us in the right direction and it will eliminate in a legislative way and provide a measure that will eliminate this provision which is not practical, not feasible, and does not make common sense in searching, seeking, and spending money for a secondary site.

I am pleased to be an original cosponsor. I will work for its passage. I encourage my colleagues to consider this legislation and to become a full cosponsor.

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, due to official business duties, I had to miss the vote on H.R. 4392, Control of the Plague. Had I been present, I would have voted "yes."

AMERICAN BUSINESSES ARE PAYING $2 BILLION A YEAR TO QADHAFI

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. BUSTAMANTE] is recognized for 5 minutes.

Mr. BUSTAMANTE. Mr. Speaker, I join my colleagues in applauding President Reagan's bold action against Libya last week. We have now established a clear policy on international terrorism.

The evidence linking Libya to the bombing of a German nightclub in which one American soldier was killed and many others injured is incontrovertible.

Given that evidence, the United States had every moral, legal, and national security obligation to act militarily.

I am proud of the performance of our Air Force pilots who conducted their recent bombing mission in Libya with precision and quickness. At the same time, Mr. Speaker, I am embarrassed that five American Fortune 500 corporations still continue to do business as usual in that country.

The continued presence of Occidental Petroleum, Conoco, Amerada Hess, Marathon Oil, and W.R. Grace & Co. undercuts the purpose of economic sanctions. These companies are not there illegally. They were exempted from President Reagan's January Executive Order mandating the disinvestment of U.S. commercial interests.

Their presence represents an important revenue source for financing Libya's terrorist campaign. According to Dr. Henry Schuler, a good friend and specialist on the Middle East at the Georgetown Center for Strategic and International Studies. Five United States companies paid an estimated $2 billion in taxes last year to Libya.

That amount accounts for nearly one-fourth of Libya's national budget, and for nearly all of its hard currency.

I am disappointed with the reaction of some of our key allies to the U.S. military attack. But I am equally disappointed that our resolve to impose effective economic sanctions against Libya is subject to question. I urge the President to call on those companies to withdraw their interests. Current circumstances dictate that the President implement an economic sanctions' policy that is clear and unequivocal. The President has squarely framed the conditions for future military engagement. Our position on economic sanctions should be no less resolute.

To W.R. Grace & Co., Occidental Petroleum, Conoco, Amerada Hess, and Marathon, I urge you to leave Libya. Libya is at war with the free world. It is your tax dollars which are financing the missiles which are aimed at our F-111's. The line has been drawn in the sand. Whose side are you on?

Thank you, Mr. Speaker.

THE 71ST COMMEMORATION OF ARMENIAN MARTYRS' DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PASHAYAN] is recognized for 60 minutes.

Mr. PASHAYAN. Mr. Speaker, no crime against humanity is more heinous than genocide, regardless of the perpetrator. This Congress, this President, and scores of others who served before us have expressed this Nation's concern for the first genocide of the 20th century, that imposed on the Armenian people in the Ottoman Turkish Empire.

This body visited the issue last year and came to no true resolution, but the depth of this concern has been the subject of four special orders in this Congress. Today marks the fifth such discussion.

One of the previous special orders addressed the concerns of the Congress as far back as 1896. Another reviewed the records of Presidents as far back as Benjamin Harrison, Grover Cleveland, and Theodore Roosevelt. Yet another revisited the coverage of events in the Ottoman Turkish Empire by the news media. This past April 24 the Congress also commemorated the 70th anniversary of Armenian Martyrs' Day. Today we mark the 71st year in which a series of events culminated in the first genocide of the 20th century, and that served as a precedent for the Holocaust that was to follow one-quarter of a century later in Nazi Germany.

But I am familiar with the rhetoric whereby history of the events between 1915 and 1923 is attempted to be rewritten.

Since coming to Congress, I have urged that the historians and others search into the charges and countercharges. I have offered to the Government of Turkey, "Let us talk." Regrettably, that has not yet occurred.

Let us today focus on the simple issue before us: To commemorate an event that did occur and the tragic loss of two of every three Armenians who resided in the Ottoman Turkish Empire then in history.

The United Nations last year adopted a document calling the 1915 Armenian massacre a genocide. Thus again the ongoing efforts of today's Turkish Government to distort the Armenian genocide have been refuted in an international forum.

As California Gov. George Deukmejian asked:

> If Turkey is a mature society, it should be able to acknowledge its past mistakes. . . It is time that Turkey admitted its role in the Armenian Genocide, and it is time that the President and the Congress stopped buckling under to Turkish pressure to deny this simple historical truth.

Mr. Speaker, indeed the world cannot bury its head in the sand because of the events of the past. Elie Weisel, a survivor of the Holocaust, reminds us all that "the opposite of love, I have learned, is not hate but indifference."

As leaders in the most free and tolerant nation, we have the responsibility to remember and to speak out. Indeed, we have a responsibility not to forget the dead, but to learn from history.

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

Mr. PASHAYAN. I am glad to yield to my colleague.

Mr. BIAGGI. Mr. Speaker, I want to commend the gentleman for taking this special order on the Armenian massacre, or to be characterized in its proper form, notwithstanding the delinquency on the part of the House to recognize it as genocide of Armenians. I guess it is a forerunner of the House in the past and the world has universally acknowledged the holocaust. How do you make the distinction?

Some of the very same people who have supported resolutions for the holocaust have not supported this.

Mr. PASHAYAN. I think the gentleman raises an excellent point. I can see nothing but illogic between the two, because they were like actions, perpetrated by two different governments indeed. There is no logic why a Member should support the one and not support the other.

Mr. BIAGGI. That is the conclusion I arrived at.

The gentleman might be pleased to know that the Armenian community on Sunday last had a rally of significant proportions in Times Square in the city of New York, once again focusing attention on the Armenian massacre.

I think it is important, as the gentleman says, that the Turkish Government come of age.

□ 1810

We are not foistering blame on the present Turkish Government for this massacre.

Mr. PASHAYAN. That is true. The Republic of Turkey, which is the constituted government of the nation of Turkey today, was not responsible for the events of its predecessor government, which took place under the Ottoman Turkish Empire, and that was a separate and distinct government because, as the gentleman knows, the Ottoman Turkish Empire functioned under a different constitution. There was an entire change of constitution and of national character

in 1923, and this government is certainly not responsible.

It is strange, indeed, it is unenlightened, indeed, that this government does not admit what a predecessor government did.

Mr. BIAGGI. The fact of the matter is, the historical fact is that it did occur. We know it. Why do we tend to make a distinction between one and the other. They are both heinous and should be recognized as such, and should be put forward and focused upon for all humanity to understand that this has occurred, and hopefully we have learned lessons from it.

Mr. PASHAYAN. I thank the gentleman for taking his time, and for the support that he offers.

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

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

Mr. COELHO. I thank the gentleman for yielding, and I appreciate also the gentleman taking this special order to give those of us who agree with his position an opportunity to acknowledge what has occurred.

I think, as the gentleman has pointed out, it is time for the Turkish Government to come of age and to understand that what happened in the Ottoman Empire does not mean that they have to be responsible for it; that they ought to be like the West Germans of today, understanding what happened in prior governments. They regret it, but they are open about it and, consequently, there is no ill will toward the current government in Germany.

The current government in Turkey refuses to acknowledge, accept, understand a fact of life and, consequently, there is a lot of ill will toward the current government of Turkey by many people who would not normally have this feeling and it is unfortunate that that is the case.

I would hope that at some point the Turkish Government would accept historical fact. I think that one of the concerns that I have is that, starting in 1982, the current administration, the Reagan administration, joined in with the efforts of the Turkish Government to try to change history. As the gentleman in the well knows, they were successful in getting the Department of State records changed to show that the massacre did not occur.

That was rectified to some extent, but not corrected. We still have the situation today where our government, the current government, is the first in many, many years that has failed to recognize that the massacre did occur, and as the Governor of California and the gentleman in the well, both of Armenian ancestry, pointed out, all you have to do is talk to those who went through it, talk to Government officials here in the United States and other countries who went through it, to know that it was a fact of life, but to sit back and try to deny it is a sham and it is something that this Government of the United States should not stoop to that level and should not even be requested by the Government of Turkey to do it.

It is a time to sit back and to recognize Martyrs' Day and to recognize that this is now the 71st anniversary of Martyrs' Day, and for the Armenian-Americans all across this country and, of course, people of Armenian ancestry all across the world, they should know that many of us in the U.S. Government do recognize that the massacre did occur and that we will continue to recognize this day and to continue to try to work on the U.S. Government to change its policy.

Mr. Speaker, I rise along with my colleagues today in observance of a day which is important to each and every one of us—Armenian Martyrs Day which is celebrated on April 24. This date marks the 71st anniversary of the beginning of the genocide of 1.5 million Armenians by the Ottoman Empire. It is not just a tragedy which is to be commemorated only by the Armenians, rather it is an opportunity for us as mankind to reflect on our history and contemplate our future. The killing of 1.5 million Armenians was an intentional act by the Ottoman government to eliminate a Christian minority within the vast confines of a Moslem empire just as Hitler sought to eliminate Jewish men, women, and children in order to ensure the purity of the Aryan race. Both were efforts to create a homogenous society.

Both of these tragedies are examples of man's inhumanity to man. But more importantly, they both provide us examples of what may arise in extreme instances of man's intolerance of man—perhaps because either one group's language, religion, or culture may be foreign to anothers.

We need to constantly be reminded of these incidents to prevent them from being committed again. As a modern society, we like to consider ourselves civilized, and yet this concept has not prevented leaders from trying to eliminate whole races of people who did not fit into their plans.

This year is perhaps more significant than others in our efforts to recognize and commemorate the Armenian genocide. As the 71st anniversary, we commence with the eighth decade of observing this tragedy. As the years pass, fewer and fewer Armenian genocide survivors remain. But the memory of this tragedy remains.

The genocide itself is well-documented by its survivors as well as U.S. Presidents, Members of Congress, Senators, and high-ranking diplomats from the early 1900's through 1923. I feel that it is a disgrace that the Reagan administration has sought to ignore this documentation and has continued to argue that the evidence in support of an effort on behalf of the Ottoman Empire to kill off 1.5 million Armenians is vague. Why in 1982—almost 70 years after the event—did the administration choose to change official U.S. position on the Armenian genocide? I offer that it has a matter of convenience. It is easier to rewrite history than it is to confront the past and deal with it appropriately in terms of our relationship with the modern Republic of Turkey.

Despite the desire of the Reagan administration to ignore this history, I feel strongly that it is very important for us to be reminded of it. We must not forget the lessons of this tragedy—not only for the Armenian survivors and the Armenian people, but for ourselves as members of this brotherhood we call mankind.

Mr. PASHAYAN. I appreciate the gentleman taking his time, and would add to his remarks that it is, indeed, puzzling and unfortunate that the administration has taken the position that it has through the Department of State to oppose the efforts of this body to state a simple historical truth, and it is especially puzzling and unfortunate because the President himself, in several remarks, has acknowledged the existence of the Armenian genocide and, therefore, the position taken by the administration and the Department of State appears, as I say, especially puzzling and especially unfortunate.

Mr. COELHO. I think we need to make clear, as the gentleman knows, that the President in some of the meetings with the leadership and others, has indicated his opposition to what we were trying to do here in the House. So it is not just the Department of State and others. It comes from the White House on down.

But today is a day to recognize what actually did occur, and to celebrate on this day. So I applaud the gentleman for taking this special order.

Mr. BROOMFIELD. Mr. Speaker, on this solemn occasion, I join with my colleagues in today's special order to remember the fate of hundreds of thousands of innocent Armenians who died 70 years ago. This tragedy was, indeed, one of the most ghastly crimes against humanity on record.

In 1915, the Ottomans began a 9-year campaign of bloodletting and massacre which resulted in the death of some 1.5 million Armenians. The term "Armenian genocide" was born of this epic tragedy. This year marks the 71st anniversary of the beginning of that sad event and it is important that we focus attention on this and other genocides of the 20th century. I believe that this special order will serve to reaffirm American resolve to work for the prevention of massive human suffering.

Time after time, man has dispensed with his essential compassion for his fellow man and replaced it with a horribly destructive malice that has shaken the very foundations of our civilization. By remembering these past lapses that defy the imagination, we can hope to prevent these abuses against innocent people from happening again.

Let us all reflect today on the needless suffering that has historically taken place in the world and continue to do our part to raise the specter of past atrocities in an effort to prevent future tragedies.

Mr. LEHMAN of California. Mr. Speaker, I stand proudly today, with my colleagues who also share my deep commitment, to honor and remember the victims of the Armenian

genocide on the occasion of its 71st anniversary.

We are here today because we are committed to the truth about the Armenian genocide. We are committed to the cause of the more than 600,000 Armenians living in this country that has been all but forgotten by this administration. The facts of the Armenian genocide are as clear to us as they were to our predecessors in the House who spoke here on this floor about the atrocities in Ottoman Turkey. The truth about the genocide was clear to Henry Morganthau, former U.S. Ambassador to Turkey between 1913 and 1916, when he reported back to officials in Washington that, after visiting the Armenian territories in 1919, he had witnessed the "most colossal crime of all ages."

The present Government of Turkey refuses to address the facts and has tried to influence other governments into officially denying that the genocide ever took place. More importantly, they have succeeded in holding hostage Americans of Armenian descent, who for decades have sought peaceful means to address their grievances. Rather than pressuring the U.S. Government into accepting that a genocide never took place, and rewriting history to ignore the massacre, the issue remains like an open wound for those who carry the reminders of the genocide in their memories of their loved ones.

As I have done many times before and will continue to do as long as it is necessary, I come to this House with a commitment to see that the Armenian genocide is recognized for what it was—a planned extermination of a race. I speak on behalf of all Armenians when I say that we will work to prevail in our efforts to recognize historical fact.

Mr. BIAGGI. Mr. Speaker, I wish to reiterate my strong convictions about the subject of this special order. I am a proud cosponsor of House Joint Resolution 192 which would officially recognize April 24 as a national day of remembrance of man's inhumanity to man. This resolution was before the House for consideration late last year but action was never completed.

I recently joined as a cosigner of a letter to President Reagan urging him to issue a proclamation calling on the American people to observe April 24 as a national day of remembrance for all victims of genocide, especially those Armenians who suffered at the hands of those in the Ottoman Turkish Government between the years 1915 to 1923.

April 24 of this year will mark the 71st anniversary of the Armenian genocide. It is a day of immense importance to the 600,000 Armenians living in the United States who still vividly recall the memory of their 1.5 million ancestors who were the first victims of genocide in the 20th century.

As I said earlier, it is time to put an end to the effort to distort history. It is time that the United States ended its policy of nonfeasance with respect to the Armenian massacre. It did exist, it cannot be wished away. It cannot be ignored. Rather it should be recognized for precisely what it was—a holocaust in the literal and brutal sense of the word. Yet to continue to deny it as a part of history or to attempt to deny it was genocide allows the perpetration of the horror.

No one who supports the enactment of House Joint Resolution 192 would take issue with the fact that Turkey is an ally of the United States. Yet that fact in and of itself should not serve as a justification to blot out history. The modern Turkish Government is not responsible for the deeds of its predecessors, the good or the horrible. Yet they continue to exert their influence to block passage of this resolution.

I recall the communication directed to Congress by our Ambassador to Turkey, Robert Strausz-Hupé, who opposed passage of House Joint Resolution 192 saying it "would be a gratutious insult." I contend in addition to the communication itself being inappropriate, the greater insult being promoted is against the Armenian people by failure to adopt this resolution.

Our failure to recognize April 24 does a disservice to the recognition of history but also to the ongoing efforts to educate and work toward the prevention of future holocausts. That is the issue we must contend with.

I appreciate the opportunity to participate in this special order and hope that in the not too distant future, we will be able to observe April 24 as a national day of remembrance of mans inhumanity to man. It will be the just thing to do for the victims and the survivors of the Armenian genocide.

Mr. MAVROULES. Mr. Speaker, the purpose of a commemoration is twofold: First we must remember what happened, relive those feelings, and honor those who suffered; then, with the memory fresh in our minds, we must make sure that it does not happen again.

The Armenians take time every April 24 to remember something painful, something that would be easier to forget: the genocide of their people in 1915. Today we join with the surviving Armenians to take a moment to reflect on the horror of that April of 71 years ago. Images that come to mind are of men being led away from their homes to be hanged or stabbed out in the fields, and women and children loading up all their possessions in a wagon only to be led out and abandoned in a desert.

With these images in my mind, I share the rage, shock, and fear that Armenians must be feeling. What happened was wrong and must be recognized as such. As uncomprehensible as the act of genocide may seem, it happened.

Denial is a human response, and this is exactly what the Turkish Government is doing with the Armenian genocide today. They are constantly denying that the genocide happened, afraid to admit to having done something so horrible. This aggressive denial even has the United States doubting the reality of the incident.

It is this questioning by Turkey and by the United States of well-documented historical events that frustrates American-Armenians. Armenians would like to go on with their lives, continue their cultural development, and forge a new history. But they are forced to focus on this one particular event. Because it is not being allowed to be a permanent part of world history, Armenians must put all their efforts into keeping this chapter of their history book open.

Turkish denial can be understood in terms of human behavior and one's natural aversion to taking responsibility for something bad that has happened. But this type of behavior must not be supported by the concurrence of the United States.

If we consider ourselves the strongest, most powerful nation in the world, not afraid of anyone or anything, then why is it difficult to acknowledge this incident? What happened to our ideals of truth, justice, and honesty? Where is our backbone? If Turkey can get us to deny the basic truth of an event that took place 71 years ago, what will other allies be able to get us to say, do, and believe?

Let's allow the Armenians the luxury of turning the page on that horrible period of their history. We must learn the lesson and promise that it will not be forgotten.

Mr. ASPIN. Mr. Speaker, each year we gather on the floor of the House to mark the occasion of Martyr's Day. This year I come here troubled.

Oh, there is good news this year. In February, the Senate ratified the Genocide Treaty. It took almost four decades to win acceptance. That's a long time. The fact that we won approval in the end demonstrates the benefits of persistence.

The Genocide Convention, of course, is largely symbolic. By itself, it isn't going to prevent future genocides. Not at all. But it is important symbolism because it puts on paper our unwillingness as a society to tolerate future genocides. As many proponents of the treaty, including me, have said: It sends a signal to the would-be genociders to think again, because the world has said it is prepared to punish you.

So, why should I come here troubled today with this clear-cut achievement fresh in our memories.

I come here troubled because I see movement in the wrong direction at the same time as we ratified the Genocide Treaty. Despite our efforts for more than 2 years, we have been unable to enact a simple resolution by which the Federal Government would recognize Martyr's Day. We came very close last year, but not close enough.

I come troubled because I see that our efforts to pass this resolution—which is purely symbolic—have been stymied. They have been stymied largely by the efforts of the Turkish Government, which has pulled out all the stops to convince Members to oppose this simple resolution to recognize the origin of the Armenian genocide in the Ottoman Empire during 1915.

I come troubled because this sends the wrong message. This sends the opposite message from our ratification of the Genocide Treaty. If the Genocide Treaty says, "Think again, we are prepared to punish you," then the nonpassage of the Martyrs' Day resolution says, "Think again, if you're powerful enough and vocal enough, you can rewrite history."

I come troubled because I heard Members during last year's debate on the Martyrs' Day resolution say that nothing serious happened in the Ottoman Empire during World War I. Oh, some Armenians died, but those were difficult times; the war had disrupted normal life—but there was no conscious effort to ex-

terminate the Armenian as a people. How can we stand in this august Chamber and mouth such things?

I come troubled because I remember each year that quotation we all recall so vividly on this day. Before planning the final solution, Adolf Hitler asked, "Who remembers the Armenians?" Those of us who gather here each year in April to mark the start of the genocide do remember the Armenians. But we are not a majority.

I come troubled because this body has memorialized the Armenian genocide something like a dozen times. But now, for 2 years in a row, including the year of the 75th anniversary of the genocide, we have failed to do so.

I come troubled because there are too many who not only fail to remember, but choose to forget.

I come troubled because peoples who refuse to remember history are condemned to repeat it.

In 1919, President Wilson was so moved by the tragedy in Armenia that he explored the idea of sending troops there. In 1921, President Harding was so disturbed that he asked his Secretary of State if it would help to send an American warship to Armenia. Harding's knowledge of geography was poor, but his soul wasn't dead.

I come troubled because I wonder what others might have to say about our soul today.

I come troubled because I have, not a dream, but a nightmare—a nightmare in which the band of Members gathering in this Chamber each year dwindles, because there are too few who wish to remember and too many who choose to forget.

Mr. Speaker, I am pleased that after 40 years my country has at last ratified the Genocide Treaty.

But I come troubled here today because that is not enough. That is not enough.

Mr. BATES. Mr. Speaker, I rise today to join my colleagues in paying tribute to the 1½ million Armenians massacred between 1915 and 1923. Seventy-one years ago, Ottoman Turkey began carrying out systematic genocide of the Armenian people. Two months ago, the Senate finally approved the Genocide Convention, acknowledging our resolve to work to prevent mass human destruction wherever it takes place.

It is now time for us in this body to reaffirm our commitment to opposing acts of genocide and those forces which perpetrate it. The Armenian massacre was possible due to the silence of the international community. The Holocaust was carried out under a similar cover of international silence. We can not afford to be silent again.

It is the responsibility of the Congress, the President, and the American people to assure that such tragedies never recur. Reports of genocide are always easier to ignore than to believe, but by ignoring them we become complicit in the crime. Reports of the massacres of Armenians, Russians, and Jews were all ignored at the cost of millions of lives. America must be certain that similar reports are never again ignored.

I ask my colleagues to join me in paying tribute to the 1.5 million Armenians who were massacred 71 years ago. Let us be certain that, as a result of our vigiliance and our opposition to such acts, acts of genocide will never be carried out again.

Mr. ANUNNZIO. Mr. Speaker, I rise to join my distinguished colleagues, Hon. CHARLES PASHAYAN, JR., of the 17th District of California and Hon. TONY COELHO of the 15th District of California in commemorating the 71st anniversary of the Armenian Genocide of 1915.

One and one-half million Armenians were the first 20th-century victims of "genocide," a term coined by Raphael Lemkin, whose efforts at the League of Nations in 1933 later gave rise to the Genocide Treaty which has been debated in the U.S. Senate for 37 years and which finally was ratified a few months ago.

I am personally pleased over the ratifications of this treaty because it gives formal recognition to America's moral commitment, and further, it is a positive effort toward averting wholesale slaughter of other peoples. After all, it happened to the Armenians, to the Jews, to the Cambodians, and so many others—and unless we remain ever vigilant, a similar tragedy could easily reoccur.

Mr. Speaker, at this point in the RECORD I would like to include a February 21, 1986, editorial from the Washington Post commending the U.S. Senate for their positive action in ratifying the Genocide Treaty.

The Post editorial follows:

[From the Washington Post, Feb. 21, 1986]

FINALLY, THE GENOCIDE TREATY

It was unusual to hear U.S. Senators speak of their fathers during the course of debate on the genocide treaty this week. But because the treaty had been stalled in the Senate for more than a generation, it should not come as a surprise that men long dead were involved in the drama that preceded the agreement. But at times the debate became personal and so, as it should for each of us did the subject.

Sen. Rudy Boschwitz spoke of his father, a Jewish judge in Germany, who came home on that January day in 1933 when Hitler took power, and told his family that they were leaving the country. After almost three years, moving through half a dozen countries, the Boschwitz family was finally admitted to the United States; many relatives who had not acted as quickly perished in the Holocaust.

After recounting this story, Sen. Boschwitz spoke at length and with great respect, of Herbert Pell, father of Sen. Claiborne Pell, who served on President Roosevelt's War Crimes Commission and was in effect fired from a high State Department position because he pressed, with too much enthusiasm, the cause of genocide victims.

Sen. Pell then pointed out that another member of the Foreign Relations Committee had reason to be proud of his father: Sen. Christopher Dodd's father Thomas—who also served as a senator from Connecticut—had been a prosecutor at the Nuremberg war crimes trials which helped bring the staggering facts of Nazi-era genocide to the world's attention.

The treaty was written soon after World War II, and it is as relevant to Armenians, Cambodians and others as it is to Holocaust victims. Sent to the Senate for advice and consent in 1949, the pact has been controversial because of unjustified fears that it would somehow override the U.S. Constitution, subject citizens to criminal trial in international courts or give rise to charges against this country based on segregation laws or Vietnam war activities. Through 37 years, though, there were always senators urging debate and ratification and deploring the United States' failure to agree to the document. Sen. William Proxmire in particular distinguished himself in this effort. President Reagan's strong support, announced in 1984, and Sen. Richard Lugar's skilled negotiating were also crucial in persuading undecided senators.

Ratifying this treaty will not end genocide, which continues even today. But it does give formal recognition to this country's moral commitment. This generation has now completed the work of another, begun many decades ago. Supporters of the treaty through this long period can share a sense of accomplishment and pride.

I would also like to include an editorial from the Chicago Tribune of April 25, 1985, which condemns "the stubborn refusal of Turkey's Government and people to acknowledge that the (Armenian) massacre ever happened."

The Tribune editorial follows:

[From the Chicago Tribune, Apr. 25, 1985]

NOW IT IS 70 YEARS

Anniversaries of Turkey's massacre of its Armenian citizens—which began in April of 1915—have changed their character. By now the observance is not so much a mourning for the dead, or the hideous manner in which most of them died. That was 70 years ago, and enough horrors have happened since to blur the memory.

Only one thing keeps this wound fresh among all the wounds the world has suffered. It is the stubborn refusal of Turkey's government and people to acknowledge that the massacre ever happened.

The time for mourning the dead may have passed. What is still to be mourned is the strange, perverse ability of human beings to deny reality and to keep denying it, apparently forever.

The Turks do not want to remember the systematic killing of more than a million men, women and children. No nation could. But there is a right way and a wrong way to get rid of an evil memory: to cleanse it, or to repress it. For 70 years Turkey has clung to the wrong way. It has tried to erase a historical fact from everyone's memory, to convince the world that such things are too dreadful to happen and therefore did not happen.

That is the purpose of observing this anniversary: to make clear that the self-deception has not yet succeeded. And if it has not worked for Turkey in 70 years, it may not be worth trying any longer, for the Turks or anyone else.

Although the United States has attempted to rectify the injustices done to the American Indians, and the present German Government has forthrightly accepted responsibility for the crimes of its Nazi predecessors, the Turkish Government in sharp contrast stubbornly continues to deny any wrongdoing by its Ottoman Empire predecessors. This continuing denial appears almost ludicrous in light of extensive United States media coverage of the Armenian genocide at the time that it was actually taking place. In the New York Times alone, there were over 194 news articles about the Armenian genocide. A chronological listing of some of the headlines from articles which appeared in the New York Times and other leading publications of the day, follow:

U.S. MEDIA COVERAGE OF THE ARMENIAN GENOCIDE

Misrule in Armenia, July 5, 1913, Literary Digest.

Whole Plain Strewn by Armenian Bodies, March 20, 1915, New York Times.

Appeal to Turks to Stop Massacres, April 28, 1915, New York Times.

Morgenthau Intercedes, April 29, 1915, New York Times.

Pleas for Armenia, May 15, 1915, New York Times.

6,000 Armenians Killed, May 17, 1915, New York Times.

Allies to Punish Turks Who Murder, May 24, 1915, New York Times.

More Armenian Massacres, June 6, 1915, New York Times.

Ask Aid for Armenians, July 15, 1915, New York Times.

Wholesale Massacres of Armenians by Turks, July 29, 1915, New York Times.

Report Turks Shot Women and Children, August 4, 1915, New York Times.

Armenian Horrors Grow, August 6, 1915, New York Times.

Burn 1,000 Armenians, August 20, 1915, New York Times.

Armenians Sent to Desert to Perish, August 18, 1915, New York Times.

Turks Depopulate Towns of Armenia, August 27, 1915, New York Times.

Turks Massacre Armenians of Ismid, September 3, 1915, New York Times.

1,500,000 Armenians Starve, September 5, 1915, New York Times.

Answer Morgenthau by Hanging Armenians, September 16, 1915, New York Times.

Mission Board Told of Turkish Horrors, September 17, 1915, New York Times.

Bryce Asks U.S. to Aid Armenia, September 21, 1915, New York Times.

500,000 Armenians Said to Have Perished, September 24, 1915, New York Times.

Pleas for Armenia by Germany Futile, September 24, 1915, New York Times.

Says Extinction Menaces Armenia, September 25,. 1915, New York Times.

The Depopulation of Armenia, September 27, 1915, the Independent.

Tales of Armenian Horrors Confirmed, September 27, 1915, New York Times.

Armenian Women Put Up at Auction, September 29, 1915, New York Times.

Turkish Atrocities in Armenia, September 29, 1915, the Outlook.

Armenian Official Murdered by Turks, September 30, 1915, New York Times.

Annihilation of Armenians Threatened, October 2, 1915, the Survey.

Death of the Armenian People, October 2, 1915, Literary Digest.

Tell of Horrors Done in Armenia, October 4, 1915, New York Times.

Government Sends Plea for Armenia, October 5, 1915, New York Times.

800,000 Armenians Counted Destroyed, October 7, 1915, New York Times.

Already Has $75,000 to Help Armenians, October 7, 1915, New York Times.

Sends $100,000 to Aid Armenian Refugees, October 9, 1915, New York Times.

Exterminating the Armenians, October 9, 1915, Literary Digest.

Spare Armenians, Pope Asks Sultan, October 11, 1915, New York Times.

Massacres Renewed, Morgenthau Reports, October 13, 1915, New York Times.

Turkish Official Denies Atrocities, October 15, 1915, New York Times.

Says Only Germany Can Save Armenians, October 16, 1915, New York Times.

The Assassination of a Race, October 18, 1915, The Independent.

Thousands Protest Armenian Murders, October 18, 1915, New York Times.

Turkey Bars Red Cross, October 19, 1915, New York Times.

Only 200,000 Armenians Left in Turkey, October 22, 1915, New York Times.

Germany Says She Cannot Stop Turks, October 22, 1915, New York Times.

Slay All Armenians of Kerasunt, October 26, 1915, New York Times.

Who Can Save Armenia?, October 30, 1915, Literary Digest.

Aid for Armenians Blocked by Turkey, November 1, 1915, New York Times.

Armenians' Heroic Stand in Mountains, November 27, 1915, New York Times.

The Armenian Massacres, December 8, 1915, New York Times.

Pope May Make New Plea to Kaiser, December 9, 1915, New York Times.

Million Armenians Killed or in Exile, December 15, 1915, New York Times.

Germany Protested Armenian Massacres, December 23, 1915, New York Times.

500 Armenians Slain Under Turkish Order, January 15, 1916, New York Times.

Bryce Asks America to Succor Armenians, January 26, 1916, New York Times.

Murder of Armenia, February 5, 1916, Living Age.

Saw Armenians Go Starving to Exile, February 6, 1916, New York Times.

Tells of Great Plains Black with Refugees, February 7, 1916, New York Times.

American Burned Alive by Turks, February 8, 1916, New York Times.

Ransoms Armenian Girls, February 13, 1916, New York Times.

Armenians Get Relief, March 8, 1916, New York Times.

Morgenthau Sees Wilson, March 10, 1916, New York Times.

Armenia's Need, June 17, 1916, Literary Digest.

Turkey's Treatment of the Armenians, July 5, 1916, The Outlook.

Signs of Death in Turkey, October, 1916, Missionary Review.

Lord Bryce on the Armenian Atrocities, October 18, 1916, the Outlook.

Protest of German Teachers, November, 1916, Current History.

Total of Armenian Dead, November, 1916, Current History.

The Calvary of a Nation, November, 1916, Literary Digest.

Why the Armenians Were Killed, November 11, 1916, Literary Digest.

Turkish Foreign Minister's Defense, December, 1916, Current History.

Massacre by Decree, January 27, 1917, New Republic.

Must Armenia Perish?, June 23, 1917, the Independence.

The Armenia Tragedy, August, 1917, Current History.

Who Is Armenia, September 1, 1917, Literary Digest.

A Call to Rescue Armenia, September 29, 1917, Literary Digest.

The Rescue of Armenia, November, 1917, Missionary Review.

Armenians Killed with Axes by Turks, November, 1917, Current History.

The Massacred Armenians, December, 1917, American Review of Reviews.

How Your Gift is Saving the Armenians, March 9, 1918, Literary Digest.

Ten Million Dollars for Relief, July, 1918, Missionary Review.

Ambassador Morgenthau's Story, November, 1918, the New World's Work.

Sultan Searching Out Authors of Killings, December 7, 1918, New York Times.

Tells of Turk Atrocities, January 3, 1919, New York Times.

Saw Turkish Atrocities, February 1, 1919, New York Times.

Saw Armenians Drowned in Groups, February 3, 1919, New York Times.

"Ravished Armenia" in Film, February 15, 1919, New York Times.

Show "Ravished Armenia", February 17, 1919, New York Times.

Still Murder Armenians, April 19, 1919, New York Times.

Turkey Condemns its War Leaders, July 13, 1919, New York Times.

Tells of Armenian Woes, July 20, 1919, New York Times.

Armenian Tells of Death Pilgrimage, July 27, 1919, New York Times.

Shall Armenia Perish?, February 28, 1920, The Independent.

Turks to Rebuild Mosques with Armenian Skulls, June 25, 1921, Literary Digest.

The Armenian Massacres, August, 1921, Current History.

Will Armenia be Saved?, August, 1921, Missionary Review.

Armenia's Tragic Finish, February 25, 1922, Literary Digest.

Crimes of Turkish Misrule, October, 1922, Current History.

Were the editors of the highly respected New York Times, the Literary Digest, and other similar publications printing facts or fiction? The answer is obvious and the facts are undeniable.

The horrible story of what happened to the Armenian people was accurately documented on a day-to-day basis in leading newspapers and publications of the day, and as time goes on, more and more people are becoming familiar with what happened to the Armenian people in 1915 at the hands of the Ottoman Empire.

Genocidal massacre, regardless of the nationality of the victims, can never be denied or repressed. For Turkey, it will fester, like an open wound, until a public admission of guilt is made, an expression of atonement is given, and an attempt follows to rectify injustices done to the innocent victims. Hopefully this will occur soon, for only then can this unfortunate chapter in world history be closed.

Mr. ATKINS. Mr. Speaker, today we again take the opportunity to pay tribute and recognition to Armenian Martyrs' Day. It is often asked why we continue to be concerned about an event that occurred over 60 years ago in another region of the world. It is the individuals who ask this question to whom I would like to address my remarks.

The purpose of our annual commemoration of this tragedy is to make it less likely that a similar event will occur in the future. During the period between 1915 and 1923, the Ottoman Turkish Government conducted a brutal persecution against the Armenian race within its borders. In this short 8-year period, 1.5 million Armenian men, women, and children were mercilessly murdered.

Such an atrocity is not the type of event any civilized person enjoys discussing, but it is not one that we can simply ignore or characterize as a unique episode in world history. In this century, the world has witnessed two events that have shown remarkable similarities to the Armenian genocide. The discovery of the Nazi concentration camps and the death of 6 million Jews at the conclusion of

World War II as well as the atrocities that occurred in Cambodia in 1975 shocked and angered the world. Yet, if these latter events are closely studied, similarities with the Armenian genocide become obvious; the names and faces may have changed, but the results remain the same.

We do not rise today to embarrass an ally or blame the descendants of the perpetrators of this crime. We do not rise to express our tolerance for the actions of Armenian terrorist groups. We condemn their acts just as we condemn those of the Ottoman Empire against its Armenian population.

We pay heed to this event in order to prevent future generations from becoming the newest victims of genocide. The suffering and death that occurred in Europe and in Cambodia reflect the need to continue to bring the Armenian genocide to the attention of the Nation and the world.

No one has the power to alter what has occurred in the past, but collectively we have the opportunity to shape the future. However, in order to ensure that history does not repeat itself, we must never forget the lessons it has taught us. Today, we commemorate Armenian Martyrs' Day because, as past events in Europe and Cambodia reflect, we have not fully comprehended the lessons of the Armenian genocide. Through our continued acknowledgement of the Armenian tragedy and those that followed, we try to ensure that our children never feel the pain and sorrow of genocide that the Armenians, as well as the Jews and Cambodians, experienced. So, to those who ask why we continue to make reference to the Armenian genocide, I point to the millions of Jewish and Cambodian graves, and I point to our children, and ask them—why not?

Mr. MARTINEZ. Mr. Speaker, honorable Members of the House and Senate, we have been brought together to reflect on one of the darkest moments in modern times. Seventy-one years ago, the Government of the Turkish Ottoman Empire unleashed a vicious campaign to systematically exterminate the Armenian people. In the next 8 years, 1.5 million Armenians were killed under Ottoman hands, and another one-half million were exiled from their homeland. Only 20 years later was a word invented that could capture the gravity and the horror of this act. The word is "genocide."

Genocide is recognized as the gravest crime known to man. It is beyond question that this heinous act was committed against the Armenian people in Ottoman Turkey in the early part of this century. Its occurrence has been confirmed by eyewitnesses Henry Morgenthau, U.S. Ambassador to the Ottoman Empire, and Kemal Ataturk, founder of modern Turkey; by authorities on genocide, Raphael Lemkin, who coined the term "genocide" and introduced it to the world, and Elie Weisel; and by both Presidents Carter and Reagan. Yet despite this extensive documentation, Armenians today find themselves in a vital struggle against an apparent willingness to cloud, and to ultimately extinguish any human memory of this epic tragedy.

We Americans have a deep and enduring sense of justice. The morality of our people, though often obscurred in the heat of political battle, can always be seen guiding the ship of American policy. We saw this last year as the President planned his trip to Bitburg. The American people view Germany as our close friend and ally, and without hostility. But our warmth toward the Germans will never dull our horror over the vicious crimes committed by the Nazi regime, or our firm sense of justice toward those who carried out the evil plan. Similarly, we cannot allow our close and important alliance with the Republic of Turkey to compromise our deeper sense of justice in the face of history. The Armenian genocide was one of the most savage crimes against humanity in history. By refusing to recognize it, the U.S. Government is perpetuating a dangerous and immoral lie, and is helping to keep open the possibility that somewhere, sometime, it may happen again.

I believe that we who are speaking out in this Chamber today represent the true voice of the American people. As such, we will never allow the Armenian genocide to be forgotten. We stand by the Armenian people in forever guarding the flame of justice that has served as a beacon both to our Nation, and to our civilization.

Mr. MOORHEAD. Mr. Speaker, I would like to thank the gentleman from California for taking this special order commemorating the Armenian martyrs who, 71 years ago, were slaughtered in one of the world's worst acts of terrorism. In recalling the Armenian massacre we are reminded of the darkest moments in history. The suffering and conflict created by those horrible events remain a very real experience for those whose lives have been affected by it.

In celebrating the 71st anniversary of the Armenian genocide we are engaging in an act of remembrance. We do so to pause and reflect upon the Armenian experience, and to ensure that those events 71 years ago are never forgotten.

This exercise also serves to remind us that acts of barbarism and terrorism continue unchecked to this day. It is appalling that we live in a world where man is inhumane to man and where acts of terrorism have become commonplace. It is our responsibility to see that these acts are not forgotten. We are morally obligated to build toward a safer world where the rights of all are protected.

Mr. GREEN. Mr. Speaker, I rise today as part of this special order to acknowledge and remember the tragic genocide of 1.5 million Armenians. Furthermore, I rise to express my deep regret that this Congress has not yet passed a resolution making April 24 a National Day of Remembrance of Man's Inhumanity to Man.

It has been 71 years since the tragedy which wiped out 1.5 million Armenian men, women, and children; more than 7 decades since those people were marked by the Ottoman Empire for cultural genocide. To this day, I receive letters from my constituents who are survivors of this tragedy and were eyewitnesses to some of its horrors. More and more, those letters are being written by children or friends as the survivors are now too old to write for themselves.

Thus the task of remembering this tragic event becomes even more sacred. The truth must survive the eyewitnesses. When someone suggested to Hitler that world public opinion would be hostile to his "final solution of the Jewish problem," Hitler responded, "Who remembers the Armenians?"

Unfortunately, last December, this House did not remember the Armenians. After a lengthy and often heated debate on House Joint Resolution 192, to designate a National Day of Remembrance of Man's Inhumanity to Man and particularly the Armenian tragedy, the Members of this House bowed to the pressure of the Turkish Government and defeated a friendly amendment, 213 to 206. This was not a proud day for this House, and I hope it is a day we can rectify in the near future.

The Turkish Government continues to battle this resolution and to deny that the massacres by the Ottoman government ever occurred. Moreover, the Turkish Government has made this issue a litmus test of support for our NATO ally Turkey.

To their denial I say that the truth of the reported massacres has been established by the survivors and by substantial evidence found in the records of the Congress. To their litmus test I say that if we acquiesce to our allies' rewriting of history and truth as a sign of our support, we shall be a nation stripped of our morality.

We are all aware of the 37 years it took the Senate to approve the Genocide Convention and to reaffirm America's resolve to work toward the prevention of mass human destruction. I would hope that our Armenian friends and constituents will not have to wait twice 37 years for their day of commemoration.

Mr. TORRES. Mr. Speaker, I want to thank my colleagues from California, Mr. COELHO and Mr. PASHAYAN for requesting this special order on the anniversary of the Armenian genocide.

It is only right that we recognize and commemorate the genocide perpetrated on the Armenian people over 70 years ago.

Mr. Speaker, I have joined my colleagues on several different occasions bringing attention to events that devastated the Armenian people. The genocide is still alive in the memories of people of Armenian descent.

Over 70 years ago, between 1915 and 1923, more than 1½ million Armenians perished at the hands of the rulers of the Ottoman Empire. The Armenian people were nearly destroyed. I believe it is important that each year Congress bring this tragedy to the attention of the American people and the world.

It is unfortunate that we have to have legislation like House Joint Resolution 192 in Congress. It saddens me that man has been so cruel, so often that we must memorialize these events of genocide. I fear that to forget the genocide of Armenians and other groups would be a mistake. Genocide will not end with this resolution, but I hope it will cause us to reflect on man's inhumanity. Perhaps it will help us pledge to do better in the future. If this special order and House Joint Resolution 192 can achieve this simple goal, they are worth our support.

Mr. BOLAND. Mr. Speaker, I am pleased to join my colleagues in this special order com-

memorating the 71st anniversary of the Armenian genocide.

The genocide against the Armenian people of Turkey, perpetrated by a dying Ottoman Empire in 1915, remains one of the most significant events in world history. The degree of savagery with which it was undertaken, and the precedent it set for the monstrosity committed by Adolph Hitler in World War II, assures it of a permanent place in the collective memory of the world's nations and people. That the genocide occurred is an indisputable fact. The modern day tragedy of that event is that the pain and suffering of the Armenian people continues unabated to this day, due to the continued refusal of the Turkish Government to acknowledge that the genocide ever took place.

The level of man's inhumanity to man demonstrated by the Turkish regime of that era, has sadly been repeated by other governments in other countries since. Genocide, it is said, has four stages: identification, segregation, extermination, and denial. We continue to mark this day in world history in memory of those people who perished in the deserts of Der-El-Zor, in the hope that the collective conscience of the world will never countenance the denial of the event. We also mark this anniversary in the hope that in so doing we will prevent future acts of genocide. That requires vigilance, a vigilance that was sadly lacking in Hitler's Germany and, in more recent history, Cambodia. But, just as the Armenian people have persevered through a profound strength and faith, hope remains for mankind, that it might one day fully realize the horrendous enormity of such genocide. As part of that process, we must recognize and accept our past. It is in that spirit that we commemorate the Armenians that perished, and the strength of those Armenians that carry that legacy today.

Mr. FAZIO. Mr. Speaker, I would like to thank my colleagues, especially my Califorrnia colleagues, Mr. COELHO AND MR. PASHAYAN, for organizing today's special order on the Armenian genocide.

This year marks the 71st anniversary of the Armenian genocide, in which 1.5 million men, women and children lost their lives in Turkey between 1915 and 23. The genocide began with the arrest and execution of leading intellectuals and clergymen and the murder of the young men drafted to serve in the Turkish Army. By 1923, one-half of the world's Armenian population had been massacred on its ancestral land which it had inhabited for more than 3,000 years.

Today we memorialize the Armenian martyrs. What happened 71 years ago was the first atrocious display of the 20th century of international neglect and passivity in the face of genocide. Unfortunately, we did not learn and the tragedy was repeated again in Germany and in Cambodia. It is important that not only Armenians, Cambodians, and Jews remember the atrocities of genocide, but that the rest of humanity also remembers these events. We have a moral responsibility to draw our attention to the tragedy of genocide and remind ourselves of its consequences so that it will not happen again.

Our Presidents, statesmen, and legislative bodies have repeatedly recognized the atrocities of the Armenian genocide. Henry Morganthau, U.S. Ambassador to the Ottoman Empire at the time, sent a telegram to the Secretary of State which stated that:

> Deportation of and excesses against peaceful Armenians is increasing and from harrowing reports of eye witnesses it appears that a campaign of race extermination is in progress under a pretext of reprisal against rebellion.

President Reagan, in a 1981 proclamation regarding the victims of the Holocaust stated that:

> Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it—and like too many other such persecutions of too many other peoples—the lessons of the Holocaust must never be forgotten.

Most recently in Congress, a resolution was introduced last year to designate April 24, 1986 as a "National Day of Remembrance of Man's Inhumanity to Man" especially for remembering the Aremenian genocide by the governments of the Ottoman Turkish empire.

It is our moral obligation to remember the tragedy of the Armenian genocide and work toward the prevention of mass human destruction. The consequence of this act has implications not only for surviving Armenians and their relatives, but for all of mankind. We must heed our own warnings and do all that we can to ensure that another genocide, that another race, ethnic group, or nationality does not face the atrocities which the Armenians faced 71 years ago. Therefore, it is appropriate that we join today in recognizing this tragic event in the hope that our combined efforts will help prevent such a recurrence.

Mr. HOWARD. Mr. Speaker, today another year is added to the legacy of the Armenian genocide, another year of Turkish denials, and terrorist violence that dishonors the memory of every martyred Armenian soul. As we reach the 71st anniversary of our century's first genocide, the Government of Turkey has intensified its image-building campaign in the mistaken belief that mere rhetoric can make their country part of the Western moral community. Strident assertions of innocence and outright fabrications are simply not part of the democratic character to which Turkey allegedly aspires.

It is indeed time for Turkey to join its NATO partners in moral as well as strategic solidarity against the Soviet threat, but among the many words spoken the right ones have not yet been heard. Turkey's real accession to the moral plane of its fellow alliance members can only begin with a recognition of the historical facts. Quite simply, the Armenian population of the Ottoman empire was, behind the shroud of a world war and civil confusion, deliberately, systematically, and mercilessly slaughtered. As part of a secret but official government policy of genocide, Ottoman soldiers herded, tortured, and murdered their victims for the crime of being Armenian. These facts cannot be denied any more than we can deny that Hitler, as a matter of state policy, murdered the Jews of Europe.

Time and again, year after year, the same is said. The genocide was real and Turkey will never be able to assume a mantle of honor until the past is recognized for what it was. Why must we continue to harangue the Turkish Government to admit the guilt of the Ottoman empire? Why do we not let go of the past and forge a new future with Turkey? Because of the Orwellian warning of what can happen to a community that rewrites history. If government authorities are allowed to rewrite a nation's history, then no one is left to challenge the direction that government chooses to take. If we allow the Turkish Government to erase every memory, wait until every witness dies, then the entire human community suffers. For we will have no evidence that it happened, that it was wrong, and that it mattered.

After 71 years, the time has come for Turkey to take the honorable path, the path taken by the Federal Republic of Germany, which has risen proudly from the most terrible human experience of this century. Only when Turkey chooses to acknowledge the truth of the Armenian genocide can it stand in moral unity with its NATO partners against the terrorism, against the uncertainties of the future, and against the bitterness of these terrible memories.

Mr. FLORIO. Mr. Speaker, I am pleased to join my colleagues in commemorating the 71st anniversary of the beginning of the Armenian genocide. This terrible chapter in the history of mankind reaped the lives of 1.5 million Armenians. I join my colleagues with a sense of sorrow and dismay as we reflect upon this tragedy that spanned a number of years and decimated the Armenian population in the Ottoman empire while leaving innumerable scars on the survivors of this tragedy.

The Armenian people were not only deported and robbed of their lands and possessions but they were also subjected to cold-blooded massacres and atrocities and brutal extermination. Males were separated from their families and massacred while remaining women, children and the elderly were forced to march across Asia Minor to the Syrian Desert. Of these marchers, thousands died in route of starvation, exposure, and disease. Countless survivors witnessed the atrocities perpetrated upon their families, relatives and friends and these survivors still carry with them the memory and the scars of this genocide.

During this trying time, our Government and other governments around the world joined in condemning this systematic destruction of a particular group of citizens. Press reports and government studies all point to the fact that this tragedy did occur and those that will deny its occurance are denying history and fact. The most glaring aspect of this entire tragedy is the fact that the Turkish Government still continues to deny that this genocide ever occurred and explains the deaths of 1.5 million Armenians as having resulted from years of civil strife in the region.

This denial of history which has been documented by survivors, eyewitnesses, correspondents, U.S. Presidents, and even past Congresses, underscores the need for approving House Joint Resolution 192 and paying tribute to the memory of those who died while ensuring that future governments will not be able to deny these atrocities. House Joint Resolution 192, which I have cosponsored, designates a day of remembrance for the victims of the genocide but its intent

has been misconstrued and its effects have been cast in the light of present-day relations between the United States and the Republic of Turkey.

I have joined several of my colleagues in sending a letter to the President requesting that he officially commemorate this 71st anniversary of the Armenian genocide. By commemorating this date and by remembering the many lives that were needlessly lost, we are in no way condemning the current Government of the Republic of Turkey or the Turkish people. Rather, we are calling attention to a significant chapter of the history of mankind as a way of preventing further tragedies. For when we continue to remember that man has the capacity to destroy as well as rebuild, we will be better able to ensure that genocides will no longer be a part of our future. We owe it to the future generations, to the survivors, and to the memories of those who died, to continue our vigilance and ensure that this tragic chapter of the history of mankind is never again ignored, forgotten or doubted.

Mr. FORD of Michigan. Mr. Speaker, I would like to join my colleagues in paying tribute today to the million-and-a-half men, women and children who died in the Armenian genocide of 1915–23. This is the 71st anniversary of that horrendous event and I don't think it is a day that should go unnoticed in this body.

I would like to recall that half the Members of the House sponsored a resolution that would have designated April 24, 1986, as a day to remember man's inhumanity to man and all victims of genocide.

Sadly, because of tactics employed by the administration, the resolution did not come to a vote. The administration raised the specious argument that passage of the resolution would adversely affect our relations with the present government of Turkey, even though it clearly and specifically said it dealt with the atrocities of the Ottoman empire and in no way reflected on the present government.

April 24 is the date that people of Armenian ancestory commemorate the death of these million-and-a-half victims of horrible slaughter at the hands of the Ottoman empire's bloodthirsty agents.

I want to point out today, as I did at the time the resolution was on the floor, that we are in no way criticizing the Government of the Republic of Turkey, with whom we enjoy an excellent relationship.

At the same time I want to stress that this commemoration is very important to thousands of Armenian Americans who have contributed and continue to contribute so much to our Nation. And I want these people to know that Americans shudder at the very thought of what happened to their ancestors those many years ago. And not only to ancestors, for some of the older Armenian-Americans themselves are survivors of the horrible massacres.

And even though we failed to pass the resolution, I want all Armenian-Americans—and indeed the whole world—to know that we in America find that what happened earlier this century is a terrible blow to humanity, decency and all the virtures for which our country stands.

Mr. DOWNEY of New York. Mr. Speaker, today, I join my colleagues in commemorating a tragic event in 20th century history, the Armenian genocide of 1915.

I am struck by the horror of the first modern case of genocide. One-and-a-half-million people in Armenia were systematically and ruthlessly exterminated by the Ottoman government. A government, recognized and respected by other governments, attempted to extirpate a people, a culture from the face of the Earth. The Ottomans tried to change human history—to close a chapter in the story of humanity. The Ottomans did not succeed in their demented project. One-and-a-half-million men, women and children died, but the Armenian people still live, their culture and their history flourishes.

The horror of the Armenian genocide is made all the worse by the refusal of some people to acknowledge that it ever happened. They would like to ignore this sordid chapter of history. They plead that we cannot offend the sensibilities of our allies. They place concern for radar installations above regard for human life.

I take heart, Mr. Speaker, in the fact that the other body ratified the Genocide Convention on February 19, ending 37 years of sterile debate.

Today we should pause for a moment, open our hearts and remember those unfortunate people who lost their lives because they happened to be Armenian. Once we have done that we should increase our resolve that it never happen again.

Mr. BEDELL. Mr. Speaker, as you well know, genocide is the most horrible of all crimes. Although genocide is an action against a specific group of people, it has far-reaching consequences for humanity. Genocide robs the world community of its dignity and its most important natural resource: its people.

When I mention genocide, the Nazi Holocaust in which millions of Jews and Eastern Europeans were exterminated, first comes to mind. Over the past 40 years, there has been a concerted effort to educate people about the atrocities carried out by the Nazis during World War II. Yet there is another example of genocide which occurred only 30 years before World War II that receives little attention. Between 1915 and 1923, 1.5 million Armenians were exterminated by the Ottoman Turkish Government. These Armenians were neither rebels nor usuprers, but loyal Turkish citizens. The only crime of these 1.5 million men, women, and children was their Armenian heritage. Today we take a few moments to pay tribute to the men, women, and children who died in the Armenian genocide.

It has been 71 years since the beginning of the mass extermination of Armenians by the Ottoman Turkish Government, yet the effects of the crime still linger. Before World War I, 2,500,000 Armenian lived in the Ottoman Empire. Since the genocide, fewer than 100,000 declared Armenians reside in Turkey. For the Armenian community the atrocities of the early 1900's are still too real; however, little has been done to recognize this tragedy and make certain that it never occurs again.

It is alarming that this example of one of the most horrible crimes of the 20th century should go largely unrecognized for so long. While almost everyone remembers learning about the Holocaust, few people are aware of the great tragedy of the Armenian genocide. Today, we take this time to recognize and educate about the Armenian genocide, because very often the past serves as a blueprint of the future. As a nation and a member of the global community, we must prevent the mass extermination of peoples. This can only be accomplished through a greater knowledge and understanding of the past. We must directly face the history of genocide in order to prevent future atrocities.

If we ignore the problem of the Armenian genocide, we condemn our children to make the same mistakes that previous generations have made. For this reason, we pay tribute to the 1.5 million men, women, and children who perished at the hands of Ottoman Turkey. Hopefully, our solemn efforts today will ensure that we can prevent future atrocities from occurring.

Mr. BARNES. Mr. Speaker, once again I appreciate the opportunity to add my statement to those of my colleagues who today remember and pay tribute to the one and a half million men, women, and children who were the victims of the Armenian genocide from 1915 to 1923.

There are many people today, living in the United States, whose relatives fell victim to the Armenian genocide. I have talked with some of them. They have told me their very personal and sad stories. They have told me how difficult it is to live with the knowledge of what happened. And, they have expressed their deep sadness and outrage that the Armenian genocide seems to be a forgotten event, that one of the most cruel horrors of modern history goes unnoticed and unacknowledged.

Elie Wiesel, as chairman of the U.S. Holocaust Memorial Council, said in 1981:

> Before the planning of the final solution, Hitler asked, "Who remembers the Armenians?" He was right. No one remembered them, as no one remembered the Jews. Rejected by everyone, they felt expelled from history.

This special order today is a time for us to remember this shocking period in world history. It is an opportunity for us to join with the generations of Armenians who must live with the knowledge of what has happened to their relatives and historically to their people.

All the memories of this painful time will pass through generations. What we are saying today is that the horror of those years must be known and understood and—like other atrocities against humanity—must find its place forever in the human heart and the human conscience.

I believe, as President Reagan has said in Proclamation 4838:

> Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it—and like too many other such persecutions of too many other peoples—the lessons of the Holocaust must never be forgotten.

Recognizing the Armenian genocide, as we have recognized the Holocaust, reminds us of what the very worst in human nature can bring about, and compels us to protect our future from the recurrence of such a nightmare. At all costs we must preserve for succeeding

generations our dreams and hopes for a better, more humane world.

Mr. McHUGH. Mr. Speaker, we commemorate today the 1.5 million Armenian men, women, and children who were the victims of Ottoman massacres during the years from 1915 through 1923.

It is perhaps the saddest fact of our times that such destruction of a racial, religious, or social collectivity not only occurred, but has continued to reoccur in this century, and in various parts of the world—particularly in the Nazi Holocaust as well as in the extensive Soviet campaigns to exterminate dissident and potentially dissident minority blocs. To describe such systematic murder, Raphael Lemkin first used the term "genocide" in 1944; since then it has become part of our century's vocabulary, a sad reminder that although the human race has made much technological and social progress in this century, various nations have shown themselves to be capable of massive and hideous cruelty toward literally millions of innocent victims.

Today, as we remember the victims of the Armenian genocide early in this century, we are aware of the precarious situation in the world caused by the spread of terrorism. More and more people throughout our planet have become victims and potential victims of irrational, mindless destruction. This circumstance, of a world increasingly steeped in random violence, reminds us of the fundamental threat to our common humanity and survival whenever any group or nation resorts to violence as a way of asserting national, cultural or religious dominance.

Earlier this year, the Senate approved the U.N. Genocide Convention, an act which records our resolve as Americans to work toward the prevention of mass human destruction. Especially on this day, as we mourn the loss of over a million innocent Armenians early in this century, we pledge ourselves to redouble our efforts to seek a more peaceful world in which such monstrous crimes cannot reoccur.

Mr. BLILEY. Mr. Speaker, I am torn between feelings of honor and sadness that Members of Congress are compelled to seek special time to remember the genocide against the Armenian people.

I am honored that this Congress, the greatest legislative body in the history of the world, is populated by decent and moral men and women who will take the time to keep the facts of genocide alive so that they will never again be repeated. As a Member of this House of Representatives I have a duty to call the attention of the American people to the truth of history and its implications for the future. We must learn truth and we must live truth if we are not to relive past horrors.

Our diplomatic representatives knew of the Armenian genocide. There are numerous cables and letters clearly laying out the systematic and planned nature of the actions against the Armenian people. Our political leaders knew about the genocide. And yet we did nothing about it. Much the same thing happened in Germany beginning in 1936 against the Jews. Very little was done about this situation until it was too late and the Second World War had begun and drawn a black curtain of death over Europe. More recently we have seen the mass destruction of the Cambodian people by their own rulers who used much the same model developed in 1915 by the Ottoman Empire and refined by the Nazis from 1936 to 1945.

Where was the world while these horrors were taking place? We knew or at least suspected that these things were happening, but the whole world seemed to withdraw into collective refusal to act against genocide. We cannot afford to let this happen again. Only by remembering and keeping history alive can we hope to deter a future Hitler of Idi Amin from the brutal and senseless slaughter of human beings.

I stand here today saddened because we still seem to have not learned the lessons of history. Some still try to deny or mitigate the truth for their own personal or political reasons. This seems to me to be the height of folly and irresponsibility. The denial syndrome can only weaken the moral foundation and resolve of a people and a nation. If strenuous efforts are made to rewrite history and deny the truth then who is to say where this process stops?

The better course, the only moral course, is to face the truth and deal with it in a useful way. To face the truth, no matter how horrible and ugly, and to use that truth to exorcise the spirit of evil and immorality that caused these events in the first place is the only proper way to deal with these issues. The fact that some people do not seem to be able to recognize the truth is a sad fact that we must fight and work against until all people everywhere learn the lessons of history and prepare themselves to prevent any future genocide.

Mr. Speaker, I thank you for recognizing us for this special order and I only hope that we may soon not need to use these methods of drawing attention to the truth.

Mr. MANTON. Mr. Speaker, I would like to commend my colleagues for organizing today's special order in commemoration of the 71st anniversary of the Armenian genocide of 1915–23. It is important that today the Congress stresses our commitment to freedom and justice.

The tragic death of 1.5 million Armenians during the Ottoman Empire was the first genocide of the 20th century and remains one of the greatest crimes of this century. Unfortunately this genocide was ignored or forgotten by the world. Therefore, it was not the last genocide of the 20th century. Hitler himself said, "Who remembers the Armenians?"

I am firmly convinced that the Armenian genocide must never be forgotten. That is why I cosponsored and strongly supported House Joint Resolution 192 which would have designated April 26 as a day of remembrance of man's inhumanity to man, especially the victims of the Armenian genocide. I believe we must never forget those 1.5 million men, women, and children who died solely because of their ancestry. We have a duty to their memory, a duty to their families and the survivors to never let the world forget this great tragedy. Furthermore, we also have an important duty to our children to teach them the mistakes of the past. By doing so we will make certain that such tragedies are never repeated.

There are some who will say that the Armenian genocide did not happen. We know this to be untrue and there is a great body of evidence to refute this false claim. The American ambassador to the Ottoman Empire during the period of this genocide reported extensively on the continuing massacres and his efforts bring them to an end. Last August a U.N. human rights panel in Geneva specifically cited the Armenian genocide. Furthermore, in both 1975 and again in 1984, the House of Representatives passed a resolution marking the anniversary of the genocide and eight Presidents of the United States have protested the genocide. Most recently, President Carter and President Reagan reaffirmed American recognition of this tragedy. We cannot allow ignorance, prejudice, or short memories to rewrite history.

Mr. Speaker, America has a special role to play in ensuring that this tragic chapter of human history is not forgotten. Many of the survivors later emigrated to the United States where they helped to build a strong, prosperous, and free nation. The great contribution of Armenian-Americans is indisputable. Furthermore, as a leader of the free world, the United States must remember all victims of tyranny and injustice. Today's ceremony reaffirms America's dedication to the principles of personal and religious freedom and our commitment to promoting peace and liberty throughout the world. I pledge my commitment to those goals and will continue my efforts to ensure that the Armenian genocide is never forgotten.

Mrs. SCHNEIDER. Mr. Speaker, today I join my colleagues in a tribute to the Armenian people. The suffering of the Armenian people is well known. Last year the House spent many hours in debate highlighting the actions that occurred 75 years ago. The historical debate about the exact numbers, the scope, and the motivations of those involved continues without resolution. It is not, however, necessary to reach a conclusion about the cause of a tragedy in order to share the sense of loss felt by the Armenian people. It would compound that tragedy if the world were to forget the sufferings of the Armenians during and after the First World War.

In my own State of Rhode Island, the Armenian community has a particularly rich tradition and heritage. As a guest at the annual festival at St. Sahag and St. Mesrob Armenian Church, I am reminded of the hospitality, the sense of fellowship, and the service that is such an important part of the Armenian community in Rhode Island. Certainly our State has benefited immensely from the contributions of the Armenians who have settled here. The majority of that community has no personal memory of the events in Armenia between 1914 and 1926, but they have heard the tales of suffering from their parents and grandparents.

I think that at a time when we remember this suffering it is appropriate for us to look as well to the triumphs of the Armenian people. The contributions of the Armenian people to the business, culture, education, and government, not only in Rhode Island, but wherever they have placed their roots, should stand as a reminder to us all that out of suffering

comes strength and out of tragedy, compassion. We commemorate today the suffering and tragedy that befell the Armenian people 75 years ago, but we also celebrate the strength and compassion that stand as a mark of Armenians everywhere.

We cannot undo history. We do know, however, that the benefits that we enjoy are often founded in the sufferings of earlier times. It is only proper that we set aside contemplative time to remember those who suffered and to express our gratitude for our freedom, our community and our heritage. I join my colleagues today in remembering both the tragedy of the Armenian people and their triumphs during the past three-quarters of a century.

Mr. TOWNS. Mr. Speaker, today as we commemorate the genocide of Armenians from 1915 to 1923, we must recognize the permanent pain and anguish that will not be forgotten by the survivors of this tragedy.

The 1.5 million Armenian men, women, and children who perished will be remembered as victims of a cruel and barbarous act against humanity.

We cannot compensate for the remorselessness of this massacre but we must remember those who perished so that they will not have died in vain. We should never forget such acts of barbarity. The determination and perseverance of the Armenian people, whose culture and heritage allowed them to survive this disaster, must be commended. In this day and age, we cannot afford to look the other way when human rights violations are being perpetrated. We must work toward preventing other genocidal acts by remembering incidents like those of the Armenian people and informing world opinion about such tragedies so that they will not occur in the future. Let us hope that the U.S. Senate's ratification of the Genocide Treaty is a step in the right direction in preventing future acts of mass destruction against any nation or people.

Mrs. BOXER. Mr. Speaker, I am proud to participate in this important special order.

The 20th century has seen its share of triumph and tragedy. We celebrate the triumphs; we mourn and learn from the tragedies. But we cannot learn anything if we insist on closing our eyes to the fact that a tragedy has indeed taken place.

Seventy-one years age, the Ottoman Turkish Empire began a system of genocide against the Armenian population that eventually left 1.5 million dead, and opened the way for future genocides. There are those who, for various reasons, insist that this terrible tragedy was not in fact a genocide, or more grotesquely, that it never occurred at all. Such lies have devastating results—not only for the Armenian people who suffered so much, but for those of us who hope to prevent the occurrence of future such tragedies.

Mr. Speaker, in February, the Senate ratified the Genocide Convention after 37 years. The United States is now an official participant in the battle to prevent future genocides. It is recognition of the Armenian genocide, as well as the subsequent Nazi Holocaust, that galvinized the world community into taking the important step of a treaty to outlaw genocides. The least we can do is stand here today to bow our heads and remember the Armenian people's suffering. They must know that it was not in vain—that we have learned from this and other holocausts.

When you talk about fundamental human rights, you cannot waiver because of political or economic expediency—1.5 million Armenians were killed during World War I at the hands of the Ottoman Turkish Empire. Let us never forget their suffering. For humanity's sake, let us never forget that future genocides can only be prevented by never forgetting the past. I implore my colleagues, the American people and people of all nations, to remember the tragedy of the Armenian genocide, so that we can truly make the claim, never again.

Mr. MATSUI. I rise with my colleagues today to remember those innocent men, women, and children who died in the Armenian Genocide of 1915–23. Although the time has passed for mourning, time does not wash away history. With the victories, the tragedies of the past should be rememberd if we are to use history as a guide for our future actions.

To this day, however, Turkey's government still refuses to acknowledge the massacre. It is for this reason that we are here today observing this anniversary.

Seventy-one years later, our minds have turned to the horrors of terrorism. Our need to acknowledge and remember base human actions is more prevalent than ever. When the world forgets and refuses to even acknowledge its mistakes, terrorism becomes the tool to force us to remember. Therefore, I join with my colleagues today to prove that we do not ignore the plights of the persecuted. Instead, we acknowledge the mistakes of the past in the hope that we can set an example for the future.

Mr. SCHEUER. Mr. Speaker, I join with my colleagues here today in marking the 71st anniversary of the Armenian massacre and to honor the 1½ million innocent men, women, and children who lost their lives between 1915 and 1923.

Throughout World War I, the Ottoman Turkish Government systematically and brutally murdered the Armenian people in one of this century's most appalling human tragedies.

The Armenian massacre set the stage two decades later for Adolph Hitler's slaughter of 6 million Jews in the Holocaust and the recent acts of genocide against Cambodians and Afghans.

Hitler himself emulated the Armenian massacre when he attempted the wholesale destruction of the Jewish race.

When confronted with the question of how history would consider his actions, Hitler reportedly said, "Who, today, remembers the Armenians?"

I will answer Hitler today, that we do!

By commemorating the memory of the Armenian victims, we can try to prevent history from again repeating itself.

For the sake of those still living who are survivors of this great tragedy, for the sake of the descendants of the victims, for the Armenians who live across our Nation and the globe, and for all mankind, we cannot forget the Armenian massacre.

Mr. Speaker, the vivid accounts of the torture, the deprivation, the cruelty, and the bloodshed that are related by the survivors bring tears to even the strongest of men.

It is a historical fact that 1½ million Armenians were slaughtered by the Ottoman Turks.

Yet the Turkish Government refuses to acknowledge this act of genocide that was perpetrated in Turkey.

The current Turkish Government has taken this act of denial further by actually rewriting the history of those years.

At the same time, Turkish leaders have pressured our own Government to deny that the Armenian massacre took place, using our strategic need for bases in the region as leverage.

Such pressure has accounted for our State Department labeling the Armenian tragedy as an "alleged genocide."

The Turkish Government has carried this denial to extraordinary lengths by refusing to concede that the grotesque murder of innocents even took place.

And President Reagan has opposed a resolution which I, and more than 200 other Congressmen, have cosponsored with TONY COELHO, of California, to designate April 26 as the "National Day of Remembrance for Man's Inhumanity to Man."

Mr. Speaker, the current Turkish Government has nothing to lose by acknowledging that the Armenian massacre took place.

Neither the current government nor the people of Turkey committed the heinous crimes against an innocent people.

By acknowledging the massacre, the current Turkish Government will gain moral statute in the eyes of all of us who have vowed to make sure that the Armenian genocide will not be denied or forgotten.

By keeping these painful memories alive and by facing the hideous truths, we can insure that the mistakes of the past will not be repeated.

Mr. Speaker, we must keep the memory of the Armenian genocide alive as a way of reaffirming our commitment to human life and dignity.

All of us who have lost friends and relatives to genocide must forever strive for truth and peace.

GENERAL LEAVE

Mr. PASHAYAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the subject of my special order today.

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

There was no objection.

TRIBUTE TO THE LATE HONORABLE JOSEPH P. ADDABBO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. STRATTON] is recognized for 60 minutes.

Mr. STRATTON. Mr. Speaker, I rise in behalf of the New York congressional delegation to pay a tribute to our colleague, JOE ADDABBO, who passed away last week.

His funeral in New York City was a deeply moving one, with tributes paid by Speaker O'NEILL, by Cardinal O'Conner, and by Bishop Mugavero.

JOE ADDABBO always recognized his home surroundings. As a highly important and influential Member of Congress, he still lived in the same house in Queens and he was one of the few Members of the New York delegation who did not bring his family to Washington. It was only when there was, perhaps, a party at the White House when JOE brought his wife, Grace, to participate in that occasion.

Congressman ADDABBO was placed on the Appropriations Committee shortly after he had won reelection to the House. I do not know exactly what the procedure was, but remembering that former Congressman Eugene Keogh, was the highly influential Member in placing other Members of the delegation on committee, he was probably responsible for JOE's elevation to that outstanding committee, the Committee on Appropriations.

JOE maintained his position on that committee, moving up slowly in seniority, until the distinguished chairman of that committee, and the former chairman of the Defense Appropriations Subcommittee, George Mahon of Texas, retired.

JOE, I think, was probably recognized by other Members of the House because of the fact that he led an annual group of Members of the House of Representatives and their wives and families every year in the springtime to show them the great city of New York, to entertain them in theaters, to take the boat trip around New York City, and to visit the home of the mayor, Gracie Mansion. In fact, now that JOE has passed away, we in the New York delegation are going to have to scramble a little bit, I am afraid, to try to create for our colleagues the same outstanding trip that Chairman ADDABBO had led over so many years.

□ 1820

JOE ADDABBO was a highly responsible and highly influential Member of Congress because he was the chairman of the Appropriations Subcommittee on Defense. We did not always agree, he and I, on some weapons systems, but he was always very helpful and willing to discuss any disagreement that might develop between the Appropriations Committee and the authorizing committee, the House Committee on Armed Services.

JOE's major contribution, I think, not only to the House itself, but also to his State, was reflected in an item that came before the House today, the homeporting of a naval squadron in Staten Island. JOE ADDABBO was almost single-handedly responsible for that decision and the Secretary of the Navy recognized his insistance that that squadron was going to remain in New York City, even though, from time to time, there might be objections as to whether there were going to be nuclear weapons on those ships or not.

JOE was also strong in support of another item from New York State that, in his recent years, he felt deserved a much better reception from the Pentagon than it was getting. That was the T-46 Air Force trainer developed by Fairchild Republic Aviation Co. on Long Island. JOE, I know, hoped that we who remained on the delegation in a position of influence with the Pentagon would see fit to fund and to authorize the T-46. Those of us in that position intend to continue his fight because it was something that he was deeply concerned about and I think in a sense, it should be the one tribute, he never asked very much for himself, but the one tribute to his earnest efforts to try to provide more jobs for the people in his congressional district and for the people on Long Island.

JOE ADDABBO was always generous, always kind. His eulogy that the Speaker made in St. Patrick's Cathedral was a very moving one. The Speaker said we live in Congress by the bells. One bell would indicate that we are in session; two bells represent a vote; three bells are a quorum call; and four bells is the end of the session. He said, "JOE, we have rung these bells in your honor and you have completed a magnificent contribution to the Congress and to the American people."

I yield now to the gentleman from New York [Mr. HORTON], the vice chairman of the delegation of New York, as representing the Republican delegation from New York.

Mr. HORTON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, as vice chairman of the New York delegation, and as the dean of the Republican delegation, I join Congressman SAM STRATTON, the dean of our New York delegation, and my colleagues this evening to pay tribute to our friend and colleague, JOE ADDABBO, who passed away earlier this month after a long bout with cancer.

I had the honor of knowing JOE and his wife, Grace, for nearly 25 years. Nancy joins me in expressing our deepest regrets and condolences to Grace and the Addabbo family.

JOE began in Congress in 1960; I joined him 2 years later. Nobody had a greater respect for JOE than I. His commitment to all that was right and fair was unequaled in this House.

JOE was best known for his tireless efforts as a voice of sanity when dealing with defense matters. He was an articulate and forceful opponent of excessive and wasteful military spending. Although he was often in the minority on his defense appropriations subcommittee, the respect for his beliefs by his colleagues was great. JOE was singularly responsible for several military projects being built in New York State. His role as a champion for the State was widely recognized and appreciated. We shall miss his leadership in defense matters.

In 1973, JOE sponsored the first antiwar resolution ever to pass the House—cutting off funds for the bombing of Cambodia. He was a leading advocate of accountability—fiscally and ideologically—within the Pentagon. The President called JOE "one of the leading players in the development of American military policy." My good friend Mario Cuomo called him "a great man, whose commitment to integrity and excellence has improved the quality of life for all New Yorkers." Those who knew JOE would be hard pressed to disagree.

Mr. Speaker, this House will not be the same without JOE. He will be sorely missed.

Mr. CONTE. Mr. Speaker, I rise today to pay tribute to a great statesman, leader, friend and a truly outstanding American who was called from us April 10, 1986, at the age of 61.

JOE ADDABBO came to this venerable body 26 years ago from the Sixth Congressional District of New York and served the good people of New York for better than 2½ decades with direction, compassion, and clear-headed innovation.

His time in public office spanned many of the most trying, dynamic and exciting events of this century and his unique leadership met all challenges head on in the same perserving, selfless manner that he led his own life. This man was a tireless fighter for what he believed was right, and that effort will be remembered gratefully by all those who knew or knew of JOE ADDABBO.

JOE was a fair minded and dutiful man whether serving as chairman of the House Appropriations Subcommittee on Defense, as chairman of the Small Business Administration and Minority Enterprises and Franchising Subcommittee or just being a trusted friend. JOE's optimism and belief in the god within all people brought a personal flair to all that he touched, but his relentless fight to reduce waste and fraud left many a tough challenger wondering "what hit them."

Those in the defense area knew that JOE ADDABBO watched for excess and fraud with a scrutiny that saved taxpayers untold millions of dollars and, in doing so, maintained the world's strongest defense. Controlling Federal purse strings, especially those for defense, is no job for the weak of heart and JOE ADDABBO distinguished himself with fairness and devotion.

This was a patriot in the true sense of the word. JOE ADDABBO was a man who believed deeply in the good of this country and spent a large part of his life working to ensure that all Americans could enjoy it.

As a friend of the small businessman, JOE worked tirelessly to ensure equal opportunity. A proponent of minority enterprises, he fought for fair and equitable treatment as aspiring minority businessmen and played an important role in bringing many new businesses to this country.

JOE ADDABBO, friend, patriot, Congressman, will be sorely and deeply missed.

Mr. STRATTON. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. WHITTEN], the chairman of the Appropriations Committee.

Mr. WHITTEN. Mr. Speaker, last week I sat with a large congressional delegation in St. Patrick's Cathedral in New York City at the funeral of JOE ADDABBO. We joined his family and friends, the Governor of the State, the mayor of the city and the people of New York in mourning his loss. In many ways the funeral service was a special thanks and an impressive tribute to the man who had served his home so well in the national legislature for over 2½ decades.

Anyone who knew JOE ADDABBO knew that he was every inch a New Yorker. Born and educated in Queens, he practiced law and lived in Queens all his life. Anyone who knew JOE ADDABBO knew how he loved Grace and his family and the people of his home. Anyone who dealt with JOE ADDABBO in the Congress knows how he listened and responded to the complaints and problems of his people—and how hard he fought to advance their interests. His people knew. And they let him know. The boundaries and the composition of his district changed over time. But the voters who first sent him to Washington in 1960 with a 53.5 percent margin of victory returned him 24 years later with a 68-percent vote of appreciation and confidence.

As chairman of the Committee on Appropriations, I always appreciated JOE ADDABBO's strong advocacy of the people's branch of Government. He tirelessly asserted and advanced the role of Congress in handling its constitutional responsibilities and power over the purse. This cause never had a better champion. He came to the Committee on Appropriations in 1963. Over the years he mastered the legislative skills and built a formidable storehouse of knowledge about his principal area of responsibility—defense.

For many years we worked together trying to build a strong defense but at the same time trying not to waste money foolishly in the name of military spending.

JOE ADDABBO became chairman of the Defense Appropriations Subcommittee in 1979, and that position gave his legislative prowess full range. JOE was a staunch advocate of a strong national defense. But with JOE ADDABBO it was not "How much spending is good for defense?" It was "How strong a defense does the Nation have for the money we are spending?" He championed value for the dollar. And the defense appropriations legislation he wrote over the years reflected that spirit in every detail. The national defense and the taxpayer were well served by his work.

Not surprisingly JOE ADDABBO became a major player in the formulation of national defense policy. He moved early to get us out of Vietnam. He challenged the conventional wisdom that national security was best advanced by investing in additional carriers, that the Nation could afford two new bombers in one decade, and that the MX missile would contribute to a stabilizing deterrence. He believed that the single greatest threat faced by mankind was the uncontrollable building of nuclear weapons, and he worked to achieve an atmosphere conducive to arms control.

JOE ADDABBO was a career legislator and a public servant. He was an undaunted advocate, who fought with energy and tenacity for the positions he chose to support. Nobody who took him on ever forgot the experience. He was true to himself. He loved his family, and he was happy in his work. We all cared for JOE immensely. He will sorely be missed here in the House. He was an outstanding citizen who never failed to work as hard as possible for his Nation.

Mr. STRATTON. Mr. Speaker, I yield to the distinguished gentleman from Kentucky [Mr. NATCHER].

Mr. NATCHER. Mr. Speaker, it was with profound sorrow that I learned of the passing of my friend JOE ADDABBO. Mr. ADDABBO's service in the House of Representatives will continue always to be one of the bright spots in our country's legislative history. He was a good Member of the House in every sense of the word.

He established an outstanding record in the House of Representatives and served with distinction and honor He loved the House and he believed that our country is one of the greatest countries in the world. His concept of public trust was without parallel and never did he hesitate to speak out against any proposal which he felt was not sound and not in the best interests of our people.

One of the nicest things that has happened to me since I have been a Member of Congress is the opportunity that I had to serve with JOE ADDABBO and especially as a member of the Committee on Appropriations. After serving on our committee for a number of years, he was elected chairman of the subcommittee that appropriates the money for the Department of Defense. He believed that our country should remain strong at all times, but at the same time, that the Department of Defense, like all of the other departments of the Government, should not spend money that was not necessary. I have heard him say on many occasions that additional funds requested for defense were not necessary and that the money should be placed in the subcommittee bill that appropriates the funds for the Departments of Labor, Health and Human Services, and Education. Mr. Speaker, this is the subcommittee that I am chairman of and at all times, my friend JOE ADDABBO worked with us on our bill and especially on each and every occasion when the bill was before the House of Represntatives for final passage.

In every position he held, either public or private, he achieved distinction. His service in all of his assignments was marked by a high sense of conscience and duty. His character, his achievements, and his faithful service will be an inspiration to generations yet to come. He will have a high place in the history of our country and in the hearts of his countrymen.

His life exemplifies those virtues that make a great Congressman and those are fairness, generosity, willingness to listen and unyielding devotion to the principles of his party and to all matters which were for the best interests of our country. He left his mark on Congress; not necessarily through legislation which he succeeded in having enacted, but instead through his character itself. He was always a gentleman and always a strong leader.

Mr. Speaker, I have lost a true friend and this country has lost a great statesman. To his lovely wife and family, I extend my deepest sympathy in their bereavement.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. Mr. Speaker, I yield to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Speaker, I appreciate the gentleman taking the time, too, as a personal friend, as well as a colleague. I sat next to him on the full committee and had an extended conversation with him just before he left for lunch, where the tragedy occurred that later resulted in his death.

JOE and I served together and we were the only two Democratic Members in Congress who did, on both the Committee on Small Business and the Appropriations Committee. I had an opportunity to know him and see him in action for a number of years and I can tell you this. On the Committee on Small Business, whenever there was some issue there where he could help some small businessmen that he did not even know, but he knew if the small businessman was going to be affected, he was always there. He found a way to get there and to make his mark shown and he did in legislation.

JOE was an excellent legislator. This House has lost a Member that will be very hard to replace. His wife, Gracie, and his family were a wonderful family. We knew them personally and Bea and I express our profound sorrow to them and hope that someway we can make it through without JOE, but it is going to be very difficult.

Mr. STRATTON. Mr. Speaker, I yield to the gentleman from Florida [Mr. CHAPPELL], who is the acting chairman of the Subcommittee on Defense of the Committee on Appropriations.

Mr. CHAPPELL. Mr. Speaker, I join my colleagues in paying tribute to a powerful man who never forgot how to be sensitive and courteous. A man who mastered the art of politics and practiced that art at the national level but who never forgot where he came from and the constituents he represented.

A man who loved a wisecrack but understood in detail the extreme complexities of national defense. A man who was a good friend and a dedicated, selfless public servant. Mr. Speaker, I rise today to honor the memory of our colleague JOE ADDABBO.

At a time such as this there are no words that can adequately express the loss this House has suffered. Since first coming to the Congress in 1961, JOE ADDABBO has been a distinct and special individual. When he smiled he made you feel genuine friendship.

His good naturedness was not saved only for fellow Members but for all with whom he came into contact no matter what their capacity or station in life. As he gained in seniority he was always fair in his dealings with his colleagues whether they were on his side or not. While he could make an admiral or general uncomfortable through his direct questioning, we always knew he had the Nation's best interests in mind. He made us all ask how much is enough and by doing so fashioned this Nation's defense debate.

Beyond the defense arena, he maintained the interest he had as a young lawyer from Queens in the issue of human rights. He was a multidemensional Congressman who spoke with authority and conviction on a variety of subjects. He did his homework but remained open to opposing points of view. He was in effect the essence of what is good about being a U.S. Representative.

Mr. Speaker, this great body has been graced by many capable and committed individuals. I can think of none in our long history, however, who gave more of themselves than our friend and my chairman, JOE ADDABBO.

It has been a great and wonderful experience to have been a colleague of his on the Subcommittee on Defense of the Committee on Appropriations. I can think of none that we can honor anymore.

We are a poorer gathering with his passing but a stronger institution because of the time he spent with us.

I have lost a true friend and this country has lost a great statesman. To his lovely wife and family, I extend my sincere condolences. They can take comfort in the knowledge that in his 26 years in Congress, JOE, left his mark on the Congress and the Nation. He will be greatly missed in this Chamber.

□ 1835

Mr. STRATTON. I thank the gentleman.

I now yield to the gentleman from New York [Mr. BIAGGI].

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

Mr. Speaker, it seems like a good humor deed when JOE ADDABBO was born on St. Patrick's Day. JOE was named JOSEPH PATRICK ADDABBO, and each St. Patrick's Day, the party and the revelry in his office would equal that that was going across the Nation. A party that was conducted and arranged by a loving staff; loyal, faithful, and ever loving; and to the very end they remain thus.

JOE spent half of his adult life in the Congress of the United States, and we know he is gone; it is 12 days since he died. The loss is still difficult to measure and impossible to reconcile.

We know of JOE's special interest and feeling about a strong national defense. We also know that he was universally recognized as a watchdog. We know that JOE took on one President over Vietnam and another over Nicaragua. He had a different perspective but he stuck to his principles without yielding.

JOE won some and he lost some, but you always knew that when you tangled with JOE, it was a good, clean fight. The very essence of JOE; he could disagree but never be disagreeable.

As I have said in the New York Post, I considered myself blessed to be a friend of JOE ADDABBO's, and what a good friend he was. He was loyal, dedicated, always up. He was a man with a quick grin, a good story and the legendary little punch.

JOE made public service the profession it was intended to be. He did it by dedicating his heart and soul to it. He did it by blending his national prominence with his total commitment to constituent service.

The result was one the best Members ever to have served this institution. President Reagan called JOE ADDABBO one of the leading players in the development of American military policy. Speaker O'NEILL, who delivered such a moving eulogy of JOE ADDABBO at his funeral said upon learning of his death:

> Joe Addabbo worked diligently to ensure that America's defense was strong, efficient, and effective. He demanded quality for each defense dollar.

As the gentleman from New York [Mr. STRATTON] said at the close of Speaker O'NEILL's comment, he said: "The bells have rung for the final adjournment. God bless you JOE."

Such a moving experience. But one understands it. To have known JOE was to have loved him in every sense.

Governor Cuomo acknowledged JOE as a great man. Cardinal O'Connor said to Grace Addabbo, JOE's widow:

> While there is a great deal of sorrow in this cathedral, there is a great deal to be thankful for. I have never heard so many accolades as I have heard about your husband.

It was not a period of mourning: it was a period of joy, it was celebration, to know that JOE was finally released from his pain and sorrow in the last years of his life, and go on to a greater reward.

JOE was a special type of Member; he did so many deeds but never sought publicity. It robbed him, perhaps, of gaining proper credit for all his accomplishments; but in many ways, all JOE wanted to do is measure up to his constituency.

JOE, on the Committee on Appropriations, got important funding for serior citizens' programs; education, mass transit, and housing. He was always there when the people of Queens and New York needed him. It is an enduring mark of greatness about JOE, and we will miss him. Especially in these difficult times, New York will miss him grievously.

JOE was an unabashed liberal, and was proud of it. He saw Government's role as to help those in need and to provide opportunities for a better life. For millions in our Nation, we are grateful JOE was able to carry his philosophy to the position where he could, and did make a difference.

At this time, we struggle with feelings. We are in grief over his loss, yet we also celebrate all that was good about JOE. It is a celebration that would last a long time, since there was so much good about this wonderful man while he lived.

JOE was the epitome of so many virtues. He was a man of unparalleled integrity and commitment to basic decent values. JOE was a loyal and dedicated family man to his beloved wife, Grace, and his two sons, Dominick and Joseph, Jr., and daughter Dina.

JOE spent almost half his life here. He came when the Eastern shuttle was still a prop jet. He loved the institution. In turn, Members of both parties respected and had genuine affection for JOE. Few have served with greater distinction; few will be missed more than JOE.

Edmund Burke said: "Government is a contrivance of human wisdom to provide for human wants."

Thanks to JOE ADDABBO and his wisdom and his dedication and his service, there are fewer wants in this world.

As the New York Post article closed: JOE, go in peace. You helped make this

world a more peaceful and restful place."

Mr. Speaker, the passing of JOE ADDABBO leaves a void in this House that may never be filled. That is a tribute to the caliber and the quality of this great man. At this point in the RECORD, I am inserting a series of articles from major newspapers noting the passing of JOE ADDABBO and his funeral in New York City.

[From the Washington Post, Apr. 12, 1986]

NEW YORK REPRESENTATIVE JOSEPH P. ADDABBO DIES

(By Bart Barnes)

Rep. Joseph P. Addabbo, 61, a New York Democrat who as chairman of the defense subcommittee of the House Appropriations Committee built a reputation as an articulate and forceful opponent of what he considered excessive military spending, died late Thursday night at Walter Reed Army Medical Center. He had cancer and recently had suffered a heart attack.

Mr. Addabbo, who had been in a coma since collapsing March 6, represented a district in Queens. He served for 25 years in the House of Representatives and since 1979 had been chairman of the defense appropriations subcommittee, the panel that acts on requests for all military spending. In that role he was often critical of high military officers who, he said, frequently shared with civilian bureaucrats a penchant for empire building and a narrowness of vision.

Despite his reputation as a critic of military spending, Mr. Addabbo always insisted he supported a strong military defense policy. "But I don't take the Pentagon at their word," he once said. "I don't like the attitude of some members, 'Well, let's give them $20 million to play around with this year. Let's give them $40 million next year.' Three years later, the weapon doesn't work, and there's $100 million down the drain."

But Mr. Addabbo often found himself in a minority position on his own committee, most of whose members tended to have more hawkish views than he. More often than not he was on the losing side of defense-spending controversies.

He tried in 1982 to block funding for the MX missile but lost, both in his own subcommittee and in the full Appropriations Committee. He prevailed when he took his case to the floor of the House, although the House later reversed its position and work began on the missile.

In 1973 Mr. Addabbo sponsored the first antiwar resolution ever to pass the House of Representatives—the cutting off of funds for the bombing of Cambodia. He had supported the war in Southeast Asia during the Johnson administration and in the early years of the Nixon presidency but he subsequently changed his mind. He also opposed the B-1 bomber and other major weapons systems.

In 1984 he castigated the Defense Department for what he called "a complete breakdown of control over millions of dollars." This followed a report that accused the military of scrapping valuable equipment, then turning around and paying higher prices to buy identical items.

President Reagan called Mr. Addabbo "one of the leading players in the development of American military policy." He said the congressman was "widely respected for his knowledge of defense issues even by those who disagreed with him. His genial style was in keeping with the best traditions of American politics."

House Speaker Thomas O'Neill said Mr. Addabbo "worked diligently to ensure that America's defense was strong, efficient and effective. He demanded quality for each defense dollar."

New York Gov. Mario Cuomo called him a "great man whose commitment to integrity and excellence has improved the quality of life for all New Yorkers."

Mayor Edward Koch of New York ordered flags on city buildings to be flown at half staff until after Mr. Addabbo's funeral. The congressman, Koch said, "always strove to ensure that people of every race, religion and ethnic origin had a fair hearing and full representation in the halls of the Capitol."

A native of New York City, Mr. Addabbo graduated from the City College of New York and St. John's University Law School. He practiced law in Queens, participated in civic and community organizations, and headed Italian-American committees for various candidates.

But he never ran for public office until 1960, when the incumbent Republican representative from his district retired. With the help of John F. Kennedy's drawing power among Catholic voters, Mr. Addabbo won with 53.5 percent of the vote.

In the ensuing years the district changed from a predominantly middle class Catholic suburb to an area more closely resembling the inner city with a population that was 65 percent black and Hispanic by the 1984 election.

During that time Mr. Addabbo established a record of steering defense contracts to Long Island-based industries and listening to constituent problems and complaints. He voted in favor of federal aid to education and the elderly, in favor of civil rights, and against measures to limit rights to abortion or allow prayer in public schools.

He won most bids for reelection handily, and in the campaigns of 1974 to 1982 had the Republican as well as the Democratic nomination. In 1984 he was challenged in the Democratic primary by Simeon Golar, a black real estate developer, who asked the voters to oust Mr. Addabbo on the argument that since the district had a black majority it should have a black representative. Mr. Addabbo won with 68 percent of the vote.

He is survived by his wife, Grace, and three children, Dominic, Dina and Joseph.

[From the New York Daily News, Apr. 12, 1986]

JOE ADDABBO, 61, LOSES CANCER BOUT

(By Frank Jackman and Stuart Marques)

Rep. Joseph Addabbo, 61, dean of the city congressional delegation and a fierce critic of military overspending, died late Thursday after a long bout with cancer.

Addabbo, a 13-term Democrat from Queens whose chairmanship of the House defense appropriations subcommittee made him a power in Congress, died at 10:48 p.m. Thursday in Walter Reed Army Medical Center, Washington, where he had been in a coma since March 12.

Addabbo kept a six-year struggle against bladder cancer a secret from even his closest associates though he was hospitalized for four months last year.

Addabbo, who lived in Ozone Park with his wife, Grace, and three children, Dominic, Dina and Joseph, will be buried Tuesday after a funeral service in St. Patrick's Cathedral.

Mayor Koch ordered flags on city buildings to be flown at half staff.

A genial, back-slapping politician in the clubhouse tradition who was more at home working behind the scenes, Addabbo, first elected in 1960, was well liked by colleagues in both parties.

Addabbo, who became chairman of the Defense Appropriations subcommittee in 1979, often began hearings by telling Pentagon brass to brace themselves for significant cuts in their budget. Most of the time he was outvoted.

His biggest victory was in December 1982 when he pushed an amendment through the House blocking production of the MX missile. The House later reversed its position.

He was a tenacious battler when it came to defense contracts for New York and was instrumental in the Navy's decision to homeport the battleship Iowa at Stapleton, Staten Island.

[From the New York Times, Apr. 12, 1986]

REPRESENTATIVE JOSEPH ADDABBO DIES; HEAD OF KEY DEFENSE PANEL

(By Ronald Smothers)

Representative Joseph P. Addabbo, a Queens Democrat who had a powerful hand in shaping national defense policy as chairman of a key House subcommittee, died last Thursday at Walter Reed Army Medical Center in Washington. He was 61 years old.

Mr. Addabbo, who served in Congress for a quarter of a century, had been suffering from cancer of the bladder and had been receiving treatment for six years. He slipped into a coma March 11, five days after he suffered a seizure at a luncheon on Capitol Hill.

Critics of Pentagon spending looked to Mr. Addabbo, an influential congressional insider, as their most important voice on Capitol Hill against what they viewed as wasteful arms projects.

Earlier, Mr. Addabbo was a main sponsor of what many consider the first anti-Vietnam War measure to pass the House, a 1973 amendment to cut off funds for the continued bombing of Cambodia. Later, as the subcommittee chairman, Mr. Addabbo opposed the development of the B-1 bomber and supported a nuclear freeze.

KEY FIGURE IN S.I. BASE PLAN

While his position gave Mr. Addabbo influence upon the national agenda, it also allowed him to look after the interests of his district and his state. He was able, through defense contracts, to bolster Long Island's aircraft industry, and he was a key figure in the Pentagon's 1983 decision to plan to base a seven-ship Navy battle group on Staten Island, a move that backers say will add thousands of jobs in the metropolitan area.

Yesterday, the Speaker of the House, Thomas P. O'Neill Jr., said Mr. Addabbo had "won the respect of members of Congress from both sides of the aisle." Governor Cuomo called him a "relentlessly committed congressman and leader."

First elected to the House of Representatives in 1960 from a district that now covers the southern portion of Queens, from South Jamaica to the Rockaways, Mr. Addabbo mastered the intricacies of the legislative process and became one of the more influential members on defense and foreign policy.

THE HOUSE IS MY CAREER

While other New York Congressional colleagues, such as Hugh L. Carey and Edward I. Koch, went on to win other elective offices, Mr. Addabbo stayed in the House,

building the seniority that eventually earned him the chairmanship of the Appropriations subcommittee on defense in 1979.

"This is my career," he said.

"If he had a private agenda at all," said a fellow Queens Democratic Congressman, Representative James H. Scheuer, "it was improving New York's position in defense-related contracts.

But Mr. Addabbo was also, in the words another colleague, Representative Charles B. Rangel, Democrat of Manhattan, a "credible critic" of the steady increase in defense spending in general and of certain weapons systems in particular. Whether arguing in the relative privacy of committee debates or in his rare but significant speeches from the floor of the House, many of Mr. Addabbo's colleagues credited him with turning the tide against such projects as the MX and Pershing missiles.

NO ORDINARY HAWK

Unlike many other members of Congress, he was not easily catalogued as a hawk or a dove—Mr. Scheuer called him "a chicken hawk."

By that I mean he was for a strong defense, but he wanted a lean and hungry defense," said Mr. Scheuer, who was second to Mr. Addabbo in seniority among House members from New York City. "Joe viewed the Pentagon generals as a bunch of bureaucrats and he took what they said with a large grain of salt. That made him a major force for rationality in defense spending."

What many called Mr. Addabbo's "credibility and knowledge';' on defense matters also drew praise from Republicans such as Representative Guy V. Molinari, of Staten Island, with whom Mr. Addabbo most recently worked on winning final approval on the home-port measure. Mr. Molinari said it had been Mr. Addabbo who had convinced him, a strong Reagan Administration supporter, and other Republicans to vote against the President's MX missile program.

Over the years, Mr. Addabbo also was a chief sponsor of legislation that helped poor families pay for household heat, assisted small businesses and steered funds to economically depressed areas.

LOSSES IN THE REAGAN ERA

Not long after he became chairman of the subcommittee, the Reagan Administration began and Mr. Addabbo faced a growing national mood more receptive to increased military spending. As a result, Mr. Addabbo frequently lost legislative skirmishes within his subcommittee—including those on the B-1 and a nuclear freeze. But his criticism of some of the programs—such as the MX missile—as wasteful and inefficient occasionally won out in votes by the full House.

Mr. Addabbo was born March 17, 1925, in Ozone Park. He attended public schools there, went to the City College of New York and graduated from St. John's University School of Law in 1946. He opened a law practice in Ozone Park, which he maintained until his election to Congress.

Unlike many members of Congress who move to Washington, Mr. Addabbo commuted to the capital weekly. He once said that he had moved only four times, all within the space of 10 blocks.

He began his Congressional career with a 1960 victory in his first try for elective office as the Democratic candidate in a conservative district that had been represented for many years by Albert H. Bosch, a Republican, who was retiring.

At the time, most observers attributed his victory to the large numbers of Irish and Italian Roman Catholics who turned out to vote for the Democratic presidential candidate, Senator John F. Kennedy. Whatever the reason, Mr. Addabbo converted that first victory into a string of successes, often running not only on the Democratic line but the Republican and Liberal Party lines as well.

He defied the vagaries of redistricting, which shifted and reshifted his district over the years. He also weathered a strong Conservative Party surge in the 1960's and early 70's along with changes in the ethnic makeup of the area, which went from an overwhelmingly Italian, Irish and German mix in 1960 to one that was nearly two-thirds black and Hispanic residents in 1982.

Mr. Addabbo conceded that his first real political scare came in 1982 when a black candidate, Simeon Golar, armed with a modern campaign-polling apparatus, nearly edged him out in the Democratic primary election.

In 1984, Mr. Golar, buoyed by the sweep of the district by the Rev. Jesse Jackson in that year's Democratic Presidential primiary, challenged Mr. Addabbo again. But this time, the incumbent hired his own battery of consultants and pollsters and won handily, with 68 percent of the vote.

Mr. Addabbo is survived by his wife, Grace; two sons, Dominick and Joseph, Jr., and a daughter, Dina, all of South Ozone Park.

A funeral mass is to be said Tuesday at 11 A.M. at St. Patrick's Cathedral, at Fifth Avenue and 51st Street.

ADDABBO PRAISED AT RITES—HELPED END VIET WAR, SAYS TIP

(By Robert Carroll)

U.S. Rep. Joseph Addabbo was remembered yesterday as a key architect of the anti-Vietnam War movement in Congress and a man "who loved and cared for people."

At his funeral at St. Patrick's Cathedral, Addabbo was eulogized by his long-time congressional colleague, House Speaker Thomas O'Neill (D-Mass.).

"Joe Addabbo believed it was his own personal duty that no more young Americans died in Vietnam," O'Neill told an audience that included Mayor Koch, Gov. Cuomo and dozens of other political notables.

Addabbo represented a district in southeast Queens for 26 years, rising in seniority and influence to the chairmanship of the defense subcommittee of the House Appropriations Committee.

"Some people look upon political life as a sacrifice, a burden to be shed," O'Neill continued. "Joe Addabbo was just the opposite.

'Helping people was a joy to him. Politics was not only a great and worthy profession but a way of life."

Earlier in the Mass, Cardinal O'Connor and Brooklyn Bishop Francis Mugavero both praised Addabbo, who died April 11.

Directing his words to Addabbo's widow, Grace, seated in the first pew with her sons Dominick and Joseph and her daughter Dina, O'Connor told her that "while there is a great deal of sorrow in this cathedral, there is a great deal to be thankful for. I have never heard so many accolades as I have about your husband."

Mugavero referred to Addabbo as "this faithful Christian man" who had "love for the people he served and time for all."

"Joseph Addabbo approached issues and problems from his background of faith," said Mugavero. "In his service to the people, God was with him."

Burial was in St. John's Cemetery in Queens.

JOSEPH ADDABBO: 1925-1986

Death freed Rep. Joe Addabbo from the torment of illness Thursday night, but it robbed New York City of its most senior national legislator.

On today's Op-Ed page, his friend and colleague Rep. Mario Biaggi (D-Bronx) remembers the man from Ozone Park and Boys High School, from City College and St. John's University Law School, who gave a quarter century of service to the people of South Queens in the House of Representatives. His loss, says Biaggi, is "difficult to measure and impossible to reconcile."

That's the view of The Post as well.

ADDABBO'S BODY RETURNS HOME FOR FUNERAL IN ST. PATRICK'S

(By Pat Wilks and Larry Nathanson)

The body of Joseph Addabbo, dean of the city's Congressional delegation and a determined watchdog against wasteful defense spending, was brought home yesterday to Queens.

Addabbo, 61, died of bladder cancer Thursday night in Walter Reed Hospital after almost a month in a coma.

His body was flown to JFK Airport on an Air Force jet and taken with a motorcycle escort to the James Funeral Home at 89-01 Rockaway Blvd. in Ozone Park.

There will be no public viewing, at the family's request.

A heavy turnout of congressmen, senators, other public officials and military leaders is expected at a furneral mass for Addabbo next Tuesday at 11 a.m. at St. Patrick's Cathedral.

Addabbo lived all his life in Ozone Park, a blue collar neighborhood which changed from largely white to mostly black and which had proved him right when he said several years ago while fending off a primary challenge by a black candidate:

"The people in this district are color blind."

First elected to Congress in 1960, the affable Addabbo, at his death, was chairman of the House Defense appropriations subcommittee and perhaps the area's most influential congressman.

"An absolute tragedy for the American people," said fellow House Democrat James Scheuer of Queens. ". . . He was the voice of sanity in our defense strategy and tactics."

House Speaker Thomas P. O'Neill said Addabbo had won the respect of congressmen "from both sides of the aisle" because "he demanded quality for each defense dollar.

N.Y.'s FRIEND—MY FRIEND

We have lost Joe Addabbo. It is a loss difficult to measure and impossible to reconcile, especially for those of us blessed enough to have been his friend.

The city has lost its most senior and powerful member of Congress. The people of the 6th Congressional district in Queens have lost a loyal and devoted public servant who gave so much of his time and energy to serving their needs.

Joe Addabbo gave our city, our state and our nation 26 productive, proud and principled years of service as a member of the House of Representatives. In those years he rose to national prominence as chairman of the all-important Defense Appropriations subcommittee.

Joe Addabbo took on the tough issues.

He took on one President over Vietnam, another over Nicaragua. He took on the de-

fense establishment over costly weapons systems such as the B-1 bomber.

Joe won some and lost some. Yet when you tangled with Joe, it was a good clean fight. He was a leader who could disagree strongly with you but never be disagreeable in the process.

Many people will remember Joe for his work on the Defense Subcommittee. Yet his overall service on the House Appropriations Committee was outstanding but often overlooked.

Joe's imprint is on scores of important bills which became law over the past 26 years. He was an unabashed liberal Democrat who saw it as government's role to help those in need and to provide opportunities for a better life.

No program, whether Medicare, or higher education, or aid to mass transit or child nutrition, could get money unless its budget was approved by the Appropriations Committee and Joe Addabbo. Joe did this part of his work with a kind of quiet effectiveness that often kept him out of the limelight. On far too many occasions it caused him not to be given enough credit for all he did.

Joe Addabbo did not want headlines. All he wanted to do was to get the job done, and he did.

We struggle with our feelings at this moment. We are in grief, yet we are also relieved that Joe Addabbo is not suffering anymore.

Joe Addabbo, sweet, kind and totally unassuming, endured a silent six-year struggle with cancer. Did he let it slow him down? No. Did he let it get him down? No.

Joe was active until the final days. He loved his life, his work, his country and the people he represented too much to be any other way. He never wanted to burden anyone with his problems, no matter how serious they were. That was his nature, that was a measure of the greatness of the man.

Joe Addabbo was as good as he was because he mirrored the people he represented. A man of unparalleled integrity with high moral principles and values, he never let the trappings of power cause him to be removed from his constituents. He served them long enough that they were part of an extended Addabbo family.

He truly loved his constituents and it was genuinely reciprocated over a lifetime.

Joe Addabbo spent almost half his life as a member of the House of Representatives. He loved the institution and those who served in it. In turn, members of both parties respected and had genuine affection for Joe. Few have served in the House with greater distinction. Few who have served will be missed more than Joe.

Joe Addabbo is gone, but he will be remembered for his impact on our nation's development and for his countless deeds of kindness and charity over a lifetime.

Joe, go in peace. You helped make this world a more peaceful and restful place.

Mr. STRATTON. Mr. Speaker, I yield to the gentleman from New York [Mr. RANGEL].

Mr. RANGEL. I thank the dean for getting this time for all of us, in our small way, to pay tribute to a long and dear friend. It is strange how so many people felt the very special relationship to JOE, and I guess that is because he took the time out to be concerned about our problems, and struggle with cancer for so long that none of us really knew it; and yet even in the closing days of his life, he would come over and ask us individually about how some problem that we had was facing us.

We all have different special feelings for JOE; sometimes I think about the morning meetings, the afternoon meetings, the evening meetings; and we look at each other and wonder: why do we have to attend all of these meetings for special interests groups or groups that have come here from New York for some special reason?

And yet, JOE was one among all of the delegation that was always there; knew something about each and every one of the problems that people had.

So the gentleman is right; we are trying hard to try to replace in some small way the way JOE. opened up his heart in New York City to so many of the Members, to understand Broadway, to understand the poor communities, to understand Gracie Mansion, and I guess it is because that JOE was really New York City. He was everything that we would want people to think that New York City was: A friendly town; sometimes rough, but always having the compassion to understand other people's problems and to respect and recognize those differences.

I only hope that God gives the strength to Grace, to his sons, Dominick and Joseph, to understand that life would have been terribly different if we in the Congress did not have a JOSEPH ADDABBO, and some of us who have followed him now have a much higher standard to follow, and those to follow us will never forget that JOE ADDABBO walked through this House of Representatives and left his mark.

Mr. Speaker, I rise today to pay tribute to my colleague and dear friend, JOE ADDABBO, who recently passed away after a long struggle with cancer. I would like to commend Congressman STRATTON for scheduling this very timely special order.

In his 26 years in Congress, JOE ADDABBO gained the respect of all who came into contact with him. He was one of the most effective legislators I have ever known. On Capitol Hill, he was a respected leader in making certain that our defense policy stayed within the bounds of the law. When necessary, he used the power of the purse to curtail what he thought were unacceptable expenditures on unneeded weapons systems. In this way JOE let the Pentagon know that it ultimately answers to the American people and their representatives.

On the domestic front, JOE ADDABBO delivered what was needed for his people back home. He grew up in the district which eventually sent him to Washington. The people knew him, and they trusted him. He was instrumental in preserving New York City's defense-based industry, creating jobs for the people who most needed them. His voting record was consistently humanitarian. When civil rights and community-oriented bills came to the floor, JOE ADDABBO could be counted on to cast his vote.

Mr. Speaker, I would like to conclude by saying that JOE ADDABBO was the kind of man who cared about people. He cared about them as individuals, not in the abstract as constituents. His breed is very rare, and very precious. I will miss him.

Mr. STRATTON. Mr. Speaker, I yield to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I thank the gentleman for arranging this special order and it is with deep regret and sympathy that I rise to join with my colleagues in paying tribute to our departed colleague and dear friend the gentleman from New York, JOE ADDABBO.

During his quarter century in the House, JOE ADDABBO served as an inspiration to his colleagues. JOE's dedication to his tasks, his even-tempered fairness, his gentlemanly demeanor earned for him the respect of us all.

JOSEPH P. ADDABBO was first elected to the House in 1960, to the seat vacated by the retiring Representative Albert H. Bosch. Representative Bosch was a Republican, representing a district that had remained in the Republican column for many years, and some observers thought that JOE ADDABBO's first election was a one-time fluke brought about by the presence of John F. Kennedy on the Democratic ticket. JOE soon proved them wrong, however, winning reelection 12 times, sometimes with Republican endorsement and sometimes despite dramatic redistricting boundary shifts.

JOE ADDABBO made it clear that his first love was his home district in Queens. He commuted to Washington weekly, and was proud to remind us that he moved only four times in his life—all within the space of 10 blocks in Ozone Park.

JOE ADDABBO's diligence eventually brought him to the chairmanship of the Subcommittee on Defense on the House Appropriations Committee in 1979. During the 7 years that he served in this position, he became the model of an outstanding legislative leader. He was vigilant as a congressional watchdog against Pentagon waste. Although JOE ADDABBO was adept at trimming the fat away from our defense appropriations, he was just as diligent in making certain that we didn't cut into any vital muscle of our Nation's defense.

In 1982, the residents of our mid-Hudson Valley of New York received the benefits of Congressman ADDABBO's skill and compassion. After years of private fundraising efforts, construction was finally ready to commence on the Jewish chapel for the U.S. Military Academy at West Point. But just as work was about to begin on this long-overdue project, an obscure law dating from the 1890's was found which would have prohibited the Jewish chapel from being connected to the utilities at West Point. The appropriation process for that fiscal year

was completed, and it appeared that years of effort on the part of many dedicated people would prove to be for naught.

When this problem was explained to JOE ADDABBO, he took on the cause as his own. He found a legislative vehicle to allow an exemption to this law, and conducted a personal lobbying effort to ensure its passage. In many ways, the West Point Jewish chapel is a memorial to the leadership of Congressman JOE ADDABBO.

In recent years, the ethnic composition of JOE's district shifted dramatically. As a result, some observers predicted JOE's defeat. But JOE ADDABBO surprised them all, winning 68 percent of the primary vote, and 83 percent of the general election vote, in the last election. It became obvious that the high regard JOE ADDABBO held for his constituency was mutual.

To his beloved widow, Grace, to his two sons Dominick and Joseph, Jr., and to his daughter, Dina, I join my colleagues in offering our deepest condolences.

This Chamber, and our Nation, are better places because of JOE ADDABBO. We in the House are privileged to have known him and to have worked with him. JOE's shoes will be hard to fill. We will long miss JOE ADDABBO.

□ 1845

Mr. STRATTON. Mr. Speaker, I yield to the gentleman from New York [Mr. MCHUGH].

Mr. MCHUGH. I thank the gentleman for yielding and for giving us this opportunity to express our admiration and affection for our colleague, JOE ADDABBO.

Mr. Speaker, the recent death of our colleague JOE ADDABBO is a great loss for his family, for his friends, and for the people of Queens whom he represented so effectively for many years. His passing is also a real loss for the House of Representatives and the Nation at large.

The historical accounts of our time will surely credit the leadership JOE ADDABBO provided to Congress as chairman of the Defense Appropriations Subcommittee. At a critical period in our Nation's history, he brought to defense issues a rare combination of expertise and commonsense. He recognized the need for a strong, credible defense, and he worked hard to assure that our Nation had it. At the same time. JOE was willing to ask tough questions, to hold the Pentagon to sound management standards, and, when required, to oppose unnecessary or destabilizing military expenditures. Striking this kind of balance in defense policy was not always easy, but JOE had an unusual talent for doing so.

I had the privilege of serving with JOE on the Appropriations Committee, and of course we were both members of the New York delegation. For this reason I had many opportunities to observe and admire JOE's self-effacing, diligent, and effective service to this House and to the people of our country. He was a person of strong convictions which were the more persuasive because they were untinged by excessive pride or ego. And even with those with whom he strongly disagreed, he was a gentle, kind, and considerate man.

Mr. Speaker, we will all miss JOE ADDABBO. It was a privilege to serve with him in this House. His contributions and his example will long be remembered.

Mr. STRATTON. I yield to the gentleman from New York [Mr. LENT].

Mr. LENT. I thank the gentleman for yielding.

Mr. Speaker, it is with great sadness that I join my colleagues today in paying tribute to one of America's finest statesmen, former Congressman JOSEPH ADDABBO, who passed away earlier this month. JOE was always a fighter. Despite a long and difficult battle against cancer, he continued to work tirelessly here in Congress, serving his own constituents, New York State, and the Nation until the last.

As a fellow member of the New York State congressional delegation, I had the great honor of serving alongside JOE in the House for 16 years. Every weekend, JOE, would travel from Washington, DC, to his home in Ozone Park, Queens and, we'd often run into each other on the shuttle to New York's La Guardia Airport or on the return flight early Monday morning. Sharing the plane ride together many times over the years, I came to know JOE as a kind and compassionate family man who had a great sense of humor. As a politician, he was a knowledgeable strategist and worthy opponent in a debate. JOE ADDABBO was tough but he was always fair.

From his powerful position as chairman of the Appropriations Subcommittee on Defense, JOE ADDABBO was admired and respected by Members on both sides of the aisle as a forceful advocate of a strong, but lean, national defense. Under his leadership, the Appropriations Defense Subcommittee successfully trimmed billions of dollars in excess defense spending.

Since 1979, when JOE assumed his subcommittee's chairmanship, he was a staunch ally for Long Island's defense and aerospace industry.

He played a key role in securing for Long Island several of its recent major defense contracts, including the upgrading of Grumman Corp.'s F-14 Tomcat fighter and the Fairchild Republic Co.'s T-46 jet trainer aircraft. He continued to fight for the T-46 even from his hospital bed where he was battling against cancer. JOE was committed to ensuring that New York received its fair share of defense dollars, and as chairman of the Long Island congressional caucus, I will always be grateful for his valuable help and support.

JOE ADDABBO was a public servant in the truest sense of the word. For over a quarter of a century, he served his Queens constituents and his country with honor and distinction. In losing JOE, we have lost a beloved colleague and one of the finest individuals ever to serve in Congress. This outstanding American has earned a place in the hearts of his countrymen and the history of our Nation. I know I speak for all who knew and loved JOE in saying that he will be sorely missed. My wife, Barbara, and I extend our deepest sympathies to his loyal staff, his beloved wife Grace, and his two sons and daughter.

Mr. STRATTON. Mr. Speaker, at this time I yield to the distinguished gentleman from New York, the erstwhile Speaker pro tempore, Mr. GARCIA.

Mr. GARCIA. I thank the gentleman for yielding.

I would like to also command the gentleman for taking this time because I just think it is so appropriate for a man like JOE ADDABBO.

Mr. Speaker, we are here today to remember one of our own, JOE ADDABBO.

Mr. Speaker, he served his community and his Nation for over 25 years as a Member of this institution.

JOE ADDABBO had the appearance of being an ordinary politician, a product of his community, not a mover and shaker. But in reality JOE was both. He was very definitely a product of his community, which, I might add, he served with distinction. He was also one of the most influential Members of the House.

JOE rose to the top because he was willing to work hard. He was willing to make sure his constituents were taken care of, while he also kept a watchful eye on issues of national importance, such as defense spending. In facts, as chairman of the Defense Appropriations Subcommittee, he always tried to keep military spending in line with what he thought the American people wanted. He made sure that defense appropriations did not completely overtake spending for necessary social assistance programs.

Yet, JOE ADDABBO was more than a good politician, he was a friend. JOE was down to earth; he was always approachable. He never forgot his roots. JOE worked hard to see that all men and women were treated fairly. He fought for civil rights legislation, to make sure that in the eyes of the law all men were created equal.

It is difficult to list JOE's many accomplishments. After 25 years, he achieved too much for us to mention in 1 hour. There is, however, one thing about JOE that made him stand out from the crowd: His humanity. JOE

was always willing to lend a helping hand. He never had an inflated sense of himself. He never caught "Potomac fever."

Now, we must go on without JOE, without his warm smile and human touch. His passing has definitely brought saddness to many of us, but our memories of him will always bring us warmth. We will surely miss JOE ADDABBO.

You know, Mr. Speaker, there was just one quick moment during that period of time when he had been hospitalized for several months and then came back for a short period. He sat here and he said:

Bob, I have to tell you a funny story. You know, when I was over at the hospital, I had this young doctor taking care of me, and he came over to me and he was really terrific. He really hovered over me, made sure I had all of my needs taken care of. He was a person who I had helped get into the military academy. You know what, Bob, you know what his name was? It was Dr. Garcia.

And I really appreciated that because even today we passed a resolution dealing with Jewish heritage. That was a resolution that JOE ADDABBO passed every year. As chairman of the Census Subcommittee handling those bills I can remember his insistence, "Bob, are we going to get it out, are we going to get it out?" I can tell you even today with JOE ADDABBO gone for a couple of weeks, we are still today working on legislation and resolutions that he really treasured.

So I thank my colleague for giving me these few minutes to praise a great colleague.

Mr. STRATTON. I yield to the gentleman from New York [Mr. MANTON].

Mr. MANTON. I thank the gentleman for yielding.

Mr. Speaker, it is with great sadness that I mark the passing of my distinguished colleague and friend, JOSEPH P. ADDABBO. JOE leaves us a legacy of over a quarter century of service in the House of Representatives to his constituents, his city, his State, and his country. He stood out as an example of how one should carefully handle the public trust in order to inspire public confidence in our political institutions.

The people of the Sixth Congressional District of New York were indeed fortunate to have such a representative of candor, courage and integrity. JOE ADDABBO was a true representative of his constituents. Throughout his life he lived within a 10-block area. He spoke not only from his own ideology, but also on behalf of his constituency. The faith his constituents placed in him was reflected by the way he was returned to Washington 13 times.

Mr. Speaker, JOE ADDABBO was a leader in the great issues of his day in civil rights, education and senior citizens. However, his largest impact was in the area of defense. In 1973, he sponsored the first antiwar resolution ever to pass the House of Representatives, cutting off funds for the bombing of Cambodia. As chairman of the Defense Subcommittee of the House Appropriations Committee, he advocated a strong but lean and cost effective defense, objecting to projects he considered wasteful, such as the B-1 bomber and the MX missile.

When I was elected to the Congress in the fall of 1984 to the district next to his in Queens, JOE ADDABBO was always available to assist me in any way possible. He was influential in helping me obtain a seat on the Merchant Marine and Fisheries Committee and also a seat on the Banking Committee. Both these assignments are important for the people of my district.

Mr. Speaker, JOE ADDABBO was a skillful legislator who was always a good friend and political adviser to me. He consistently aided those in our society who most need our concern and assistance. His accomplishments will survive as a fitting tribute to his long and outstanding career of public service in the House of Representatives. I join all my colleagues in mourning JOE's death, celebrating his life, and recalling his lasting contributions to New York and to America. My heartfelt condolences go out to Grace, the children and the entire ADDABBO family.

Mr. STRATTON. Mr. Speaker, I yield to the gentleman from New York [Mr. ACKERMAN].

Mr. ACKERMAN. I thank the gentleman very much.

I miss JOE ADDABBO. It is really hard to believe that he is not here with us in the Chamber at this time.

When I came here a few short years ago, JOE had already been here for two decades. He was a legend in the community. But we never really fully understand the power that he wielded here in the Congress and how much he meant to this institution and to the entire country. JOE was always there. He was the quintessential good guy. Everybody knew him, everybody liked him. He had a district in which if he walked down the street, there was not a person that he could not call by their first name and talk to them and tell them a story about what happened when they were kids or about their father or about their family.

We used to kid him back home in Queen in the political circles. JOE used to be able to walk into the largest of meetings, be they political, civil, social, and as we call it, "do the room." He would be able to work the room and shake hands with every single person in the room, to give them a good word, to pat them on the back, tell them a story, and to be out of the place within 20 minutes.

Nobody ever knew how he did it.

□ 1900

We used to try to compete with him and say, "JOE, I will be out of the room before you." And he sometimes would be out of the room before we got there, and everybody thought that JOE was still there because he had such a sense of presence, yet his presence was not overpowering, regardless of the power that he actually did have.

There was not a person who had a bad word for JOE. JOE was elected and reelected from a district that some people finally at the last two elections thought was impossible for him to accomplish. It was a district that changed racially. It was a district that changed because of reapportionment. It was a district that people suggested JOE possibly not run in, that he run in an adjoining district where he would have a better chance because of the statistics. But JOE, courageously and from his heart, said, "This is the place that I was born, this is the place that I have represented for the past quarter of a century, and this is the place that I am going to run." He did run and was elected overwhelmingly in the last two elections, despite what all of the pundits had to say.

All of the people that he was good to over the years were also good to JOE. He did not take anybody for granted. I feel kind of guilty, and I know that his constituents do, too, because we sort of took him for granted. We really never understood the full worth of the man.

Having come here to Congress a few short years ago, I have been privileged to realize the kind of things that JOE has been involved in. And as fortune would have it, JOE and I alphabetically were the first two names on the rollcall. I would always look up to the upper lefthand corner just to make sure that I would vote, and I would notice everybody else used to look up to that upper lefthand corner. They were not looking to see if I voted or not; they were really looking to see what JOE had done and what JOE thought on a particular issue. Such was his influence in this House.

When I got here, I remember he draped his arm around me with that great big teddybear grin of his, and he looked at me and he said, "This is what it is all about. How can I help you?" And help he did as he did with so many other people.

I would see him sit in different places in this Hall, whether it be on the Democratic side or the Republican side, it would make no difference to JOE. He had friends all over. Everybody loved him.

Mr. Speaker, I miss JOE. I know everybody in this House does. He leaves his mark here that is indelible, and he leaves a void that is going to be impossible for all of us, even collectively, to fill.

Mr. STRATTON. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, I thank the gentleman for yielding to me, and I congratulate the gentleman for taking this special order.

I am here primarily to pay tribute to a fellow who was indeed a great man. He was the powerful chairman of the Subcommittee on Defense on the Appropriations Committee. But notwithstanding his power in that capacity, notwithstanding his many, many years as a U.S. Congressman, he also was a very nice person. He was a man of the people.

Mr. Speaker, I did not really know JOE in the first 8 years that I served here in the House of Representatives. I knew him casually, as we would come and go and would chat in the Halls or on the floor of the House. But it really was not until I came to have a chance to serve on the Defense Subcommittee on the Appropriations Committee that I got to know him, that I had the ability to watch him and to observe him, how he handled the committee with such grace and charm. Oftentimes he was even outvoted by the vast majority of the members of the subcommittee. We did not always agree. But when we did not agree, it was always in good spirit and good humor and in grace and in charm that JOE constantly possessed.

He was a gracious man and a nice man, but he was also a tough man. Evidently, the facts indicate that he had been sick for years without anybody really knowing the details of his illness. Yet, in only May of last year, with enormous grace and charm, he invited Members of the House and their families—and I think that is terribly significant that he brought their families, their wives and their children—with him to his city up in New York and showed them around with a great deal of pride and fanfare, and showed them the high spots of that wonderful Big Apple of his. I have to say that never, not one instance, during that trip did he ever indicate that he knew that he was ill, and he looked wonderful. He was charming and gracious and presented everybody with a perfectly wonderful time. It was a great pleasure for my wife and children to go on that trip with me and to be hosted by JOE and Gracie and his family and friends. I just want to tell you that that is a memory that I will want to take with me for the rest of my life, because it was not long after that trip that JOE's health started to decline and it became obvious that he did have a problem even then.

He was tough to the end. He never let on that it was as serious as it was.

As the speakers who preceded me, I will indeed miss JOE ADDABBO, because he was a fine man and a man with whom I personally am very, very pleased to have been associated.

Mr. STRATTON. Mr. Speaker, I yield to the gentleman from Arizona [Mr. RUDD].

Mr. RUDD. Mr. Speaker, I thank the gentleman for yielding to me, and I appreciate the fact that the gentleman took out this special order for our friend and colleague, JOE ADDABBO.

Mr. Speaker, I rise in eulogy to our friend and colleague, JOE ADDABBO. He repeatedly demonstrated an ability that was recognized universally here in the House of leadership in politics and in government, which he understood very well.

Mr. Speaker, it was a pleasure for me to know him and to call him friend. He will be missed by all of us.

I wish to extend greatest sympathy and assure his family and theirs that he is in our prayers and in my prayers.

It has been a privilege to serve with JOE on the Appropriations Committee.

Mr. STRATTON. Mr. Speaker, I yield to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Speaker, I thank the gentleman for yielding to me. I also appreciate the gentleman taking out the time for this special order.

Many before me tonight have discussed JOE ADDABBO's skill and dedication as a legislator.

I share the appreciation of these qualities.

One of JOE's great attributes was that he had his priorities right.

He loved his church, he loved his family, and he loved it's country.

We will miss him as a cherished colleague, we will miss him as a friend and we will miss him as a valuable Member of this body.

Mr. STRATTON. Mr. Speaker, I yield to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I thank the gentleman for yielding, and very much thank the gentleman for taking out this special order in memory and in great honor of JOSEPH P. ADDABBO.

Mr. Speaker, I first met Joe right after I was elected to Congress in 1980. I asked around and people said you ought to go see JOE ADDABBO. So I called him up. I never expected to talk to the man. I called him up at his office in Ozone Park, and he said, "Come on out. I am here at the office. It was a Saturday. I traveled out and there was Joe in his shirt sleeves, a kindly looking man, not the kind of man you would think was in the movies about how a Congressman would look. He was happy and smiling and just warm and genuine.

He sat with me for over 2 hours, and we talked over potential committee choices and everything else. I went away saying, "Boy, oh boy, what a nice man JOE ADDABBO is."

The second time I met him, the mayor of New York had a reception at Gracie Mansion—no. I think it was at City Hall. It was a meeting about some kind of thing. It was again before Congress started. I am walking over to city hall and who comes up from out of the subway saying, "Hi, SCHUMER," JOE ADDABBO. I said, "JOE, you took the subway?" He said, "Yes. When I go into the city out from Ozone Park, I take the subway in." Here was a man who was revealed to me to be one of the most powerful men in the Congress, and there he was coming up the steps of the subway with that big smile on his face.

Those were the first two memories of JOE, and they stick, because, as my good colleague from Queens mentioned before, JOE had a lot of power; not only power, by the way, that came from the authority of his position, power that came from his decency and his personality and his kindness and goodness.

But the humble ways of life never left him, and that created an aura about JOE. He was not somebody who was brandishing the chairmanship that he had or the perquisites of the office. He was somebody who genuinely cared and liked people.

□ 1910

So we have lots of people who have attained the statutory position and power that JOE did here in the Congress but very few had almost universal respect. JOE's power was augmented by the fact that he never, never lost touch with what real life was all about. In a sense, he was like the Greek mythology figure, who, every time he touched the ground, gained strength, and the only way Hercules could strangle him and kill him was to hold him up in the air. JOE gained strength from walking on the ground, from not being 20 feet up in the air. It made him more effective, it made him more powerful, but most of all, it spoke to the decency of the man.

We in New York, in New York City and New York State, have suffered a loss that will take years to replace, a man who could reach out to every Member of the Congress, regardless of party, ideology, or area from which they came, and again in a gentle and kind way, persuade them to his point of view.

We in America have lost a great leader—words that are sometimes used too casually, but words that are truly fitting of this wonderful, wonderful man.

Of course, the people of Queens and JOE's family have lost, in a personal sense, somebody who was among the best.

Being in Congress, Mr. Speaker, has really made me a patriot. It has made me a patriot because the Congress re-

flects the American people. When you look around and see the people in this body, you know what a good people the American people are. And if somebody typifies that to me, it is JOE ADDABBO. It is JOE ADDABBO, not was JOE ADDABBO, because he will walk with us for many, many more years to come in this body.

Mr. STRATTON. I thank the gentleman for his remarks.

Mr. Speaker, I yield to the gentleman from New York [Mr. WEISS].

Mr. WEISS. I thank the distinguished gentleman for yielding, and I want to express my appreciation to the gentleman for taking this special order so that we could join in honoring the memory of our late colleague and friend, JOSEPH P. ADDABBO.

Mr. Speaker, few Members have earned so much respect and affection from both sides of the aisle as JOE ADDABBO. His devotion to public life and his painstaking attention to detail made him one of the most effective legislators in the House.

I know that I share the sentiments of every Member of this body in mourning his passing and extend our deepest sympathy to his wife, Grace, and his sons, Dominic and Joseph, and the other members of his family, his many friends and his constituents.

In the House of Representatives, JOE ADDABBO leaves behind an untold number of friends and admirers who will greatly miss his genial and yet statesmanlike presence. He also leaves behind an important and continuing legacy in the areas of foreign policy and defense. As a Member of the Congress, JOE ADDABBO distinguished himself by becoming one of the first lawmakers to take a firm stand against the Vietnam war. He sponsored the first antiwar resolution to pass the House, a resolution cutting off funds for the bombing of Cambodia. It was an action that took courage, foresight, and determination.

Of course, JOE ADDABBO played his most important role as chairman of the House Appropriations Subcommitte on Defense. He understood that there was more to the security of our Nation than the size of the defense budget, and he earned the accolades of Members for insisting that defense dollars requested by the administration, any administration, be fully justified before being approved.

In doing so, he helped rein in the runaway policy of throwing dollars at the Pentagon and helped to forge our defense budget into more of a defense policy.

It was JOE ADDABBO who led many of the most important battles against wasteful and dangerous weapon systems like the B-1 bomber and the MX missile. He began these battles and pursued them vigorously, despite the fact that he often faced strong opposition from Members of his own subcommittee and from the administration. He did so because he was convinced that these weapons would not contribute to the security of our Nation.

The concerns of his Queens constituents were always uppermost in JOE's mind. He took the time to listen to them and to understand their needs. He insisted that the Federal Government play a role in protecting civil rights and in aiding the poor and the uneducated. He was also a staunch supporter of a woman's right to choose her own determination as to her body in regard to abortion.

But in recent years, JOE ADDABBO fought more than legislative battles. He also fought a long and difficult battle against cancer. In that battle, as in all others, he distinguished himself with courage, dignity, and perseverance.

In the Borough of Queens, throughout New York City and across this Nation, the memory of JOE ADDABBO will always serve as an inspiration to those who value excellence and believe in serving our fellow human beings.

On this occasion I wish to once again express my profound sorrow at the loss of our cherished colleague and to extend my heartfelt sympathies to the family and friends and constituents of JOE ADDABBO.

JOE, we will never forget you.

Mr. STRATTON. Mr. Speaker, I yield to the gentleman from New York [Mr. MOLINARI].

Mr. MOLINARI. I thank the gentleman for yielding.

Mr. Speaker, I guess what we have all been saying here this afternoon and this evening is how much we all loved JOE ADDABBO. I think the tragedy of life and death is that, unfortunately, after you die, you do not know the respect that your colleagues have held you and the country has held you. Attending the mass at St. Patrick's Cathedral was a terribly moving experience for me. I was sitting near Congressman SCHUMER, and we were looking about, at our colleagues, and we saw tears flowing down cheeks all over the place, and we knew that we were there to pay respects to that "teddy bear" that we all loved.

Mr. Speaker, I wonder how many of us could have carried on the battle as he did, suffering the torment that he did. I have thought a lot about this. I do not know how JOE could continue to smile, as he did, like there was nothing wrong with him.

I would like to just mention one experience I had not so long ago. I guess it was in January when JOE returned from a long absence. As Congressman ACKERMAN said before, he used to sit on the Republican side a lot. I think that said something. We would have welcomed him with open arms, needless to say. But I did not see him walk in, and he popped into the seat next to me and patted me on the leg and said, "How are you doing?" I turned around, and I was shocked because I did not know JOE was back. I looked at him, and he looked great; he had a tan, and he was wearing that ever-present smile. He asked me how I felt. At that point in time I felt good about JOE ADDABBO. I thought maybe he has turned the corner and now he is on his way back to us. But, no, he knew what he had. He knew what he had and it did not "buffalo" him for 1 minute. The courage of that man and the spirit of that man was never broken by that terrible illness, never broken for 1 moment. And I think that is the thing that touches me the most—it is at a time like that, when a person is dying and knows that he is dying and can carry on, performing his duties, and at the same time smiling to his colleagues and saying, "I am proud to be one of you."

I will close by saying that unfortunately throughout this land of ours those who serve in Congress and other legislative bodies are generally not held in high esteem, and I think that is a product of a lot of things—sometimes bad press, bad media coverage, and what not—but I wish to God that all the people of this Nation could have been in St. Patrick's Cathedral, could have witnessed three planeloads of colleagues flying in from all over the country to be there with the man in his final moments before interment. It was an incredible experience for me and something that I shall never forget.

He left his mark, all right. He left his mark for all of us. JOE is still here. JOE will always remain with us because of the incredible presence that he lent to us and the lessons that he taught all of us.

I thank the gentleman for taking this special order.

Mr. STRATTON. I thank the gentleman for his remarks.

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

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

Mr. VENTO. I thank the gentleman for yielding.

Mr. Speaker, I want to again rise and commend the gentleman from New York, the dean of the delegation, for having this special order and to share a few of my experiences with JOE ADDABBO. I first met him as a Member of this body in 1977. Of course, first and foremost, as a Member I might say that I think that the reason that this outpouring of support and recognition for him is forthcoming is because JOE was himself. JOE ADDABBO was a man who was natural and sincere and someone that we all shared a great deal of affection for. I knew him, of course, as a Member of this body and a member of the Appropriations Committee, and later serving as chairman in a distin-

guished manner of the Subcommittee on Defense Appropriations, where he fought and labored so much of the time during his service in this body. I think he had the quality of being able to disagree without being disagreeable. Often I found myself in agreement with him, I might say, on many issues. He was a great leader, from my perspective, on these defense-related issues that are so important to our Nation's history and our Nation's future; but he could disagree without being disagreeable. I think all of us respected that. He could fight the fight and make the argument for policy, and when it was done, that was the end of it—you had a good debate. I think that reflected well on him and on the quality of decisions that are made in this body.

As I say, I felt that he always had a good perspective and could keep things in perspective with regard to these issues, as well as representing the people.

In his final days we all recognized that he had a serious illness. It was not obvious when it began because he kept it pretty much to himself. But we recognized this, and he showed us again, I think, not just how to serve this body but, as the great person he was, I think he showed us how to leave this body.

I want to offer my condolences, of course, to Mrs. Addabbo, Grace, and the family, and I think he has made a great contribution at the national level and certainly has been a role model for many of us who serve here. He will indeed be missed but certainly not forgotten.

Mr. STRATTON. I thank the gentleman from Minnesota for his remarks.

Mr. Speaker, I am pleased to announce that the New York State Legislature adopted a resolution yesterday in memory of our late colleague, JOSEPH P. ADDABBO. In both the State senate and assembly, Mr. ADDABBO was memorialized in a resolution sponsored by the leadership and the members of the legislature from the Borough of Queens. Congressman ADDABBO was well recognized and regarded by the legislative leadership in the State of New York. It was through his leadership in this House that many of New York's Federal programs received their sponsorship and support.

I am including in the RECORD a copy of the resolution which was adopted in Albany, NY, yesterday:

RESOLUTION MEMORIALIZING CONGRESSMAN JOSEPH P. ADDABBO

Whereas, Joseph P. Addabbo, Member of Congress, succumbed following a long illness on Thursday, April tenth, nineteen hundred eighty-six at Walter Reed Military Hospital, Washington, D.C. at the age of sixty-one after a quarter of a century of service in the Congress of the United States; and

Whereas, Mr. Addabbo was born March seventeenth, nineteen hundred twenty-five to Dominick and Anna Addabbo in Queens County, New York and resided in Ozone Park, New York; attended PS 59, Queens Boy's High School, Brooklyn; City College, New York; St. John's Law School, Queens. He was admitted to the New York State Bar in 1946; was a member of Queens County Bar Association, Columbia Lawyers Association; and

Whereas, Mr. Addabbo began his Congressional career in nineteen hundred sixty-one and served as the Chairman of the powerful House Defense Appropriations Subcommittee since nineteen hundred seventy-nine. His careful eye against wasteful budget expenditures was well-known. At the time of his death, he was also serving on the Subcommittees of the Small Business Committee: SBA and SBIC Authority, Minority Enterprise, General Small Business Problems, and General Oversight. Past committee assignments include Veteran's Affairs, and Post Office-Civil Service; and

Whereas, Mr. Addabbo was a tireless defender of the interests of New York State and was remarkably successful in protecting New York's defense industries and was instrumental in bringing the Battleship Group to Staten Island; the Intrepid Museum to Manhattan; the construction of the A-6 Training Plane and F-14 Fighter Jets to Long Island; and the Army to Fort Drum. The State and City of New York will be forever grateful to the Congressman for his efforts in providing vital assistance to New York's housing, economic development, transportation, and public assistance programs. He was a masterful public figure, and was well-loved by his colleagues on both sides of the aisle; and

Whereas, Mr. Addabbo is survived by his beloved wife, Grace Salamone, and three children, Dominick, Dina and Joseph; now, therefore, be it

Resolved, That this Legislative Body pause in its deliberations to acknowledge the life, career and contributions of Joseph P. Addabbo and to express its condolences to his family upon the occasion of his passing; and be it further

Resolved, That a copy of this Resolution, suitably engrossed, be transmitted to his beloved wife, Mrs. Grace Addabbo.

Mr. McDADE. Mr. Speaker, I am pleased that the House is taking the time today to honor JOE ADDABBO. I thank the Members of the New York State delegation for arranging this special order in his memory.

Congress has lost one of its most respected legislators with JOE's passing, and many of us in the House lost a good friend as well. I came to know JOE ADDABBO by serving with him many years on the Small Business and Appropriations Committees. We worked side by side over the years in a bipartisan fashion for objectives we believed would best serve this country.

When you work many long hours with a colleague, as I did with JOE, you get to know him well. I developed a professional respect and a personal friendship with JOE by working closely with him while he was chairman and I was ranking Republican on the Small Business Subcommittee on Minority Enterprise and General Oversight and, most recently, on the Defense Appropriations Subcommittee.

JOE ADDABBO will probably best be remembered for presiding over the Nation's defense budget at a crucial time in our Nation's history. He used his high-ranking position to fight tirelessly to cut waste and bureaucracy in the Department of Defense. JOE took on these battles because he felt the Nation and the world would be more secure, and because he believed that the tax dollars of our citizens should be used in the most efficient and effective manner.

JOE's prominence in the defense area makes it easy to overlook his enormous contribution in the small business area, particularly on belalf of minority businesses. I worked with JOE nearly a decade ago to establish the small and small disadvantaged business subcontracting program for Federal contracts. Five years ago, we teamed up to protect small and minority businesses when we protested provisions in the multilateral trade agreements that would have undermined the 8(a) set-aside. It is not an exaggeration to say that our small business community is more economically viable and that new opportunities for minority business success exist today because of JOE ADDABBO's efforts.

JOE will be truly remembered for his achievements, but those of us who knew him will also think of his personal attributes. He was compassionate, understanding, even-handed and kind man. I think the best tribute we can give to JOE ADDABBO would be to carry on in his absence with the same professionalism and humanity that were his trademarks.

To his wife, Grace, and to his fine children, our heartfelt sympathy.

Mr. FISH. Mr. Speaker, I rise today to pay tribute to my friend and colleague, JOSEPH P. ADDABBO, a great New Yorker and a true gentleman. We served together in this body and as part of the New York delegation for 18 years. He bravely fought through 6 years of suffering and never made an issue of his troubles so that he could continue his important work here in the House. It is important to note that in his last 6 years he gained the most recognition of his fine work as chairman of the Subcommittee on Defense of the Appropriations Committee.

JOE tried hard to balance the best interests of his district, New York State and the Nation. He was always open minded and fair. When he was considering decisions of enormous consequence such as funding for the MX or B-1 bomber, he would always take the time to listen to the smaller concerns of Members not on his subcommittee. I will not forget his support for the development of a military component at Stewart Airport in my district and that it came at an especially critical time.

JOE will be sorely missed. I had the good fortune to work with him and was privileged to call him a friend.

Mr. GUARINI. Mr. Speaker, the opportunity to speak a few words about our dear departed colleague, JOSEPH ADDABBO, is an opportunity for me to reflect on what it means to be a Member of Congress, what skills and talents we bring to this splendid institution. All of us who served with JOE ADDABBO have been very fortunate, for he brought many gifts to the House of Representatives. He brought a strong sense of fairness and integrity which was reflected in all of his dealings with his colleagues. He brought a keen sense of vision as to the direction we should be leading the country. And he brought courage—first, in op-

posing the war in Vietnam and later, in confronting his final illness.

A St. John's Law School graduate, Mr. ADDABBO practiced law as a peoples lawyer in Queens before being elected to Congress. He was a man who never strayed far from his neighborhood and friends of the Sixth District of New York and also never strayed far from his deep personal convictions about how his constituents should be.

Representative ADDABBO, first elected to Congress in 1960, ranked 21st in House seniority. Mr. ADDABBO acquired his seniority via the usual mode of reelection, but over those years he also garnered respect and authority from his fellow Members, by his love for this great institution and his fundamental fairness. Congressman ADDABBO had gained a reputation for working closely with other Members, and being an effective strategist in shepherding legislation through the legislative process.

Congressman ADDABBO chaired the Appropriations Subcommittee on Defense since 1979, and was an esteemed and trusted adviser on all defense and military issues. He was an astute politician, a watchdog against waste, and an expert and specialist in all areas of defense related legislation.

His membership on the Small Business Committee and related subcommittees kept him dedicated and aware of all business concerns. Congressman ADDABBO worked in behalf of small business, especially minority businesses in his district. The thriving small business population in Queens can give testament to all of the Congressman's legislative accomplishments.

Congressman ADDABBO was a practical politician who sought to solve the problems of Queens by bringing employment in military and defense areas and by aiding the business population. Mr. ADDABBO was a true friend of the people, and he proved it, over and over again, by sponsoring legislation to aid his economically depressed constituents.

He was a humble man who was dedicated to the House and therefore dedicated to earnestly representing his constituents in and out of committee. He made it very clear that the House of Representatives was his calling in life, it was his career. His primary desire was to play an influential role in congressional affairs. The people of New York's Sixth District have lost a dedicated Representative. The House of Representatives has lost a respected colleague who will be sadly missed by all. He was a true friend who had left his mark on all those whose lives he touched.

Thank you.

Mr. MONTGOMERY. Mr. Speaker, I want to join with my colleagues in paying tribute to one of the most popular members in this Chamber, Representative JOE ADDABBO.

He set a very fine example of leadership in the House of Representatives for 26 years. He will be greatly missed.

JOE handled a very tough assignment in chairing the Appropriations Subcommittee on Defense. He did that job very effectively and earned the respect of Members on both sides of the aisles.

I also enjoyed the Congressional Prayer Breakfast with JOE. We talked about his health but he never complained about it. He fought hard against his illness, just as he fought for his beliefs and principles here in the House.

I am proud to have had a chance to serve with JOE ADDABBO. He worked hard for his constituents in New York and for the people of this country as chairman of the Defense Subcommittee. His leadership and expertise will be missed.

Mr. BEVILL. Mr. Speaker, I rise today to pay tribute to my good friend and colleague, JOE ADDABBO, whose leadership we will all miss.

JOE was a wonderful person. He was always pleasant and always seemed happy. He never let problems get him down. JOE also was one of the most respected Members of Congress—respected on both sides of the aisle.

As chairman of the House Appropriations Defense Subcommittee, JOE was the author of the biggest appropriations bill in the world. He was strong on defense, but he would not stand for wasteful military spending. He wanted to make sure that our hard-earned tax dollars were properly spent, at the same time ensuring that this Nation was properly protected.

JOE served 26 years in the House of Representatives with unflagging dedication to his New York constituents and to the Nation as a whole. He was a man of integrity. He stood up for what he believed in and worked hard to achieve those goals.

His talents will be missed. But, more than that, JOE will be personally missed by his many friends. I am proud to have known him, to have worked with him, to have called him a friend. We won't forget JOE ADDABBO.

Mr. YATRON. Mr. Speaker, I would like to join my colleagues in expressing my deep sympathy on the passing of our distinguished colleague, Congressman JOSEPH P. ADDABBO. I know we all feel a great sense of personal loss now and, truly, one of our most respected Members and friends has left our Chamber.

JOE served in the House of Representatives for a quarter of a century and during that time he dedicated much of his time and work to defense policy issues. His thorough knowledge and understanding of the Pentagon and military spending earned him the respect of his colleagues and, in 1979, the chairmanship of the Defense Subcommittee of the Appropriations Committee.

JOE was very dedicated to his constituents and was reelected time and again by wide margins. He was a kind and caring man, whose compassion and concern for others knew no bounds. Personally, I know we will remember JOE with great fondness. He was one of the most friendly and likeable Members and he had a tremendous affection for all of us.

JOE leaves a magnificent record of many lasting and important achievements in the House of Representatives. JOE will be deeply missed and forever remembered as an outstanding Congressman and American.

Mr. NOWAK. Mr. Speaker, it is with sadness that I join my colleagues in a tribute to a great leader and good friend, JOE ADDABBO, who passed away earlier this month after a long struggle against cancer.

JOE ADDABBO's 26-year tenure in the House of Representatives spanned six administrations, a wide range of complex issues, and an ever-changing national arena. Yet, JOE never lost sight of the well-being of his constituency, working tirelessly for adequate housing and heat for the poor, steering economic aid to depressed areas, improving education for our youth, and providing various incentives and assistance for small businesses. JOE's substantial election victories over the years clearly illustrates this remarkable ability to address the needs of those who he had been chosen to serve.

JOE ADDABBO will also be remembered for his great influence in shaping our national defense policy as Chairman of the Appropriations Subcommittee on Defense. By mastering the intricacies of defense issues, JOE became one the House's most credible and rational critics of Pentagon spending, consistently opposing ineffeicient and wastful use of defense funds. Although JOE's many appropriations battles were often uphill and marked by heated debate, some even lost in his own subcommittee, he earned respect and admiration from both sides of the aisle.

JOE ADDABBO was a man of strong conviction, dedicated to his career as a public servant, accommodating, understanding and humble in his approach. Over the last several years fighting against the odds with cancer, he never allowed his personal health problems to interfere with his job. JOE'S leadership and vast knowledge will be sorely missed by his colleagues. However, his record as a Member of the House remains as a fine example for those who succeed him and an inspiration for all Americans.

Mr. FUQUA. Mr. Speaker, a man of strong convictions—that's how I will remember my dear, departed colleague JOE ADDABBO.

The U.S. Congress always could count on this honorable gentleman to be one of the most articulate reviewers of Pentagon spending. As chairman of the Appropriations Subcommittee on Defense, he would not hesitate to turn crimson and raise his voice in support of a strong yet lean defense. ADDABBO consistently managed to cut billions off the defense budget and even those who disagreed with him respected his knowledgeable viewpoint.

Mr. ADDABBO dignified New York with his devotion for 26 years, even through his 6-year battle with cancer. This loyal New Yorker was born and educated in New York, lived his entire life within a 10-block area of the Big Apple, commuted weekly to his office in the District of Columbia and did everything in his power to promote the city he adored to his Capitol Hill friends and colleagues.

I fondly recall weekends in New York when his son Joey and my son John would play together, while Mr. ADDABBO played "Mr. Hospitality" with us. In fact, the influential legislator instigated the now-famous congressional weekend in New York, which my wife Nancy and I enjoyed.

JOE'S death certainly will leave a gap in the established weekend event and in the lives of everyone he touched. My condolences to Grace, Dominic, Dina and Joey; the State of New York; and Congress; for the loss of this devoted man.

Mr. ROE. Mr. Speaker, it is with great sadness in my heart that I rise today to join in this remembrance of our colleague JOE ADDABBO, who passed away last week.

I indeed felt a great personal loss as JOE and I had established a close personal and professional relationship during the many years we served together in this body. As representatives from neighboring New York and New Jersey, JOE and I spent many hours together working on issues affecting our metropolitan area.

Despite the national attention that JOE received as the leading spokesman in Congress against excessive military spending, he never forgot for 1 minute that his major role in Congress was to represent the interests of the people of the Sixth Congressional District of New York. And represent them he certainly did.

During his 25 years in the House, JOE truly became a "peoples" representative, devoting himself untiringly to his constituents' needs, worries and causes.

JOE ADDABBO loved this country and its people. He was a true patriot who wanted the best for America and would not settle for anything less. He was strongly offended by what he believed to be the wasteful spending of taxpayers' funds in our military procurement system.

JOE was an outspoken supporter of a strong military for America, but he insisted that every dollar spent on that program be accounted for to insure that the taxpayer was getting the most bang for his buck.

Among those of us who were privileged to personally know JOE, he will most be remembered for his kind manner and joyful sense of humor. We will remember him as a man of unparalleled integrity with the highest moral principles and values. His good cheer and bright mind will be sorely missed as we here who follow him attempt to solve our Nation's weighty problems in the years ahead.

I am sure that I speak for all of us, as I extend my most heartfelt sympathies to JOE's wife Grace and his children Dominic, Diana, and Joseph at this time of their sorrow.

Mr. OWENS. Mr. Speaker, it is with deep sadness that we note the death of our colleague, JOSEPH ADDABBO, of New York's Sixth Congressional District. As chairman of the Appropriations Subcommittee on Defense, he left his mark on this body and on our Nation's history. Although he was a strong supporter of national defense, he sponsored the first successful anti-Vietnam war resolution which cutoff funds for the bombing of Cambodia. In 1982, Congressman ADDABBO was able to secure a 245-to-176 vote for his amendment to block MX missile production. This was perhaps his most dramatic victory as chairman of the subcommittee and as well as a victory for his ongoing battle against what he saw as wasteful weapons systems.

Today we are all familiar with the ongoing battle against Department of Defense waste. Even as we try to control contract costs, revolving door employment practices between the Department of Defense and defense contractors and multitudinous wasteful practices, we must recognize that we are following in the path which Congressman ADDABBO opened. His pragmatic career of controlling waste while arguing for a lean and efficient national defense earned him the respect of those he fought as well as those who agreed with him. Perhaps a final tribute to him was the support that he gained from peace activists in New York who saw him as a bulwark against a bloated defense budget which would lead to foreign military adventures.

When the seriousness of Congressman ADDABBO's final illness became clear, it was hard to believe that this cheerful and good-humored man had long been laboring under the strain of a severe and finally fatal illness. We will miss his leadership on the Defense Appropriations Subcommittee and his presence among us.

Mr. GREEN. Mr. Speaker, I ask my colleagues to join in paying tribute to the memory of the Honorable JOSEPH P. ADDABBO, who died on April 12 at the age of 61. Representative ADDABBO devoted the last 25 years of his life not only to his constituents in Ozone Park but also to the citizens of the Nation.

As chairman of the Defense Subcommittee on the House Appropriations Committee, Representative ADDABBO worked for a strong and efficient defense policy. A leader of opposition against wasteful arms projects, he did not hesitate to speak out against Pentagon officials. He held a significant role in limiting the spending for such projects as the MX and Pershing missiles. As President Reagan said, Representative ADDABBO was "one of leading players in the development of the American military policy."

The Governor of New York, Mario Cuomo, once called Representative ADDABBO a "great man whose commitment to integrity and excellence has improved the quality of life for all New Yorkers." He sponsored legislation to help poor families pay for household heat, assisted small businesses, and directed funds to economically depressed areas. He was in favor of civil rights and Federal aid to education and the elderly. He voted against legislation to limit rights to abortion and allow prayer in public schools. His role in defense also aided the interests of his constituents. He increased Long Island's aircraft industry and added thousands of jobs to the metropolitan area.

Representative ADDABBO played a crucial role in advancing an anti-Vietnam war measure that passed the House. This amendment put a halt to appropriations for the bombing of Cambodia.

Representative ADDABBO did not seek to run for other elected offices. Instead, he devoted himself to Congress, his "career", as he once said. He was respected by Democrats and Republicans alike. He was a warm and compassionate leader who acted fairly.

Representative ADDABBO was born and raised in New York. He went through public schools and then attended City College. After graduating from St. John's University School of Law, he began a law practice in Ozone Park where he remained until he was elected.

Representative ADDABBO will be sadly missed.

Mr. BOLAND. Mr. Speaker, I want to thank the gentlemen from New York, Mr. STRATTON and Mr. HORTON, for giving us an opportunity to pay tribute to our friend, JOE ADDABBO.

JOE did not seek publicity or personal attention, so I think he would have been a little uncomfortable with the fact that this time has been set aside to reflect on his life and his service in this House. But, as anyone who knew him is aware, the way in which he lived his life, and the manner in which he served in this body, were of such a character as to demand that special note be taken of his passing.

I had the privilege of serving with JOE on the Appropriations Committee. While he was perhaps best known in the House for his work as chairman of the Defense Subcommittee, within the full committee his was a highly respected voice on a wide range of issues, from the Vietnam war, to the plight of the poor and disadvantaged, to the needs of Federal workers. As was the case on the House floor, when JOE spoke in the Appropriations Committee, people listened. He was credible because the Members knew that JOE had done his homework, and that he knew what he was talking about. Although he never tried to conceal his political philosophy, admiration for the way that JOE practiced his craft as a legislator transcended the bounds of ideology or party affiliation. He had the ability to influence precisely because people trusted his judgment, and had confidence in the means he chose to translate that judgment into action.

JOE's skill as a legislator was prominently displayed in the last years of his life because of the role he played in battles over the defense budget. Make no mistake about it. JOE ADDABBO was for a strong defense. He just didn't believe our defense effort had to be gold plated to be effective. He was not afraid to challenge generals, admirals, or Presidents on the worth of particular weapons systems, and he never hesitated to call the attention of Congress to defense spending requests that he considered to be excessive. As competition for budget dollars became more intense, his dogged insistence that defense programs be subject to the same level of scrutiny being given to other programs forced officials at the Pentagon to take a second look at many of their budget requests, and thereby saved billions of dollars for American taxapayers.

But JOE will be remembered by his colleagues in the House for more than his legislative abilities. In an institution of working relationships, he made friends, and the size of the delegation to his funeral mass was a testament to the affection with which he was regarded in this body. We shared that sentiment with the people of his district, who took time off from their jobs to fill St. Patrick's Cathedral in his honor last week, and who knew him to be a man of courage and decency who never stopped being their neighbor.

And my, how JOE loved New York! The city had no better ambassador of good will in the Congress, and anyone who saw New York with JOE as their guide could never be satisfied with anyone else. The Big Apple always had a special gloss in JOE's eyes, and he leaves in the House of cadre of honorary New Yorkers who can testify to his ability to instill in others his feelings for his hometown.

Mr. Speaker, the people of the United States were fortunate that JOE ADDABBO chose to devote a quarter of a century to

serving them in these halls. Those of us who served with him know how deeply his wisdom and counsel will be missed in the days ahead. We know too, however, that the contributions he made to his country, and the example he set for his colleagues in the House, will never be forgotten. I hope that certainty will offer some comfort at this difficult time for JOE's wife, Grace, and their children, Dina, Joseph, and Dominic.

Mr. SCHEUER. Mr. Speaker, I join my colleagues in paying tribute to my friend and illustrious colleague—the late JOSEPH P. ADDABBO.

JOE ADDABBO's presence in this House was an example for all of us—from the most senior committee chairman to the newest freshman to follow.

JOE's wit, his jovial sense of humor, and his relentless quest to do what was right put JOE ADDABBO in a class all by himself.

JOE ADDABBO probably was best known for his work as chairman of the Defense Appropriations Subcommittee. In that role, JOE was a voice of sanity in this era of extravagant and often unnecessary defense spending.

JOE ADDABBO had enormous clout in the whole military spending process. He was a staunch supporter of a strong national defense, but he felt strongly that our military stature should be lean and mean—with the emphasis on lean.

JOE viewed the Pentagon as just one more Federal bureaucracy—the only difference was that the bureaucrats at the Pentagon wore stars and bars. He refused to take the funding requests from the Pentagon at face value—preferring to put the military budget under close scrutiny to ferret out waste, duplication, and unnecessary fat. JOE often found himself at odds with many of the Defense Subcommittee members—but I assure you that every one of them had great respect for the man.

JOE ADDABBO's legislative role actually extended far beyond the defense arena.

Over the years, JOE was a major factor in passage of important legislation to help the poor, assist small business, and steer funds to economically depressed areas.

JOE ADDABBO never forgot his constituents, insuring that the needs of the Sixth District were met and taking the time to solve the individual problems that plagued his Queens neighbors.

As senior member of the Queens delegation and a senior Member of the House, JOE ADDABBO worked hard to make sure New York received its fair share of Federal funds.

With the unfortunate death of JOE ADDABBO, I now find myself in the position of senior Member of the Queens delegation. Although it will be very hard to fill the shoes left by JOE ADDABBO, I hope to carry on in the spirit of JOE—with an eye toward unity and compassion.

JOE ADDABBO's presence in this House will be missed greatly. But those of us who knew him well will try to carry on his work—secure in the knowledge that his legacy will live on.

Mr. MILLER of Ohio. Mr. Speaker, with the passing of JOE ADDABBO the Nation has lost an untiring and highly principled public servant, the Congress a dependable, personable Member, and each of us a dear and loyal friend. JOE ADDABBO gave full meaning to the term "trusted colleague." When JOE told you he was going to do something, you considered it done. When JOE cast his vote you knew he did it after full consideration of the issue, you knew he did it on the basis of principle not partisanship.

JOE's long battle with cancer proved to be a telling reflection of the way he lived. His 6 year fight with this dreaded disease was one he carried on courageously and confidentially. He didn't want anyone's sympathy, he didn't want anyone making any excuses for him.

Though JOE and I sat on different sides of the aisle, I never sensed our differing political philosophies to be an issue. As the chairman of the Defense Subcommittee on which I serve, he always carried out his responsibilities with a sense of fairness and openness. Though we often differed on issues, JOE never let his work get in the way of his friendships.

The Congress will be a lesser body without him. To his wife, Grace and his children, my wife, Helen, joins me in extending our deepest sympathy. The Congress has lost a true gentleman and a scholar, a fighter who fought the good fight, a man who by his lifestyle epitomized all that is right with our society.

Mr. RUSSO. Mr. Speaker, it is with a sad heart that I join my colleagues today to pay a final tribute to an outstanding Congressman and beloved person. Congressman JOE ADDABBO will be greatly missed, by his countless friends here, and by this country.

In his years of work with the Congress, JOE won the respect of his colleagues regardless of opposing views on an issue. He was diligent, concientious, and you knew where he stood. I particularly remember how nice he was to me my first year here, going out of his way to help a newcomer. It's the kind of thing no senior Member is required to do, but JOE was that kind of person—helpful and one who took the time not only to do what needed to be done, but to do a little extra as well.

Certainly in his legislative work here he went well beyond what was merely required. I credit him for bringing some sanity to a complicated and inflammatory area like defense policy and spending, and I think we'll all remember JOE during the floor debates on this subject. We are indeed going to miss him, and his constituents have lost a fine representative.

I join with others here today in commending the work and life of Congressman JOE ADDABBO, a man who in the end demonstrated so much grit and courage to us all, and in offering my prayers and sympathy to his family. I hope it is a comfort to them to remember the lasting mark that JOE has made on this Congress and the Republic, and to know that he will not be forgotten by any who were privileged to know him and call him friend.

Mr. McGRATH. Mr. Speaker, on Thursday April 17 of this year, the residents of the State of New York and the entire Nation suffered a great loss with the death of Congressman JOSEPH P. ADDABBO. JOE served in this Chamber for 26 years and constantly helped to improve the fiber of this country.

In my years as a Member of this body, and as a lifelong resident of a community bordering his congressional district, I have been proud to call JOE a friend and a colleague. JOE was respected throughout the Metropolitan New York area for his strong leadership on defense issues and countless other serious matters affecting our region and the Nation as a whole. Congressman ADDABBO never lost sight of his responsibilities to his constituents and his constituent achievements earned him the right to serve in this Chamber for 26 years.

The residents of the southwest part of Queens have been fortunate to call JOE ADDABBO their Representative. His tireless support for community development in the Jamaica business district, his efforts on behalf of St. John's Law School, and countless other activities have made JOE's name a household word in his district and in surrounding communities.

Congressman ADDABBO was at his best when acting as chairman of the Defense Appropriations Subcommittee. He served through the Vietnam crisis and fought against waste in defense contracts. Even though Congressman ADDABBO was not afraid to disagree with a colleague, he always handled himself as a professional and a gentleman.

Last month legislation was passed to name a Federal building in Jamaica, NY in JOE's honor. This great tribute is more than deserving for a man who worked for over two decades to help improve the district in which the building will stand. The building will serve as a constant reminder to the community he has served with honor and distinction.

JOE ADDABBO will live on with us forever in spirit and his example should serve as an inspiration to us all.

Mr. YATES. Mr. Speaker, I am deeply saddened by he death of JOE ADDABBO. We served together on the Appropriations Committee for 22 years. JOE and I were good friends. He was wise, diligent, and witty and I admired him greatly.

JOE understood the issues involved in national defense. He knew the budgets, the programs, and the military mind and he was so right when he told us, as he did many times, that lavish budgets for exotic weapons do not make the Nation stronger or safer. JOE's understanding of national security included an educated and healthy population with a balanced and varied economy. He worked, voted, and spoke to achieve that end, and we are in his debt.

We are now in a period when the Nation is beginning to understand what Joe has been saying for years, and it is a real tragedy that he has left us at this time. I know that I will miss him greatly. We need his wisdom and guidance.

His contributions are real and lasting. He made the United States a stronger, better Nation, and I am proud to have known him. I extend my most sincere sympathy to his wife and family.

Mr. MYERS. Mr. Speaker, I rise tonight to say thank you to the ADDABBO family, Grace and their children, for sharing JOE with us those many years. I also thank the people of the Sixth District of New York for sending him to Congress that the people of the rest of the country could share in his service to our country.

Very early in my service on the Appropriations Committee I found that JOE was a

person that was willing to take time to help others. His district was much different from mine. He, from a large city, more liberal in their political and economic views. Mine, a rural and more conservative, yet we became good friends. He was always understanding when someone had to take a different position.

My wife and I became better friends after we had gone with him and Grace on congressional investigating trips for the Appropriations Committee. I did not serve on his subcommittee, but he asked us to join his subcommittee on several occasions. We were hard on those trips, but here again, he was always very kind and generous to include us in all the activities of his subcommittee.

There are so many nice things that could be said about the service of JOE ADDABBO. He was a good public servant, represented his people well, and a nice guy always.

Mr. LAFALCE. Mr. Speaker, I rise to pay tribute to a man who would probably have been embarrassed if he knew that colleagues were paying special attention to his passing. JOE ADDABBO was that kind of man: genuinely humble and self-effacing, while hugely competent and capable in his work within the House of Representatives over the past quarter century.

JOE ADDABBO came to Congress from his beloved Queens in the usual way. He was an eminently convivial man who practiced law after graduating from St. John's. He joined local organizations like the PTA, civic groups, Sons of Italy, and the local Democratic club. As time went on, he helped out behind the scenes with congressional campaigns. And when the Republican incumbent retired in 1960, JOE ran and won by 10,000 votes.

Politics came naturally to JOE, because he loved people. He was a model to all new Congressmen about how one represents a district. One of his opponents is said to have remarked in disbelief, "He attends every wedding, bar mitzvah, and wake in the district." JOE did this, of course, because people and their hopes and dreams were important to him.

JOE ADDABBO came to Congress with that attitude and served all his days, without changing a scintilla of his generous perspective. He was a successful legislator because he paid attention to his constituents. And his constituents respected JOE's judgment when it differed from theirs. I think we would all agree that JOE always followed his conscience, no matter the political cost.

JOE was a successful legislator who could pry loose money for an important mass transit project back home, change his mind about the wisdom of the Vietnam War after supporting it, and foster an amendment to cut off funds for it. And, as chairman of the powerful Defense Subcommittee, he was the scourge of the military as a foe of the B-1 bomber. But he also argued for a strong defense, properly understood.

JOE ADDABBO was, above all, a man with a burning desire to do the right thing: To be reasonable, to understand, to be compassionate, and, where possible, to accommodate. He was loved by his constitutents and his colleagues, and therefore he will be missed.

Mr. ANNUNZIO. Mr. Speaker, I rise to join with my colleagues in the House of Representatives in paying tribute to Congressman JOSEPH P. ADDABBO, whose untimely death on April 10 was a tremendous loss to his constituents from the Sixth Congressional District of New York and to all the people of this Nation.

JOE was my close and trusted friend during the period we served in Congress together, and I am proud to have had the honor to work with him. I shall always cherish the wise counsel, advice, and good will that he so often generously extended to me.

Congressman ADDABBO was elected to the 87th Congress, and for 25 years as a Member of the House of Representatives dedicated his life to the service of his constituents. He compiled an oustanding record of achievement as chairman of the Subcommittee on Defense of the House Appropriations Committee and as a member of the House Small Business Committee.

As chairman of the Subcommittee on Defense, he was a guiding force in Congress for a strong, efficient defense policy, while at the same time eliminating wasteful and excessive military spending. He courageously took an early stand against the Vietnam War, sponsoring the first antiwar resolution to pass the House of Representatives in 1973, which cut off funding for the bombing of Cambodia.

Congressman ADDABBO, as one of the most respected Members of the House of Representatives, was even-handed and well-liked by his colleagues, and was one of the most knowledgeable and effective legislators in Congress. His dedication to the highest standards of excellence was an inspiration to his friends and fellow citizens, and he will long be remembered by those of us who had the privilege to serve with him in the Congress of the United States.

Mrs. Annunzio and I extend our deepest sympathy to his wife, Grace; his children, Dominic, Dina, and Joseph; and to the other members of his family.

Mr. YOUNG of Florida. Mr. Speaker, I want to commend my colleagues from New York for requesting this time today to honor my good friend JOE ADDABBO for his 26 years of dedicated work in behalf of the people of our Nation.

Although JOE and I didn't agree on every issue, I held the utmost respect for this great American, who despite suffering from cancer, continued to valiantly serve the American people and his constituents from New York. It was a privilege to have served under his chairmanship as a member of the House Appropriations Subcommittee on Defense. He was a fair and honorable chairman who rightfully took great pride in his long hours of preparation and work to fulfill his responsibilities in overseeing our national defense programs.

We shall miss JOE ADDABBO'S leadership in this House as well as the dedicated spirit with which he served here for more than a quarter of a century. I shall also miss JOE'S friendship. He will always symbolize for me what is so great about our Nation and our democratic Government. Despite differences of viewpoints—whether they be Democrat or Republican, liberal or conservative—we are first and above all else Americans who represent the American people to the best of our abilities. Few have served in the U.S. Congress with greater distinction than JOE ADDABBO.

I share the sorrow of JOE'S wife Grace and their three children, because with JOE'S passing we have lost a great American statesman. He served our country with honor until his final hours, and for that we shall be forever grateful.

Mr. HUGHES. Mr. Speaker, it is with a deep sense of sadness and loss that I join my colleagues in paying final tribute to our respected colleague, JOE ADDABBO.

All of us who had the opportunity to work with JOE will always remember it as a true learning experience in effective management of our Nation's resources. As one of the prime forces in the shaping of military policy over the last two decades, he represented his district, and his country, with the highest degree of competence and legislative ability.

JOE impressed his colleagues not only with his tenacious management of our Nation's defense resources, but also with his compassion for those in need of help, opportunity, or protection. He believed deeply in the Government's obligation to assist the disadvantaged, and throughout his years in the House of Representatives, he remained dedicated to the expansion of human dignity and equal opportunity. JOE ADDABBO truly cared about people as individuals, and in caring about them, he took the trouble to understand them, to know their problems, and to do everything he could to help them.

All of us who knew JOE will deeply miss his leadership, courage, and commitment. I am proud to have had the opportunity to serve with him, and wish to extend my sincere condolences to his family.

Mr. ST GERMAIN. The congressional paths of Congressman JOE ADDABBO and FRED ST GERMAIN often crossed. Our congressional careers began together on January 3, 1961, when JOE and I raised our right hands to take our oaths of office for the first time. We were the only Members of the present Congress who shared this date as the beginning of our congressional service.

Our legislative endeavors were guided by the same philosophies and convictions. We shared strong feelings that Government retain a people perspective and only in rare cases would we cast our vote on opposing sides of any issue.

The residents of New York's Sixth Congressional District will miss his genuine concern for their well being. His colleagues in the Congress will miss his warm smile and friendly manner, but you can be certain JOE ADDABBO has left his mark on the Congress and the Nation. His life journey has concluded but the goals he set for our Nation remain. Congressman JOE ADDABBO simply wanted the United States to be a great place to live. Because of people like JOE ADDABBO, it is.

Mr. HILLIS. Mr. Speaker, the House lost an outstanding an compassionate Member 2 weeks ago when JOE ADDABBO passed away after a long and courageous bout with cancer.

As a member of the House Armed Services Committee, I always respected JOE ADDABBO's tenacity in probing the Pentagon's spending plans. JOE ADDABBO was committed

to a strong military and he dedicated his career in the House of Representatives to the identification and elimination of waste and extravagance.

While many of us on the Armed Services Committee often disagreed with JOE on specific issues, all of us respected his skill in exposing needless spending that would have done nothing to serve our national defense.

JOE ADDABBO will be remembered as a gentleman and a sincere public servant who defeated his fatal illness by refusing to let it rule his life.

Admired in life and in death, we will all miss JOE ADDABBO.

Mr. STOKES. Mr. Speaker, I would like to thank the gentlemen from New York [Mr. HORTON and Mr. STRATTON] for reserving this time for Members to pay tribute to my distinguished colleagues in the House of Representatives, the late Congressman JOSEPH ADDABBO.

Those of us who worked with JOE ADDABBO through the years will sorely miss his leadership, his thoughtful, intelligent approach and style, his congenial nature and his tireless dedication to serving the public to the best of his ability.

Mr. Speaker, I had the good fortune to work with JOE on the Appropriations Committee, and had the opportunity to observe his exceptional leadership as chairman of the Appropriations Subcommittee on Defense. While he supported a strong defense, JOE led the fight to prevent the Department of Defense from squandering the taxpayers dollars. Through his skillful leadership, he provided Members with the opportunity to implement a strong national defense while at the same time rejecting wasteful spending.

Mr. Speaker, JOE ADDABBO was also extremely supportive of the efforts of the Congressional Black Caucus to provide encouragement and financial assistance to minority businesses through the Fair Share Federal Procurement Contract Program. His appearance at a press conference held by the Congressional Black Caucus in support of that program was demonstrative of his commitment to the development of minority business.

However, Mr. Speaker, my most fond memories of JOE ADDABBO come from our personal friendship. He was a congenial man, a friendly person, an individual who had the ability to put people at ease. He always had something nice to say about everyone and was admired and respected by virtually everyone who met him. Like many other Members, I was the recipient of JOE's warm hospitality during a "weekend in New York" sponsored by the New York State congressional delegation. I was impressed by his organizational skills and ability to make everyone feel welcome.

Mr. Speaker, I also had the opportunity to travel with JOE and his lovely wife, Grace, overseas with a congressional contingent. While we worked hard, we had a very enjoyable time and I observed firsthand the deep love and devotion shared by JOE and Grace ADDABBO. They were a great couple, and all I have are fond memories of the time spent with them.

Mr. Speaker, JOE ADDABBO was truly a pillar of the House of Representatives. His dedicated service as chairman of the Appropriations Subcommittee on Defense may be imitated, but will never be duplicated. JOE's careful, intelligent approach to the defense question, an issue that in recent years has become highly emotional and often irrational, has forced the House of Representatives to take a closer look at the issue of defense spending and to consider future ramifications of unrestrained spending. That "closer look" will definitely save money—and may quite possibly save lives.

Mr. Speaker, I send my heartfelt condolences on the passing of my good friend and colleague JOE ADDABBO to his wife, Grace, and his family, to the people of the Sixth Congressional District of New York and the members of the New York congressional delegation. Again, I thank the gentlemen from New York, Mr. HORTON and Mr. STRATTON for reserving this time to remember a very special man—JOSEPH ADDABBO.

Mr. MINETA. Mr. Speaker, we have lost an important ally and a cherished friend in the House of Representatives, our distinguished colleague, JOSEPH ADDABBO. We missed him during the months of his hospitalization. We were acutely aware of his absence, as the House considered complex and ever-controversial defense bills. We needed his leadership and guidance on many tough and intricate questions and we hoped for his return. Now we feel a profound sense of loss knowing that he will not be back to fight future battles with us.

JOE ADDABBO has done much for his Nation, his district, and his colleagues. How many of us, when we leave these Halls, will be able to look upon a list of accomplishments as worthy and solid as those of JOE ADDABBO's? How many of us could command our colleagues' love and respect, as JOE did? How many of us are assured of the good will and friendship of those that disagree with us on policy questions. JOE had all those things.

He carved his place in this House by understanding all the subtleties of the complex issues of defense policy. Few could match his expertise. He used his knowledge to define national security goals and to help shape and advocate a sound defense policy. He above all knew how to separate wasteful defense spending from the defense necessary for national security. He then effectively lobbied for his position using the full force of his personality—the force of his integrity, the force of his leadership, and his formidable skills of persuasion. And when the battle was over, no matter how heated, he would still be liked and respected by his most ardent opponents. That was the kind of man JOE ADDABBO was. That is the JOE that we will sorely miss.

The loss of his guidance and leadership will be felt not only during this year's difficult defense and budget debates, but in all years. We will always be guided by the principles JOE set forth and we will always miss him.

Thank you.

Mr. DICKS. Mr. Speaker, it is with a great deal of sadness that I join in this tribute to our departed colleague, JOE ADDABBO. We all miss him dearly.

It has been an honor and privilege to have JOE as my chairman on the Defense Appropriations Subcommittee for over 7 years. He always conducted the subcommittee in a fair and equitable manner which was respected and appreciated by the Members on both sides of the aisle.

Chairman ADDABBO took very seriously the responsibility to insure that we not only approved the resources needed to provide for the common defense, but that we did not waste money in the process. He was tireless in the detailed review of obscure audit reports to find any instance of unneeded expenditure. I remember many occasions when he had to direct program managers to read the Pentagon's own audits of their programs so that they could do their jobs more efficiently.

Each year, under his able direction, the subcommittee would recommend reductions in literally hundreds of items. And just as the old saying goes, a million here and a million there and pretty soon it was real money. Some people have criticized the Congress for micromanaging, and some of that criticism is deserved. But the kind of scrutiny that JOE ADDABBO applied to the defense budget was just the kind of oversight that is the duty of the Appropriations Committee. A true measure of his effectiveness is the very large portion of the committee's recommended cuts that the Pentagon would eventually concede were fully warranted.

On many occasions, it was my pleasure to work with Chairman ADDABBO on the issues of national defense before the Congress. On occasion we disagreed. Let me tell you, I would much rather have him on my side because he was an aggressive and forceful advocate for his point of view, which he held with very deep and sincere conviction. His courage in facing his illness without complaint and without shirking his duty is an inspiration to all of us.

But my sadness with JOE ADDABBO'S passing is tempered by the joy of the memories he has left with me and with this body. His sense of humor, his fondness for wisecracks, his occasional Italian temper, were all uniquely JOE'S. They were a part of a personality that lifted our hearts and reminded us of the special opportunity we have to serve in the House of Representatives.

I want to compliment my colleagues from New York [Mr. STRATTON and Mr. HORTON] for arranging this opportunity for all of us who were touched by the magic of JOSEPH P. ADDABBO to pay one final tribute for his service, and most of all his friendship.

Mr. AUCOIN. Mr. Speaker, as I gathered my thoughts tonight getting ready for this special honor for our friend JOE ADDABBO, there was so much called to mind. JOE was an honorable man who loved and served his country well, a true friend, a delightful colleague, and one of the hardest working and most respected Members of Congress. He is sorely missed.

For his quick wit and generous laughter, most certainly. For his insight, knowledge, and tenacity in fighting for what he believed was right, of course. Few will forget his leadership during the critical decision points of the Vietnam war. But mostly, and I believe I speak for many people on both sides of the partisan aisle that so often divides us—mostly for his manner of doing the business of this august

body. With his heart, his facts and figures fully marshalled for a good fight, and a true love for the work.

Proof of his outstanding character came from what some would think an unlikely quarter just the other day—but you'd only think it unlikely if you didn't know JOE. And that was from his frequent adversary, Secretary of Defense Caspar Weinberger.

Before he started his testimony, Secretary Weinberger called attention to something all of us in the committee room felt deeply. JOE's absence. It just didn't feel right without Chairman ADDABBO being there to conduct a ritual sparring match rich in humor but also bottom line fundamental debates about which direction our country should be going.

Secretary Weinberger paid tribute to JOE, acknowledging his great knowledge on defense issues, and the way he went about jousting in such a friendly way that it was always fun to appear before him. He couldn't let the moment slip by without sharing publicly the great admiration he had for a very special chairman. For any of you who have seen JOE at work giving the Secretary the third degree, that says it all.

When JOE first asked me to join the Defense Subcommittee, I was given one of the greatest opportunities of my career. And that was to get to know JOE. To serve on his committee. To learn from him. And my respect for the kind of man JOE was because of having been on his committee is probably without parallel.

It's a testament to his gifted sensitivity to others and to his political skills and rare judgment that he worked so well for so long with the ranking minority members of the committee he chaired. He created a very unusual partnership in getting a tough job done year after year. Where others would have used the power of the chairmanship above all else, JOE used the powers of reason, persuasion, and fairness to push ahead.

JOE and I were often in the minority on the committee in voting against a particular weapons system. But it didn't stop or deter JOE. He just went right back at it, often succeeding. Without hostility, bitterness, or vindictiveness to those who did not stand with him.

He worked unflaggingly on minutae that many of us would have thrown our hands in the air over. And if you've seen the thousands of line items of budget notes he presided over in conference after conference, you know what I'm talking about.

His mission was to guarantee a top-flight defense for this country, but not to waste a single nickel. And his contribution to this end is truly significant.

What we didn't know was that for many of the last several years JOE was fighting a horrible and painful disease. Never a word. Never a complaint. Never a failure to do what had to be done regardless of enormous physical pain. Who among us would have guessed what he was going through?

Even after a long absence away from this Chamber last fall to fight that disease, JOE came back in December with his spirit intact to preside over a contentious conference on the defense portion of the continuing resolution. And we all gave a great sigh of relief to have him back pounding his fist on the table and cracking jokes to set us straight.

His great courage and dedication throughout his battle makes me think of the words of John F. Kennedy in "Profiles in Courage": "For without belittling the courage with which men have died, we should not forget those acts of courage with which men . . . have lived. The courage of life is often a less dramatic spectacle than the courage of a final moment; but it is no less a magnificent mixture of triumph and tragedy. A man does what he must—in spite of personal consequences, in spite of obstacles and dangers and pressures—and that is the basis of all human morality."

I think this describes the profound humanity of JOE ADDABBO. And there's little more I could add to relate what kind of an individual, and a public servant, JOE ADDABBO was.

The State of New York has lost an able and gifted Congressman, the country has lost one its true leaders, and we have lost a great man and dear friend whom all admired. To his wife Grace, and to his children, my deepest sympathies and sincere hopes that their grief will be somewhat diminished by the pride and joy of having been the greatest love of such an exceptional statesman.

Mr. CARR. Mr. Speaker, JOE ADDABBO was my friend. As a young Congressman he gave me guidance. He helped me understand the greatness of this legislative body. He explained its strong points, he told me of its failings. With his help, I became a better Member of Congress.

I will miss his wise counsel. I will miss his friendship. The House will miss his leadership. The Nation will miss a great Congressman.

Mr. DE LA GARZA. Mr. Speaker, the passing of an esteemed friend and colleague is the occasion for which I rise to speak today, and it is with personal sadness that I pay final tribute to the memory of a man who for more than a quarter of a century was one of the most influential statesmen of our time—JOSEPH ADDABBO.

A presence on our national stage, JOSEPH ADDABBO was one of the leading players in the development of American military policy—a man widely respected for his knowledge of defense issues—a man whose genial style was in keeping with the best traditions of American politics.

His was a consuming conviction that vexing problems could be solved, and expansive goals could be achieved through planning and activism. His occupancy of office was never merely visionary for JOSEPH ADDABBO was a man who constantly sought to translate vision into concrete realities.

Throughout his long and illustrious career spent in service to the people of New York and the Nation, JOSEPH ADDABBO exemplified the virtues of dedication and concern leaving his mark and vision in our Nation's defense programs. We will remember him—for his belief in the worth and dignity of the individual; for his conviction that the United States has a moral mission in the world; for his leadership in international affairs; for his commitment to a strong yet efficient and effective defense posture to insure continued U.S. freedom and influence.

I will sincerely miss JOSEPH ADDABBO just as I know all of my colleagues who worked with him will. To his wife and family I extend my heartfelt sympathy during this time of great sorrow.

Mr. MITCHELL. Mr. Speaker, it is with great sorrow that I address the House today to pay tribute to a dedicated and respected Member of this body and a good friend, JOE ADDABBO.

As chairman of the Defense Appropriations Subcommittee, he attained a reputation as a critic of wasteful military spending and was often at odds with his own committee, nonetheless, he maintained his integrity and fought for what he thought was best for the Pentagon and for the country.

As chairman of the Small Business Committee, on which JOE served with vigor, I came to know him as a man committed to helping small and minority businesses gain a foothold in the economic structure of this society. JOE, with his low-keyed but tenacious manner was effective in amassing support for unpopular but necessary loan programs and set-asides for minority contractors doing business with the Federal Government.

At a time when it was popular to look the other way, JOE ADDABBO spoke out on discrimination in public schools, in the workplace, and at the voting booth. He opposed apartheid in South Africa and cosponsored legislation to impose economic sanctions against that repressive regime. JOE fought for the special needs of the elderly and the handicapped, education enhancement, safeguards for the environment, and in short, improving the way of life for all Americans.

JOE's accomplishments in the House are too numerous to catalog, but suffice it to say, his leadership on the tough issues of the day made him a Member who will be sorely missed by all who really knew him. But most of all, he will be missed because he was a kind and decent human being.

Mr. SMITH of Florida. Mr. Speaker, today I rise to pay tribute to our late colleague, JOE ADDABBO. After having bravely fought a courageous battle against disease, Congressman ADDABBO succumbed to cancer last week at the age of 61. He left behind him a quarter-century of public service to the people of New York—and to the citizens of the United States. His leadership and commitment will be sorely missed.

As the chairman of the Appropriations Subcommittee on Defense since 1979, Congressman ADDABBO presided while the Pentagon received its largest peacetime budget in history. While he supported a strong defense, he was also an enemy of waste and abuse, especially within the Defense bureaucracy. As a result, JOE found himself a leading critic of President Reagan's growing military budget. He is credited, however, with paring $50 billion from the President's budget requests of the past 4 years.

A compassionate and understanding man, Congressman ADDABBO won the respect of all his colleagues and constituents. He was a pillar of the House and an inspiration to those who knew and worked with him. We honor this man's longstanding dedication to public service, his wisdom, his leadership, and in the

end, his great personal courage. We will all be the worse for his loss.

Mr. HOWARD. Mr. Speaker, it is with great sadness that I join my colleagues in paying tribute to JOE ADDABBO.

When JOE ADDABBO passed away, I lost a friend and a colleague whom I deeply admired, Congress lost a Member with unquestionable integrity and dedication and this Nation lost a great American.

JOE ADDABBO worked endlessly on behalf of his Sixth District in New York during his 25 years in the House. But his district was not the only one to benefit from his public service.

To every American who wanted a guarantee that tax dollars were being spent wisely, JOE ADDABBO was the one person we could count on to scrutinize defense spending. To Americans who pursued the dream of owning their own small business, JOE ADDABBO was one Member who played a key role in making that dream become a reality. And to Americans grateful that no more young men died in the jungles of Vietnam, JOE ADDABBO was one person who deserved thanks because he was the first to successfully sponsor an antiwar resolution.

The quality I remember most about JOE ADDABBO is his courage. When he was faced with his painful illness never once did he ask for sympathy. He carried on his duties with dignity and of course, still possessing a big, warm smile.

The void left by JOE's departure will be difficult to fill. However, his legacy will remain with us. We are all richer because JOE ADDABBO touched our lives.

Mr. HUTTO. Mr. Speaker, JOE ADDABBO will be missed not only by his loved ones and friends but also by the Congress of the United States. JOE was a very effective representative of his people, and his impact was felt well beyond the borders of his New York district.

Although there were many who disagreed with JOE on certain issues, especially defense spending, I do not know of anyone who personally disliked JOE ADDABBO.

I came to know Congressman ADDABBO very early in my first year in Congress. It was with fear and trepidation that I went to see the distinguished chairman of Defense Appropriations about a problem in my district. From the first moment I met JOE, I felt completely at ease. The warmth of his smile and his friendliness helped me emerge from the meeting not only with a commitment to help with my problem but also with a good feeling of having met a true friend.

During the 7½ years I had the privilege of serving with JOE in the House, there were many times when I found it necessary to talk over issues with JOE. I always found him to be understanding, concerned and responsive to my needs. I know that other Members found JOE to be the same way with them in their problems. JOE ADDABBO was a friend to everybody.

The funeral service at St. Patrick's Cathedral in New York City, which many of us had the privilege to attend, beautifully expressed the affection that thousands of people had for this man. Yes, JOE was a great American who served his country well. He will be greatly missed.

I add my sincerest sympathies to his family in their loss. May God comfort them in their bereavement.

Mr. PANETTA. Mr. Speaker, I want to join my colleagues in paying tribute to JOE ADDABBO. JOE was a leader of the House in every sense of the word, and he was a man of great courage. We will truly miss him.

In this institution, with its committee structure, there is enormous pressure on each of us to conform to the accepted attitudes of those who have the greatest interest in our specific committees. As chairman of the Appropriations Subcommittee on Defense, JOE was always under enormous pressure not just to work for a strong defense but to provide the Defense Establishment—both the Pentagon and defense industries—with everything they asked for, which was generally far too much in a time of $200 billion deficits.

JOE resisted that pressure. He fought for a strong defense, but he opposed waste and he opposed excess. He won as often as he lost, and when he won, it was the American people who were the true victors. He was a thoughtful, tenacious battler for his constituents and for the broader public, and he did the same for the House in its disputes with the other body. The House and the entire Nation owes him a debt of gratitude for his work.

Of course, we cannot define JOE only by his role as a Member of Congress. His life, and particularly the latter years of his life, stand for more than just integrity and competence in Government. They stand for human courage, the will to live, and the will to make one's life meaningful to the end. We are all aware now that JOE struggled with cancer for several years. It became obvious only recently. JOE never wanted to be treated differently; he never wanted sympathy. He wanted to continue to be effective and to make a significant contribution. He succeeded in that. And in doing so, he was an example to all of us of human courage and strength. We will never forget his bravery.

Mr. Speaker, I want to thank the New York delegation for taking the time for this special order. I also want to extend my sympathy to JOE ADDABBO'S family. I am proud to have known him, and I hope that their grief is eased at least a little bit by the genuine emotions being expressed by his colleagues today.

Mr. STRATTON. Mr. Speaker, I thank my colleagues for participating so eloquently in this special order.

GENERAL LEAVE

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the life, character, and public service of the late Honorable JOSEPH P. ADDABBO.

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

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

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

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

SPECIAL ORDERS GRANTED

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

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

Mr. BROYHILL, for 60 minutes on April 23.

Mrs. BENTLEY, for 5 minutes on April 23.

Mrs. WALKER, for 5 minutes today.

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

Mr. BROOKS, for 5 minutes today.

Mrs. SCHROEDER, for 5 minutes today.

Mr. SOLARZ, for 5 minutes today.

Mr. ANNUNZIO, for 5 minutes today.

Mr. BUSTAMANTE, for 5 minutes today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BONER of Tennessee, prior to the passage of Senate Joint Resolution 275.

Mr. WEISS, in opposition to H.R. 4420 in the Committee of the Whole, today.

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

Mr. GOODLING.
Mr. CONTE.
Mr. LAGOMARSINO in two instances.
Mr. RITTER in two instances.
Mr. SUNDQUIST.
Mr. SCHUETTE in two instances.
Mr. LOTT.
Mr. FISH in three instances.
Mr. MCKERNAN.
Mr. PORTER.
Mr. LEWIS of Florida.
Mr. BROOMFIELD in two instances.
Mr. GILMAN in three instances.
Mr. COURTER.
Mr. KEMP.
Mr. BARTON of Texas.
Mr. MCCAIN.
Mr. RUDD.
Mr. GALLO.
Mr. CLINGER.
Ms. SNOWE.
Mr. MCGRATH.
Mrs. ROUKEMA.
Mr. HORTON.
Mr. BLILEY.
Mr. DORNAN of California.

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

Mr. ROE in two instances.
Mr. GARCIA.
Mr. FEIGHAN.
Mr. DYMALLY in two instances.
Mr. DORGAN of North Dakota.
Mr. MOAKLEY.
Mr. SOLARZ.
Mr. MONTGOMERY.
Mr. YATRON in two instances.
Mr. CHAPPELL.
Mrs. BYRON.
Mr. RANGEL.
Mr. FAZIO.
Mr. SKELTON.
Mr. KILDEE.
Mr. BUSTAMANTE.
Mr. TALLON.
Mr. MINETA.
Mr. DONNELLY.
Mr. TRAFICANT.
Mr. FASCELL.

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. 1236. An act to amend title 18 of the United States Code and other laws to make minor or technical amendments to provisions enacted by the Comprehensive Crime Control Act of 1984, and for other purposes; to the Committee on the Judiciary.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1684. An act 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, and

S. 2319. An act to provide for the continuation of the Martin Luther King, Jr. Federal Holiday Commission until 1989, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 24 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 23, 1986, at 10 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports of various House committees concerning the foreign currencies and U.S. dollars utilized by them during the first quarter of calendar year 1986 in connection with foreign travel pursuant to Public Law 95-384.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1986

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Representative James M. Jeffords	1/13	1/19	Panama		100.00		1,508.20				1,608.20
Representative Charles Hayes	1/6	1/10	South Africa		432.00		[3] 1,733.40		[4] 145.38		2,310.78
Committee total					532.00		$3,241.60		145.38		3,918.98

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Travel performed by military aircraft, 10 official passengers in delegation party. Total cost $17,334.
[4] Miscellaneous local costs, including cars and drivers, escort, security, and other embassy services.

AUGUSTUS F. HAWKINS, Chairman, Apr. 10, 1986.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1986

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Bill Richardson, MC	1/5	1/9	Ireland	522.23	652.00					522.23	652.00
	1/9	1/12	Germany	878.40	360.00					878.40	360.00
Committee total					1,012.00						1,012.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

MORRIS K. UDALL, Chairman, Apr. 8, 1986.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON MERCHANT MARINE AND FISHERIES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1986

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Brooks, Cher	1/23	1/27	Panama		372.00		(3)				372.00
Burroughs, Harry	1/23	1/27	Panama		372.00		(3)				372.00
Cassani, Rudolph	1/30	1/27	Switzerland		989.00		1,004.00				1,993.00
Dentler, John	2/4	2/6	Canada	382.53	249.00		21.19				270.19
Drago, C. Grady	1/23	1/27	Panama		372.00		(3)				372.00
Finley, Stephen	1/23	1/27	Panama		372.00		(3)				372.00
Franklin, Webb (Hon.)	1/23	1/27	Panama		372.00		(3)				372.00
Hertel, Dennis (Hon.)	1/23	1/27	Panama		372.00		(3)				372.00
Lowery, Mike (Hon.)	1/23	1/27	Panama		372.00		(3)				372.00
					[4]528.00						528.00
Manton, Thomas (Hon.)	1/23	1/27	Panama		372.00		(3)				372.00
Moore, Rod	3/5	3/10	Japan	146,780	820.00		1,995.00				2,815.00
Marshall, Curt	1/23	1/27	Panama		372.00		(3)				372.00
Seifert, Gerald	1/21	2/7	Switzerland	3,679.80	1,767.00		1,929.00				3,696.00
Committee total					7,701.00		4,949.00				12,650.19

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Transportation provided by U.S. Air Force.
[4] Expense for control room assigned to codel.

WALTER B. JONES, Chairman, Apr. 11, 1986.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1986

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. David Bonior	12/28	1/7	New Zealand		399.00						399.00
	1/7	1/10	Australia		522.00						522.00
	1/10	1/12	Western Samoa		65.00						65.00
	1/12	1/13	American Samoa								
Commercial transportation							4,879.24				4,879.24
Committee total					986.00		4,879.24				5,865.24

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CLAUDE PEPPER, Chairman, Mar. 31, 1986.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1986

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Guy Vander Jagt	1/5	1/9	Ireland	522.23	652.00						652.00
	1/9	1/12	Germany	878.40	360.00						360.00
Military transportation							2,996.00				2,996.00
Hon. Bill Frenzel	1/5	1/9	Ireland	522.23	652.00						652.00
	1/9	1/12	Germany	878.40	360.00						2,360.00
Military transportation							2,996.00				2,966.00
Hon. William M. Thomas	1/5	1/9	Ireland	522.23	652.00						652.00
	1/9	1/12	Germany	878.40	360.00						360.00
Military transportation							2,996.00				2,966.00
Joseph K. Dowley	3/3	3/5	France	1,999.36	284.00						284.00
	3/6	3/9	Switzerland	211.55	113.00						113.00
Commercial transportation							2,137.00				2,137.00
Rufus Yerxa	3/3	3/5	France	1,999.36	284.00						284.00
	3/6	3/9	Switzerland	211.5	113.00						113.00
Commercial transportation							2,137.00				2,137.00
Committee total				3,830		13,262					17,092

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DAN ROSTENKOWSKI, Chairman, Apr. 9, 1986.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE ON HUNGER, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1986

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Miranda Katsoyannis	2/7	2/12	Senegal		693.00						693.00
	2/12	2/13	Ivory Coast		137.00						137.00
	2/13	2/16	Ghana		285.88						285.88
	2/16	2/18	Ivory Coast		274.00						274.00
Mary Ruth Herbers	2/7	2/12	Senegal		693.00						693.00
	2/12	2/13	Ivory Coast		137.00						137.00
	2/13	2/16	Ghana		285.88						285.88
	2/16	2/18	Ivory Coast		274.00						274.00
Commercial transportation							4,654				4,654.00
Jeffrey Clark	2/7	2/12	Senegal		693.00						693.00
	2/12	2/13	Ivory Coast		137.00						137.00
	2/13	2/16	Ghana		285.88						285.88
	2/16	2/20	Ivory Coast		548.00						548.00
Russell Hokanson	2/7	2/12	Senegal		693.00						693.00
	2/12	2/13	Ivory Coast		137.00						137.00
	2/13	2/16	Ghana		285.88						285.88
	2/16	2/20	Ivory Coast		548.00						548.00
Commercial transportation							4,328				4,328.00
Committee total					6,107.52		8,982.00				15,089.52

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

MICKEY LELAND, Chairman, Apr. 8, 1986.

EXECUTIVE COMMUNICATIONS, ETC.

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

3352. A letter from the Deputy Assistant Secretary of Defense (Comptroller—Administration) transmitting a report on real and personal property of the Department of Defense as of September 30, 1985, pursuant to 10 U.S.C. 2701(b); to the Committee on Armed Services.

3353. A letter from the Principal Deputy Assistant Secretary of the Navy (Shipbuild-

ing and Logistics) transmitting notification of the proposed decision to convert to contractor performance the base operating support functions at the Naval Air Facility, El Centro, CA, pursuant to 10 U.S.C. 2044 nt.; to the Committee on Armed Services.

3354. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report on loan guarantee and insurance transactions supported by Eximbank during March 1986 to Communist countries, as a result of Presidential determinations, pursuant to 12 U.S.C. 635(b)(2); to the Committee on Banking, Finance and Urban Affairs.

3355. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 6-156, "AIDS Health-Care Response Act of 1986," and Report, pursuant to Public Law 93-198, section 602(c); to the Committee on the District of Columbia.

3356. A letter from the Secretary of Health and Human Services transmitting a report on the results of a study to determine whether Hill-Burton regulations should distinguish between hospitals and nursing homes, pursuant to Public Law 98-369, section 2391(a) (98 Stat. 1116); to the Committee on Energy and Commerce.

3357. A letter from the Acting Assistant Secretary of State for Legislative and Intergovernmental Affairs transmitting notification of a proposed license for the export of major defense equipment sold commercially under a contract in the amount of $14,000,000 or more (Transmittal No. MC-15-86), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3358. A letter from the Acting Chairman, U.S. Merit Systems Protection Board, transmitting the 1985 annual report on the Board's activities under the Freedom of Information Act, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3359. A letter from the Secretary of Housing and Urban Development transmitting the eleventh annual report of the Department's activities under the Freedom of Information Act during 1985, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3360. A letter from the Secretary of the Interior transmitting a copy of the financial statements of the Colorado River Basin project for the year ended September 30, 1985, pursuant to 43 U.S.C. 1544; to the Committee on Interior and Insular Affairs.

3361. A letter from the Executive Director, U.S. Naval Sea Cadet Corps, transmitting the annual audit of the U.S. Sea Cadet Corps for the fiscal year ended December 31, 1985, pursuant to Public Law 88-504, section 3 (36 U.S.C. 1103); to the Committee on the Judiciary.

3362. A letter from the Secretary of Commerce transmitting a draft of proposed legislation to repeal section 10 of the Fishermen's Protective Act of 1967, as amended, and for other purposes; to the Committee on Merchant Marine and Fisheries.

3363. A letter from the Director, Office of Civilian Radioactive Waste Management, Department of Energy, transmitting the third annual report on the activities and expenditures of the Office of Civilian Radioactive Waste Management, pursuant to Public Law 97-425, section 304(c); jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

3364. A letter from the Secretary of the Interior transmitting the second report summarizing the progress of negotiations on California offshore oil and gas leasing, pursuant to Public Law 99-190, section 101(d) (99 Stat. 1243); Public Law 99-190, section 149 (99 Stat. 1325); jointly, to the Committees on Appropriations, Interior and Insular Affairs, and Merchant Marine and Fisheries.

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. Supplemental report on H.R. 1116 (Rept. 99-525, Pt. 2). Ordered to be printed.

Mr. WHEAT. Committee on Rules. H. Res. 428. Resolution providing for the consideration of H.R. 4421, a bill to authorize appropriations for fiscal years 1987, 1988, 1989, and 1990 to carry out the Head Start, Follow Through, dependent care, community services block grant, and community food and nutrition programs, and for other purposes (Rept. 99-549). Referred to the House Calendar.

Mrs. BURTON of California. Committee on Rules. H. Res. 429. Resolution providing for the consideration of H.R. 3302, a bill to designate certain national forest lands in the State of Nevada for inclusion in the National Wilderness Preservation System, and for other purposes (Rept. 99-550). Referred to the House Calendar.

Mr. JONES of North Carolina. Committee on Merchant Marine and Fisheries. H.R. 4175. A bill to authorize appropriations for fiscal year 1987 for certain maritime programs of the Department of Transportation and the Federal Maritime Commission with amendments (Rept. 99-551). Referred to the Committee of the Whole House on the State of the Union.

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. ACKERMAN (for himself and Mr. LANTOS):

H.R. 4650. A bill to make grants available for youth suicide prevention programs; to the Committee on Education and Labor.

By Mr. JENKINS:

H.R. 4651. A bill to suspend temporarily the duty on 4-chloro-2,5-dimethoxy aniline (also known as chlor amino base); to the Committee on Ways and Means.

By Mr. BORSKI:

H.R. 4652. A bill to permit certain funds granted to the city of Philadelphia, PA, by the Economic Development Administration to continue to be used for economic development purposes in that city; to the Committee on Public Works and Transportation.

By Mr. FIELDS:

H.R. 4653. A bill to assist in providing for the energy security of the United States; to the Committee on Energy and Commerce.

By Mr. FRANK:

H.R. 4654. A bill to amend the National Flood Insurance Act of 1968 to permit individuals who are insured under such act to cancel their flood insurance policies; to the Committee on Banking, Finance and Urban Affairs.

By Mr. FRANK (for himself and Mr. BROWN of Colorado):

H.R. 4655. A bill to establish a National Commission on the Liability Crisis; jointly, to the Committees on Energy and Commerce, and the Judiciary.

By Mr. GUARINI:

H.R. 4656. A bill to provide a private cause of action for the recovery of damages for economic loss caused by the dumping of foreign merchandise into U.S. markets; and for other purposes; jointly, to the Committees on Ways and Means and the Judiciary.

By Mr. HERTEL of Michigan (for himself and Mr. MAVROULES):

H.R. 4657. A bill to amend title 10, United States Code, to establish in the Department of Defense the position of Under Secretary of Defense for Acquisition and to establish a Defense Acquisition Corps for purposes of improving the efficiency of the defense acquisition process; to the Committee on Armed Services.

By Mr. KANJORSKI:

H.R. 4658. A bill to terminate all U.S. assistance to the National Endowment for Democracy, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KASICH (for himself, Mr. HORTON, Mrs. SCHNEIDER, and Mr. ECKART of Ohio):

H.R. 4659. A bill to improve the Government's debt collection and credit management practices, and for other purposes; jointly, to the Committees on Government Operations and the Judiciary.

By Mr. LEWIS of Florida:

H.R. 4660. A bill to require the Administrator of Veterans' Affairs to contract for health care for veterans in certain areas in which medical facilities of the Veterans' Administration are geographically inaccessible; to the Committee on Veterans' Affairs.

By Mr. MONTGOMERY (by request):

H.R. 4661. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

By Mr. MOORE:

H.R. 4662. A bill to amend the Internal Revenue Code of 1954 to impose a fee on the importation of crude oil and refined petroleum products; to the Committee on Ways and Means.

By Mr. SAXTON:

H.R. 4663. A bill to amend title XVIII of the Social Security Act to provide a more fair method for determining the inpatient hospital deductible and the extended care coinsurance amount; to the Committee on Ways and Means.

By Ms. SNOWE (for herself, Mr. MCKERNAN, Mr. STANGELAND, Mr. HENDON, Mr. MAVROULES, Mr. SMITH of New Hampshire, Mr. PETRI, Mrs. SCHNEIDER, Mr. WEBER, Mr. PENNY, Mr. GREGG, Mr. SENSENBRENNER, Mr. JENKINS, Mr. FRENZEL, Mr. OBERSTAR, Mr. SABO, Mr. MOAKLEY, Mr. SIKORSKI, Mr. DONNELLY, Mr. OBEY, Mr. DORGAN of North Dakota, Mr. RAY, Mr. ROTH, and Mr. KASTENMEIER):

H.R. 4664. A bill to amend the Nuclear Waste Policy Act of 1982 to provide for the disposal of high-level radioactive waste and spent nuclear fuel in a single repository, and for other purposes; jointly, to the Committees on Interior and Insular Affairs and Energy and Commerce.

By Mr. WALGREN:

H.R. 4665. A bill to amend the Tariff Act of 1930 to provide private remedies for injury caused by unfair foreign competition

and violations of certain customs fraud provisions; jointly, to the Committees on Ways and Means, the Judiciary, and Energy and Commerce.

By Mr. BROOKS (for himself, Mr. FUQUA, Mr. ANDREWS, and Mr. HOYER):

H.J. Res. 607. Joint resolution to express the sense of Congress on recognition of the contributions of the seven Challenger astronauts by supporting establishment of a Children's Challenge Center for Space Science; to the Committee on Science and Technology.

By Mr. KEMP (for himself and Mr. LANTOS):

H.J. Res. 608. Joint resolution to proclaim May 21, 1986, as "Andrei Sakharov Honor and Freedom Day"; jointly, to the Committees on Post Office and Civil Service, Foreign Affairs, and the District of Columbia.

By Ms. OAKAR:

H.J. Res. 609. Joint resolution to designate May 5 through 11, 1986, as "Public Service Recognition Week"; to the Committee on Post Office and Civil Service.

By Mr. STENHOLM:

H.J. Res. 610. Joint resolution to authorize the Corps of Engineers to issue permits under the Clean Water Act and the River and Harbor Act for construction of a water resources project in the State of Texas; to the Committee on Public Works and Transportation.

By Mr. FEIGHAN:

H. Con. Res. 322. Concurrent resolution concerning the illegal diversion of funds by former Philippine President Ferdinand Marcos; to the Committee on Foreign Affairs.

By Mr. MURTHA:

H. Res. 427. Resolution amending the Rules of the House of Representatives to increase the amount of outside earned income which a Member may accept; considered and agreed to.

By Mr. WHEAT:

H. Res. 428. Resolution providing for the consideration of the bill (H.R. 4421) to authorize appropriations for fiscal years 1987, 1988, 1989, and 1990 to carry out the Head Start, Follow Through, dependent care, community services block grant, and community food and nutrition programs, and for other purposes; House Calendar No. 138. H. Rept. 99-549.

By Mrs. BURTON of California:

H. Res. 429. Resolution providing for the consideration of the bill (H.R. 3302) to designate certain national forest lands in the State of Nevada for inclusion in the National Wilderness Preservation System, and for other purposes; House Calendar No. 139. H. Rept. 99-550.

By Mr. UDALL:

H. Res. 430. Resolution urging a joint United States-Soviet effort to achieve worldwide disease immunization by 1990; to the Committee on Foreign Affairs.

MEMORIALS

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

342. By the SPEAKER; memorial of the Senate of the State of Kansas, relative to a strategic defense initiative and a nonnuclear defense system in space; to the Committe on Armed Services.

343. Also, memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to erecting a memorial for the soldiers who served during the Korean conflict; to the Committee on House Administration.

344. Also, memorial of the Legislature of the State of Kansas, relative to H.R. 4365, H.R. 3549, and S. 1510 regarding the collection of sales and use taxes on out-of-State mail order sales; jointly, to the Committees on Ways and Means and the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.

Mr. MADIGAN introduced a bill (H.R. 4666) for the relief of Steven T. Anderson; 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. 22: Mr. ZSCHAU.

H.R. 471: Mr. REGULA, Mr. KRAMER, Mr. BATEMAN, Mr. RUDD, Mrs. SMITH of Nebraska, Mr. BURTON of Indiana, and Mr. RITTER.

H.R. 1309: Mr. KASTENMEIER, Mr. BROWN of California, Mr. STARK, Mr. TRAFICANT, Mr. ROE, and Mr. KLECZKA.

H.R. 1398: Mr. BIAGGI.

H.R. 1400: Mr. SIKORSKI, Mr. WISE, and Mr. TALLON.

H.R. 1625: Mr. WALGREN and Mr. SKEEN.

H.R. 1780: Mr. PANETTA, Mr. BARNES, Ms. KAPTUR, Mr. RANGEL, and Mr. NEAL.

H.R. 1809: Mr. PURSELL.

H.R. 2093: Mr. WYLIE.

H.R. 2568: Mr. MONSON, Mr. NIELSON of Utah, Mr. WHITTAKER, Mr. PACKARD, Mr. HARTNETT, and Mr. REGULA.

H.R. 2684: Mr. GEKAS.

H.R. 2691: Mr. BARNES.

H.R. 2836: Mr. O'BRIEN.

H.R. 2902: Mr. MONSON.

H.R. 3041: Mr. WEAVER, Mr. OBERSTAR, and Mr. DINGELL.

H.R. 3042: Mr. MINETA, Mr. LEVIN of Michigan, Ms. KAPTUR, Mr. EDWARDS of California, Mr. STOKES, Mr. LAFALCE, and Mr. DE LUGO.

H.R. 3090: Mr. HOYER.

H.R. 3260: Mrs. KENNELLY and Mr. HOYER.

H.R. 3326: Mr. SEIBERLING.

H.R. 3442: Mr. BATES, Mr. HERTEL of Michigan, Mr. MCHUGH, Mr. BROWN of California, Mr. OWENS, Mr. LUNDINE, Mr. SCHUMER, Mr. GRAY of Pennsylvania, Mr. MARKEY, Mr. DOWNEY of New York, Mr. BARNES, Mr. JACOBS, Mr. ROYBAL, Mr. MILLER of California, Mr. AUCOIN, Mr. BRUCE, Mr. FOGLIETTA, Mr. BORSKI, Mr. DURBIN, Ms. MIKULSKI, Mr. SOLARZ, Mr. COUGHLIN, and Mr. RODINO.

H.R. 3662: Mr. DWYER of New Jersey, Mr. DELLUMS, Mr. DIOGUARDI, Mr. ROE, and Mr. HUGHES.

H.R. 3830: Mr. HOYER.

H.R. 3995: Mr. HENDON.

H.R. 4003: Mr. YATES and Mr. MORRISON of Connecticut.

H.R. 4029: Mr. LEVINE of California, Mr. OBERSTAR, Mr. WEAVER, and Mr. NEAL.

H.R. 4054: Mr. MANTON, Mr. BARNES, Mr. HENRY, Mr. MINETA, Mr. SCHEUER, Mr. BATES, Mr. HUGHES, and Mr. EDWARDS of California.

H.R. 4060: Mr. WORTLEY, Mr. ALEXANDER, Mr. RUSSO, Mr. EARLY, Mr. WATKINS, Mr. PEPPER, Mr. KEMP, Mr. ORTIZ, Mr. ROBINSON, Mr. FLIPPO, Mrs. KENNELLY, Mr. CHAPPIE, Mr. MOODY, Mr. YATES, Mr. BEDELL, Mr. AUCOIN, and Mr. DWYER of New Jersey.

H.R. 4075: Mr. MITCHELL, Mr. BURTON of Indiana, Mr. JONES of North Carolina, and Mr. STALLINGS.

H.R. 4125: Mr. TORRICELLI.

H.R. 4145: Mr. DANNEMEYER, Mr. LUNGREN, Mr. WHITTAKER, Mr. PACKARD, Mr. BADHAM, Mr. BARTON of Texas, Mr. RITTER, Mr. DANIEL, and Mr. HENDON.

H.R. 4183: Mr. HYDE, Mr. LEHMAN of Florida, Mr. BATEMAN, Mr. BROWN of California, Mr. DARDEN, Mr. DOWDY of Mississippi, Mr. GLICKMAN, Mr. RALPH M. HALL, Mr. HEFNER, Mr. BILIRAKIS, Mr. BOEHLERT, Mr. GIBBONS, Mr. AKAKA, Mr. BONKER, Mr. DICKS, Mr. WEAVER, Mrs. SMITH of Nebraska, Mr. COLEMAN of Texas, Mrs. COLLINS, Mr. YATRON, and Mr. DE LA GARZA.

H.R. 4186: Ms. OAKAR, Mr. MILLER of California, Mr. BERMAN, Mr. WALGREN, Mr. KRAMER, Mr. ARMEY, Mr. EDWARDS of California, Mr. MCCLOSKEY, Mr. WAXMAN, Mr. ERDREICH, Mr. VOLKMER, Mr. TORRICELLI, Mrs. LONG, Mr. SWEENEY, Mr. COOPER, Mr. MCEWEN, Mr. MITCHELL, Mr. BEREUTER, Mr. MICA, Mr. DELLUMS, Mr. FLORIO, Mr. BLAZ, Mr. COURTER, Mr. GIBBONS, Mrs. SCHROEDER, Mr. SHUSTER, Mr. BREAUX, Mr. DASCHLE, Mr. GOODLING, Mr. SAXTON, Mr. ACKERMAN, Mr. DIXON, Mr. DOWDY of Mississippi, Mr. FRENZEL, Mr. WRIGHT, and Mr. KOLTER.

H.R. 4223: Mr. DURBIN, Mr. BARNES, Mr. MORRISON of Connecticut, and Mr. DE LUGO.

H.R. 4226: Mr. VISCLOSKY.

H.R. 4278: Mr. GOODLING, Mr. WORTLEY, Mr. REID, Mr. MCEWEN, Mr. HUCKABY, Mr. JONES of North Carolina, Mr. DANIEL, Mr. WILSON, Mr. BEVILL, Mr. DORNAN of California, and Mr. WHITEHURST.

H.R. 4282: Mr. TOWNS, Mr. GONZALEZ, Mr. FRANK, Mr. HAWKINS, Mr. MRAZEK, Mrs. BURTON of California, Mr. GEJDENSON, Mr. DORGAN of North Dakota, Mr. RANGEL, Mr. ROE, Mr. VENTO, Mr. MCCAIN, Mr. DE LUGO, Mr. TRAXLER, Mr. LELAND, Mr. KOLTER, Mr. RODINO, and Mr. RAHALL.

H.R. 4299: Mr. BENNETT, Mr. PACKARD, Mr. BOUCHER, Mr. HARTNETT, Mr. COMBEST, Mr. SWEENEY, Mr. STALLINGS, Mr. DEWINE, Mr. DANIEL, and Mr. DAVIS.

H.R. 4323: Mr. LELAND, Mr. TORRES, Mr. MATSUI, and Mr. RODINO.

H.R. 4344: Mr. LEWIS of Florida, and Mr. BARNARD.

H.R. 4345: Mr. HALL of Ohio, Mr. MILLER of Ohio, Mr. STOKES, Mr. DEWINE, Mr. OXLEY, Mr. REGULA, Mr. KINDNESS, Ms. OAKAR, Mr. GRADISON, Mr. LATTA, Mr. FEIGHAN, Mr. LUKEN, Mr. ECKART of Ohio, Mr. PEASE, Mr. TRAFICANT, and Mr. KASICH.

H.R. 4390: Mr. SYNAR.

H.R. 4391: Mr. WEAVER.

H.R. 4422: Mr. FOGLIETTA, Mr. MCCLOSKEY, and Mr. VISCLOSKY.

H.R. 4425: Mrs. BENTLEY and Mr. LAGOMARSINO.

H.R. 4435: Mr. FAZIO, Mr. WILLIAMS, and Mr. MARTINEZ.

H.R. 4460: Mr. IRELAND and Mr. WORTLEY.

H.R. 4476: Mr. STENHOLM, Mr. BOULTER, and Mr. LOWERY of California.

H.R. 4488: Mr. FRANK, Mr. SUNIA, and Mrs. COLLINS.

H.R. 4513: Mr. PANETTA, and Mr. DENNY SMITH.

H.R. 4524: Mr. FRENZEL, Mr. KOLBE, Mr. RUDD, Mr. RANGEL, Mr. MCDADE, Ms. KAPTUR, and Mr. STANGELAND

H.R. 4528: Mr. LEVIN of Michigan, Mr. HAYES, Mr. MITCHELL, Mr. SAVAGE, Mr. TOWNS, Mr. RODINO, Mr. DE LUGO, and Mr. VISCLOSKY.

H.R. 4573: Mr. RANGEL, Mr. FORD of Tennessee, and Mr. DORGAN of North Dakota.

H.R. 4593: Mr. WORTLEY, Mr. FRANK, Mr. TOWNS, and Mr. WEBER.

H.R. 4621: Mr. FRANKLIN and Mr. PACKARD.

H.J. Res. 131: Mr. SMITH of Iowa, Mr. HAYES, Mr. SISISKY, Mr. BIAGGI, Mr. WYLIE, Mr. BARTLETT, and Mr. WALGREN.

H.J. Res. 133: Mr. RODINO.

H.J. Res. 244: Mr. VENTO, Mr. COUGHLIN, Mr. ALEXANDER, Mr. HARTNETT, and Mr. MILLER of California.

H.J. Res. 336: Mr. EVANS of Iowa.

H.J. Res. 376: Mr. TRAFICANT.

H.J. Res. 422: Mr. ERDREICH.

H.J. Res. 427: Mrs. ROUKEMA, Mr. MCGRATH, and Mr. GINGRICH.

H.J. Res. 429: Mr. GRAY of Pennsylvania, Mr. FEIGHAN, Mr. EDGAR, Mr. HORTON, Mr. HUTTO, Mr. MCDADE, Mr. LEVIN of Michigan, Mr. DORNAN of California, Mr. MANTON, Mr. LOWRY of Washington, Mr. CHAPMAN, Mr. DIXON, and Mr. RALPH M. HALL.

H.J. Res. 492: Mrs. BYRON, Mr. FAUNTROY, Mr. LEVINE of California, Mr. TRAXLER, Mr. LENT, Mr. ROEMER, Mr. HAYES, Mr. SCHEUER, Ms. KAPTUR, Mr. ARCHER, Mr. CARR, Mr. FASCELL, Mr. YOUNG of Alaska, Mr. DELAY, Mr. ANNUNZIO, Mr. TORRICELLI, Mr. SHAW, Mr. BARNES, Mr. TOWNS, Mr. WEISS, Mr. CHAPPIE, Mr. HATCHER, Mr. HYDE, Mr. STALLINGS, Mr. GEJDENSON, Mr. ACKERMAN, and Mr. DUNCAN.

H.J. Res. 510: Mr. HANSEN, Mr. ST GERMAIN, Mrs. LONG, Mrs. MARTIN of Illinois, Mr. COYNE, Mr. SISISKY, Mr. STALLINGS, Mr. FORD of Michigan, and Mr. MCCOLLUM.

H.J. Res. 548: Mr. MCDADE, Mr. APPLEGATE, Mr. O'BRIEN, Mr. WHITTAKER, Mr. KOLBE, Mr. LEVIN of Michigan, Mr. GUARINI, Mr. NIELSON of Utah, Mr. LUKEN, Mr. YATRON, Mr. RUDD, Mr. THOMAS of Georgia, Mr. ARCHER, Mr. SAVAGE, Mr. MARTIN of New York, Mr. PURSELL, Mr. COELHO, Mr. WILSON, Mr. FUQUA, Mr. RAHALL, Mr. ROSE, Mr. TOWNS, Mrs. BENTLEY, Mr. MCGRATH, Mr. DARDEN, Mr. DICKINSON, and Mr. HAMMERSCHMIDT.

H.J. Res. 552: Mrs. KENNELLY, Mrs. BOXER, Mr. WALGREN, Mr. BRYANT, Mr. PURSELL, Mr. TORRICELLI, Mr. MONSON, Mr. NELSON of Florida, Mr. JONES of North Carolina, Mr. GORDON, Mr. JEFFORDS, Mr. CARNEY, Mr. FUQUA, Mr. BONER of Tennessee, Mr. MANTON, Mrs. ROUKEMA, Mr. ROSE, Mr. RANGEL, Mr. WYLIE, Mr. JONES of Tennessee, and Mr. EARLY.

H.J. Res. 567: Mr. WYLIE.

H.J. Res. 577: Mr. TAUKE, Mr. DORNAN of California, Mr. WORTLEY, Mr. CONTE, Mr. HORTON, Mr. STENHOLM, Mr. LEACH of Iowa, Ms. SNOWE, Mr. MCKERNAN, and Mr. COATS.

H.J. Res. 587: Mr. BATEMAN, Mr. KINDNESS, Mr. WOLF, Mr. LAGOMARSINO, Mr. DE LA GARZA, Mr. HORTON, Mr. DANIEL, Mr. WILSON, Mr. BLILEY, Mr. DORNAN of California, Mr. COURTER, Mr. FRANK, and Mr. DANNEMEYER.

H.J. Res. 589: Mr. AKAKA, Mr. ALEXANDER, Mr. ANDERSON, Mr. ANDREWS, Mr. BILIRAKIS, Mr. BOSCO, Mr. BREAUX, Mr. BURTON of Indiana, Mr. CARNEY, Mr. CHAPMAN, Mr. CLINGER, Mr. COATS, Mr. COLEMAN of Texas, Mr. CONTE, Mr. COURTER, Mr. CRAIG, Mr. DARDEN, Mr. DELAY, Mr. DYSON, Mr. EDGAR, Mr. EDWARDS of Oklahoma, Mr. FASCELL, Mr. FORD of Tennessee, Mr. GONZALEZ, Mr. GREGG, Mr. GUARINI, Mr. RALPH M. HALL, Mr. JONES of North Carolina, Ms. KAPTUR, Mr. KASICH, Mrs. KENNELLY, Mr. KOLTER, Mr. LAFALCE, Mr. LEWIS of Florida, Mrs. MARTIN of Illinois, Mr. MARTINEZ, Mr. MCCAIN, Mr. MCCLOSKEY, Mr. MCDADE, Mr. MCEWEN, Mr. MILLER of Washington, Mr. MOLINARI, Mr. MONSON, Mr. MOORE, Mr. OBERSTAR, Mr. ORTIZ, Mr. PASHAYAN, Mr. PURSELL, Mr. RANGEL, Mr. RODINO, Mr. ROWLAND of Connecticut, Mr. SABO, Mr. Shaw, Mr. SMITH of New Hampshire, Mr. DENNY SMITH, Mr. SUNDQUIST, Mr. SWEENEY, Mr. SWIFT, Mr. TRAXLER, Mr. TOWNS, Mrs. VUCANOVICH, Mr. WALGREN, Mr. WALKER, Mr. WATKINS, Mr. WHEAT, Mr. WYDEN, and Mr. YATRON.

H.J. Res. 590: Mr. KOLTER, Mr. YATRON, Mr. ANNUNZIO, Mr. EVANS of Illinois, Mr. DANIEL, Mr. KANJORSKI, Mr. TRAFICANT, Mr. HENRY, Mr. DWYER of New Jersey, Mr. EDGAR, and Mr. STAGGERS.

H.J. Res. 596: Mr. DIOGUARDI, Mr. SMITH of New Jersey, Mr. NELSON of Florida, Mr. MCDADE, Mr. MOORE, Mr. LENT, Mr. COURTER, Mr. HAYES, Mr. DANNEMEYER, Mr. DEWINE, Mr. FAZIO, Mr. EVANS of Illinois, Mr. YATES, Mr. DWYER of New Jersey, Mr. KRAMER, Mr. RITTER, Mr. MACK, Mr. KOSTMAYER, Mr. RINALDO, Mr. SMITH of Florida, Mr. BURTON of Indiana, Mr. HEFTEL of Hawaii, Mr. PORTER, Mr. ARCHER, Mr. MANTON, Mr. FUSTER, Mr. FEIGHAN, Mr. KINDNESS, Mrs. LLOYD, Mr. HOWARD, Mr. SCHUMER, Mr. BEILENSON, Mr. WAXMAN, Mr. FASCELL, Mr. WEBER, Mr. LAGOMARSINO, Mr. DOWDY of Mississippi, Mr. MINETA, Mr. WORTLEY, Mr. HUGHES, Mr. VOLKMER, Mr. ERDREICH, Mr. LOWERY of California, Mr. SOLARZ, Mrs. LONG, Mr. YOUNG of Missouri, Mr. SCHEUER, Mr. WEISS, Mr. FRANKLIN, Mr. MCEWEN, Ms. OAKAR, Mr. VENTO, Mr. MCGRATH, Mr. SWIFT, and Mr. LEVIN of Michigan.

H.J. Res. 600: Mr. HERTEL of Michigan, Mr. DE LA GARZA, Mr. RANGEL, Mr. HORTON, and Mr. DANNEMEYER.

H.J. Res. 606: Mr. BONIOR of Michigan, Mrs. COLLINS, Mr. DUNCAN, and Mr. MICA.

H. Con. Res. 26: Mr. SCHUMER.

H. Con. Res. 78: Mr. RINALDO.

H. Con. Res. 285: Mr. GREEN, Mr. VALENTINE, Mr. O'BRIEN, Mr. BRYANT, Mr. BLILEY, Mr. ARMEY, Mr. DURBIN, Mr. COATS, and Mr. TAUKE.

H. Con. Res. 299: Mr. HORTON, Mr. DANIEL, Mr. HUTTO, and Mr. BRYANT.

H. Con. Res. 307: Mr. HORTON.

H. Con. Res. 315: Mr. GILMAN, Mr. BATES, Mr. WILSON, Mr. BEVILL, Mr. LIPINSKI, Mr. LAGOMARSINO, and Mr. DARDEN.

H. Con. Res. 321: Mr. ROE, Mr. SEIBERLING, Ms. OAKAR, and Mr. VENTO.

H. Res. 12: Mr. COATS.

H. Res. 377: Mr. COATS, Mr. KOLBE, Mr. WIRTH, Mr. STENHOLM, Mr. RAY, and Mr. GOODLING.

H. Res. 383: Mr. PACKARD, Mr. PORTER, and Mr. SHUMWAY.

H. Res. 388: Mr. WEAVER, Mr. MARTINEZ, Mr. LEVIN of Michigan, Mrs. BOXER, Mr. OBERSTAR, Mr. GARCIA, Mr. FRANK, and Mr. WAXMAN.

H. Res. 404: Mr. GEPHARDT and Mr. LENT.

H. Res. 413: Mr. STALLINGS, Mr. MOORE, Mr. MCEWEN, Mr. NIELSON of Utah, Mr. VALENTINE, Mr. JEFFORDS, Mr. KOLBE, Ms. KAPTUR, Mr. WHEAT, Mr. TOWNS, Mr. BEVILL, Mrs. SMITH of Nebraska, and Mr. WYLIE.

H. Res. 420: Mr. MARTIN of New York, Mr. OWENS, Mr. TOWNS, Mr. DIOGUARDI, Mr. MANTON, Mr. MCGRATH, Mr. SOLOMON, Mr. CARNEY, Mr. STRATTON, Mr. MCHUGH, Mr. FISH, Mr. BIAGGI, Mr. GARCIA, Mr. WORTLEY, Mr. WEISS, Mr. LENT, Mr. BOEHLERT, Mr. KEMP, Mr. ACKERMAN, and Mr. NOWAK.

H. Res. 424: Mr. CARNEY, Mr. ASPIN, Mr. MCHUGH, Mr. WILSON, Ms. FIEDLER, Mr. DORNAN of California, Mr. WHITEHURST, Mr. KRAMER, Mr. BEVILL, Mr. PASHAYAN, Mr. NICHOLS, Mr. ORTIZ, Mr. HERTEL of Michigan, Mr. CHANDLER, Mr. LIPINSKI, Mr. LAGOMARSINO, Mr. SMITH of New Jersey, Mr. DORGAN of North Dakota, and Mr. DASCHLE.

PETITIONS, ETC.

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

312. By the SPEAKER: Petition of the delegate assembly of the Council for Exceptional Children, Reston, VA, relative to Gramm-Rudman-Hollings cuts to Federal aid to special education; to the Committee on Education and Labor.

313. Also, petition of the City Council of Youngstown, OH, relative to "Save American Industry/Jobs Day"; to the Committee on Post Office and Civil Service.

314. Also, petition of the Board of Commissioners, Mahoning County, OH, relative to "Save American Industry/Jobs Day"; to the Committee on Post Office and Civil Service.

315. Also, petition of the North Carolina General Assembly's Legislative Research Commission's Committee on Aging, Raleigh, NC, relative to establishing an independent Social Security Administration; to the Committee on Ways and Means.

316. Also, petition of the Turner-Hutchinson Electric Cooperative, Inc. of Marion, SD, relative to the sale of the Federal power marketing agencies and the elimination of the Rural Electrification Administration; jointly, to the Committees on Agriculture and Interior and Insular Affairs.

EXTENSIONS OF REMARKS

SUPPORT FOR CONTRA AID

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. LAGOMARSINO. Mr. Speaker, today, I made a 1-minute speech calling attention to Honduran President Azcona's public support for United States military aid for the Contras. His statement was contained in an interview with two European reporters.

Excerpts from that interview follow:

TEGUCIGALPA.—"The Sandinists should bug off [no jodan los Sandinistas] and take care of themselves," President Jose Azcona Hoyo said when referring to the reports that the Army is not doing anything to evict the contras from the national territory they are occupying along the border with Nicaragua.

Azcona Hoyo was interviewed by two European reporters. He admitted that he agrees with his predecessor, Roberto Suazo Cordova, concerning foreign policy. Azcona Hoyo emphasized several times that the Central American conflict will be resolved when President Daniel Ortega decides to talk with the opposition. He advised the reporters to convince Ortega that he can save Nicaragua by speaking with the contras.

"He (Ortega) should not be dreaming, thinking that he will be able to consolidate a Marxist revolution in Nicaragua," he warned. The full test of his conversation with the European reporters is as follows:

Reporter: What is the Honduran stand concerning the U.S.-Nicaraguan conflict?

Azcona: We want a political solution to the Nicaraguan conflict. We think that the final decision on this is in the hands of the Nicaraguan Government. It should respect the commitments it has with the OAS, and should give freedom to the Nicaraguan people. We are sure that if the Nicaraguan Government adopts these decisions it will not be difficult to achieve the pacification of Nicaragua. They should talk with the armed opposition as well as the unarmed opposition. They should promise true elections.

Reporter: Would you describe this Honduran position as neutral?

Azcona: I would say that Honduras is neutral, but we always harbor the hope that the Nicaraguan problem will be solved through a democratic solution.

Reporter: It is said that the most recent Contadora meeting was a failure due to the Nicaraguan attitude that seeks a commitment from the United States that it will not continue supporting the contras following the signing of a document. Do you not understand Nicaragua's stand?

Azcona: I believe that Nicaragua should honor its commitment with the OAS, that is, giving full freedom to its people and seeking a solution to the Nicaraguan problem so that it will lead to a truly democratic system. If this should happen, there is nothing the United States can do, and I do not think it would do anything against the Nicaraguan Government.

If they insist on upholding their determination to lead Nicaragua to a totalitarian system, I think the United States will not give up in its endeavor to oust [botar] this government. Why should we calmly think that the United States is afraid that this type of government can continue to grow in the hemisphere until it reaches its own border? Then, in reaction that might even be considered logical, it will struggle so that this may not happen.

Reporter: But would Honduras be willing to convince the United States not to continue supporting the FDN if Nicaragua fulfills the conditions stipulated in the Contadora Document?

Azcona: The United States supports that position. It has clearly stated: If Nicaragua fulfills the commitment it made to the OAS, which is practically the same as what is being established in the Contadora Document with the addition of calling for a halt to the arms buildup, the reduction of military advisers, etcetera, the United States would accept that situation.

Let the Nicaraguan people decide internally if they agree with the Sandinist system or if they are against that system. However, this should be done in full freedom and not like in the past elections where FSLN had to win.

Reporter: Now then, I understand that in the United States there are various sectors. Would you as a liberal feel closer to the sector that is opposed to the President, that of the Democratic Party? Are you in favor or against the $100 million for the contras?

Azcona: I think that it is more advisable for Honduras that the $100 million be approved. However, what Honduras thinks at this time is not important. What is important is what will happen if the $100 million is granted or if it is not granted. I do not think President Reagan will stop pressuring Nicaragua because the $100 million is rejected. I think the pressure is going to continue because he has clearly stated this. I repeat: The solution to the Nicaraguan problem is in the hands of the Nicaraguans and no one else.

Reporter: But if it is believed that this pressure could be military and in view of the geographic situation, the aid to the contras would have to pass through Honduras.

Azcona: Not necessarily.

Reporter: Then through where?

Azcona: There are many ways. The latest aid has come from other places. It has not passed through Honduras. There can be flights from any other Central American country or even from the United States.

Reporter: President Daniel Ortega said in a press conference that there is a type of no-man's-land. Do you agree with this?

Azcona: No. We do not accept that. No way. A no-man's land does not exist in Honduras. In Honduras, all the zones are under Honduran sovereignty. That is not true. We reject that. What exists is an extensive zone on the border that is quite uninhabited and through which the counterrevolutionaries enter Nicaragua and cross to Honduras.

It is very hard for Honduras, which does not have a large Army, to guard all of the border which is approximately 700 km long by placing border posts, let us say, every 50 or 100 meters because that falls outside all our economic capacity. We would have to double the number of our troops. Just to guard that border we would need all the Armed Forces that we currently have.

Reporter: Although in the last conflict the exact location of specific contra camps was demonstrated, wouldn't it be possible, through political or military measures, to exert pressure so that at least they will leave?

Azcona: Well, what the contras want is to go to Nicaragua. That is what the contras want. The contras do not want to be here in Honduras. They want to go to Nicaragua and in fact they do go to Nicaragua but return later. As I said, we would have to have a large Army protecting the Sandinists' rearguard. I do not think they are going to protect our rearguard when they consolidate themselves. I do not think they are going to prevent the entrance into Honduras of subversive elements.

Reporter: Then are you denying the reports by former FDN members that there is some cooperation—even close cooperation—between the Honduran Army and the contras?

Azcona: That is not true. We know that the contras come in and out of Honduras, but we will not have our Army face a situation like that.

Reporter: Is it also false that the Honduran Army has virtually let the contras take control over a portion of the border area?

Azcona: That is not true.

Reporter: Can you visualize, Mr. President, the possibility of peaceful coexistence between two countries with different ideologies, namely, Nicaragua and Honduras?

Azcona: On our part there can be coexistence. I ask you: Is there any place in the world where Marxism has not made attempts to extend its reach? * * *

Reporter: How do you explain that over the past several weeks there were numerous reports on developments in Honduras that originated in the United States, while in Honduras there were only comments and not direct information?

Azcona: We wanted to maintain control over the information so as not to alarm the population. The United States released a letter I sent to President Reagan. That is a way of proceeding over there. We did not want to alarm the population by exaggerating the problems. That is why we appeared on television to explain how everything happened and to say everything was under control. We said we requested help from the United States. That help will have to be requested as often as it is necessary because Honduras does not have many resources to spend on that kind of operation.

Reporter: Would you use the opportunity to get the United States to increase its economic assistance?

Azcona: We will not blackmail the United States. It is clear that they are helping us and will continue to help us. However, we will not take advantage of this situation. We are not offering our territory as a springboard for an invasion against Nicaragua, nor do I believe the United States is planning to

invade Nicaragua. If the United States wants to invade Nicaragua there are two beaches it can use for that.

Reporter: What good is it to have U.S. troops in Honduras?

Azcona: I would say the same good it does to have U.S. troops in Spain, or at the naval base in Greece, or in West Germany; I do not know if there are any in Austria. We have treaties with the United States, and besides there are not that many troops here.

Reporter: Was there political tension between Honduras and the United States following the statements made by Secretaries Shultz and Weinberger that Honduras will support the contras?

Azcona: No, there was not a great deal of tension. We did not like the statements very much because there was much truth in them; however, not everything that was said was true. There was no tension.

Reporter: Did your government answer the U.S. request to explain the statements made by an alleged high-ranking government official who reportedly said there were pressures to state there had been an invasion?

Azcona: As far as I am concerned, no one has asked me to explain. Perhaps the press, because I have not been able to identify them. [sentence as published] Perhaps it was a person who identified himself as a high-ranking official without really being one. The United States has not asked me for any explanations. The trouble is that there is a yellow press there, and the press exaggerates any statement made by anyone concerning these issues. Maybe a fool tried to make himself important by saying he was a person close to the president of Honduras. They have neither asked for explanations, nor have I given any. * * *

Reporter: As for the meeting that is being planned in Guatemala, will Honduras present a stand that might be the stand of the entire area for solving the conflict?

Azcona: I think that the position will be the same one that we had at the last Contadora meeting: conciliatory, broad, democratic, liberal; striving to reach a solution to the Central American problem.

Reporter: In other words, you do not think that what Contadora has not been able to reach will not be reached?

Azcona: I think not, because it depends on Nicaragua's position. That is where the problem lies. If Nicaragua wants to reach an understanding among the Nicaraguans . . . I think that it is very easy for them to achieve it, just as we Honduran are doing. Why are there no contras in Honduras? Why are there no refugees in any country in the world? Why are there no political prisoners? Why do reporters say what they wish in Honduras? Why does television and radio report what they want and no one bothers them? [paragraph as heard] * * *

Reporter: Would it be according to the six points that you have set forth?

Azcona: The problem is that the United States is much more respectful and civilized than the Russians. In a similar case the Russians would have already invaded Nicaragua, like they invaded Czechoslovakia and Poland. They are much more civilized, empire for empire. I prefer the U.S. empire over the Russian.

Reporter: Here there is no awareness because the Soviet Union is not well know, while the United States is.

Azcona: We know because we saw what happened in Cuba, and we are seeing what is happening in Nicaragua. The country or government that neglects its citizens with its actions is not a good government. That is fascism. No one likes to live outside his or her country unless it has been a voluntary move.

Reporter: However, aren't there 1 million Salvadorans outside their country also?

Azcona: Yes, but that problem arose as a result of unjust structures. When the change came it was already too late. A very strong armed opposition had already been formed. However, there are not as many Salvadoran exiles as Nicaraguan exiles. There is a guerrilla force operating inside its borders.

Reporter: Are there more Salvadoran refugees?

Azcona: Yes. However, most of them can return to El Salvador without anything happening to them.

Reporter: Couldn't it be against the principle of nonintervention in the domestic affairs of a country to ask Nicaragua to change?

Azcona: No one is attempting to change Nicaragua. That is a hope that Honduras has. I can believe and think and want. However, I will not do it or demand that they do it. I would like Nicaragua to take the democratic path and I support the position of Nicaragua's political parties. Who can prevent my sympathies with various things? That is not intervention. I am certain Commander Ortega wants and would be very happy to see a revolutionary government like the one in Nicaragua establish itself in Honduras. This is also not intervention in Honduras' domestic affairs.* * *

Reporter: What could West Europe do or what would you like it to do for Honduras?

Azcona: I would like to tell them that here in this small country we are living in a real democracy, that we are learning to live in democracy, that the citizens' freedoms are respected here, that we are a good and noble people who want to live in peace, that we are not warmongerers or lackeys of the United States. However, they should understand that we are in Central America and without seeking it, we are in the zone of conflict. Even though they are thousands of kilometers away and much more powerful than we are, they have to choose sides and they have decided to be friends of the United States. With much more reason, we have to do the same.

Mitterrand has not sought to be friends with the Soviet Union. Neither did Felipe Gonzalez. He voted to remain in NATO. Not even the Greek prime minister, being a Socialist has eliminated the base of the Sixth Fleet. So then, why are they alarmed, and why do they make a great to-do if there are U.S. sailors in Greece, if there are U.S. pilots at the Torrejon base and the other bases in Spain, if there are U.S. soldiers in the FRG and all those countries are NATO members, and they have air missiles, why are they so self-righteous, that the boys of Nicaragua must be helped in a gesture, for one side, for a complex? [sentence as published]

Reporter: Then the difference is that in those countries there is no situation of imminent conflict with a neighboring country?

Azcona: There is no conflict? Isn't Berlin divided?

Reporter: There is another system there.

Azcona: Well, Nicaragua has another system also, or is it that we do not want to include Nicaragua in that? Do we want Somoza to return to Nicaragua? Do we want the achievements that they say they have given to the people—they say they have carried our agrarian reform—to be irreversible? No. We have agrarian reform here. Here we have very strong unions, very strong teachers' organizations, in one of which leftists are the leaders. We have student fronts, we have leftist fronts, and there is no problem.

Why must they put in uniform all Nicaraguans who must be in agreement with their beliefs? Why? Why do they have weapons? Why did they oust Somoza? They did not oust him. The Nicaraguan people ousted him. It was not them alone.

Reporter: You say you do not want a return to Somozism in Nicaragua?

Azcona: Of course not; I was anti-Somozist.

Reporter: But it is known that there is much Somozism among the contras. Do you believe the FDN can be an alternative?

Azcona: There is no need for there to be an alternative. It is sufficient that this regime opens up . . . and if they are the majority of the people, and they are going to win a free election, then they should go ahead; but they should rule within a constitution. That is the important part, no one should feel he is the owner of a country or a group.

Reporter: What if, in theory, you should have to channel your liberal, social democratic position concerning Nicaragua in a conflict with someone who said: I am a contra? [sentence as published]

Azcona: I am not saying I am a contra. What I am saying is that the Nicaraguan Government should open up; it has to respect freedom and honor what it promised at the OAS. It has not fulfilled any of the promises; it has no credibility. However, then the Germans, and the French, and the Italians say I am a dictator, or some one who sells out to the gringos, and Ortega is described as a redeemer. There is a very big difference. I would never harm a Honduran, I would rather leave; but they want to stay in power, regardless, because they are dogmatized [as published], they are not democratic. That is the difference. Then, it is said that Honduras does not have a good reputation abroad; a country that has no political prisoners and persecutes no one for his ideas, a country with full freedom of the press, a government that has high morals, a government with political morals. I really cannot understand that.

Reporter: No. I do not think the world thinks you are a dictator!

Azcona: No, but it is said I have sold out to the gringos, yet they say nothing of Mitterrand, or of Felipe Gonzalez. Didn't Felipe Gonzalez say during his campaign that they should vote no to NATO? Why, if he is a Socialist? What then? Does the Spanish Army carry out joint maneuvers with the U.S. Army?

Reporter: Perhaps because it is easier to listen to Ortega?

Azcona: Oh, there comes the European complex with the United States: We are always going to be against the United States, but the United States has never gone to Europe to defend a fascist system. It first went to oust the German kaiser that represented harshness and skill against Hitler. However, Stalin was able to call the United States when it was invaded by Germany. Yet I cannot ask the United States to lend me some helicopters when Nicaraguans are entering my country.

Reporter: Are there a great deal of anti-Sandinist feelings?

Azcona: No, but I do something else. Stalin or Russia called on the United States to become involved in the war to defeat Germany and Austria, but I am not allowed to

ask the United States to lend me two helicopters to dispatch a few soldiers to Honduran territory. That is a sin.

Reporter: Do you really think that, if it were not for the United States, Nicaragua would come over here?

Azcona: I don't know. What I do know is that the communist countries and worldwide Marxism would spread Marxism throughout the world through subversion if they could, or through indoctrination, or whatever.

Reporter: But that is combat by other means, not just with helicopters.

Azcona: One does not fight with helicopters? Then why does Nicaragua have helicopters?

Reporter: Why does Honduras need helicopters?

Azcona: To transport the Army to oust the Sandinists from the territory they were occupying in Honduras. We have not occupied Nicaraguan territory.

Reporter: Was the Honduran Army there?

Azcona: Of course. We took the Honduran Army there.

Reporter: Was there a clash with Honduran soldiers?

Azcona: There was. The thing is that the Nicaraguans fled. They left prisoners; they left their dead, and they fled. They are not going to make me flee, nor are they going to make me change my position. My position is clear, and I would like those Nicaraguan gentlemen to understand this and to act more flexibly and more intelligently. Ortega can remain there for 2 years . . . he might win or share power, but he cannot deny others the right to also attain power. What those people want is to convert Nicaragua into a huge jail like Cuba. Of course, the Nicaraguans happily sign an agreement and look . . . let us patrol here, and let no one enter and later, with Costa Rica, and inside we will do what we want. [sentence as published] Is this morally right?

Reporter: One element of international law is that it obliges any state to prevent attacks on another state.

Azcona: I am not attacking Nicaragua.

Reporter: Yes, but this can also be done by omission.

Azcona: What do you mean, done by omission? The Honduran soldiers are not going to enter Nicaragua.

Reporter: I am referring to the contras.

Azcona: What do you want? Do you want me to spend millions upon millions here to guard their backs? Who is going to give me those millions to deploy 20,000 or 30,000 men? Should I spend the millions that I need for medicine, schools, and to pay teachers? Just to guard their rear? Hell! Let them guard their own backs.

Reporter: Is it an economic problem then?

Azcona: It is an overall problem. The problem is the Nicaraguans. Why do the contras exist? Why do the refugees exist? Because they are not satisfied with that government, and that is very clear, as was the case with Somoza. Why did they oust Somoza? Why did they disagree with Somoza? What about us? Is it our duty to guard their rear while they are doing as they please in Nicaragua? That is not my duty.

Reporter: There have been perhaps even worse situations of conflict on the Salvadoran border.

Azcona: Yes, but they did not involve ideology or territorial expansion. We are not going to neglect the problem with El Salvador. We know that we have to mark the border as soon as possible. If we look at it from the perspective of time, we are more concerned about the problem with El Salvador, because the Nicaraguan problem is of the moment, while the other problem will be permanent as long as the border issue remains unresolved. What we will always reject is the demand that Honduras guard Nicaragua's back. We have no obligation to do that.

CENTRAL CATHOLIC: THEY ARE NO. 1!

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. RITTER. Mr. Speaker, as the representative in Congress from the Lehigh Valley, Pennsylvania-15, which encompasses Allentown, Bethlehem, Easton, and such areas, I would like to bring to your attention the following editorial which appeared March 24 in the Allentown Morning Call.

CENTRAL CATHOLIC: THEY ARE NO. 1!

"We played as a team again as we have all season and that is why Central Catholic is the state champion."—Central Catholic basketball coach Bob Schlosser.

Who's No. 1? There is just no question about who reigns supreme in Class AAA high school backetball in Pennsylvania—the green and gold Vikings of Allentown Central Catholic High School. Coach Schlosser took his juggernaut East Penn Conference winners to their second PIAA championship in three years on Friday night, and the boys from Fourth and Chew established themselves as one of the class acts in local sports. They are all stars.

Central Catholic took control of the game with Aliquippa and with poise and cool teamwork made it look a lot easier than it really was. A short definition of the word "team" reads: "A number of persons associated in some joint action, as one of the sides in a game or contest." Central Catholic on Friday night—and throughout the basketball season—provided the definitive illustration of what a team is and what a team can do. The Vikes have been giving basketball clinics all season long to their opponents with their grace, their stylish play—and especially their teamwork.

As they enjoy the feverish aftermath of their triumph, the boys from Central Catholic should file away for the future the impact of what they have accomplished, and how it was accomplished. There is another, much longer game awaiting these young men. It's called "life" by some; "the real world" by others. Except for a special few, success there will not be determined by sure-handed dribbling and quick moves. But the dedication, the determination and the will to be the best are qualities that are movable—from basketball to studies to careers.

Being No. 1 at age 16 or 17 or 18 is heady stuff. The cheers and rallies and parades for the returning champs are tributes to a collection of young men and their coaches who have done themselves, their school and the entire Lehigh Valley proud. Enjoy it, Vikings, 'cause you earned every bit of it!

A TRIBUTE TO BEN GROSS

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. DYMALLY. Mr. Speaker, on Friday, the 25th of April, it will be my honor to take part in a tribute to one of labor's true heroes, Ben Gross. I want to take a moment to apprise my colleagues here in the Congress of Ben's important contributions to American workers. His advocacy on their behalf spans 40 years. The fight for equal rights for minorities in America has been fought on many fronts—economic, legal, educational and civic. Ben Gross has been a leader and a doer in all of these important areas.

A veteran of the labor movement, Ben first joined the UAW in 1946, becoming a member of Local 560 at Ford Motor Co. in Richmond, CA. Ben quickly became active in all facets of the union.

In 1948 he became a member of the Fair Practice and Anti-Discrimination Committee. Two years later, in 1948, he was appointed chairman of this committee. In 1953, his commitment to the union cause resulted in his election to the executive board of his local and the following year to the position of trustee.

In 1955, he became chairman of the Local 560 Housing Committee and embarked on a project that would eventually lead to the creation of a model community in Milpitas, CA—the Sunnyhills Cooperative Housing Development.

Working in close coordination with William Oliver, aide to UAW President Walter Reuther, Ben fought successfully for a number of years with banks, developers, politicians, and the State of California, to establish Sunnyhills as an integrated community for workers at the Ford plant in Milpitas. Although primarily motivated by a desire to make housing available for black Ford workers, Ben could proudly point to the fact that by 1958 Sunnyhill's 420 homes provided housing for people of Japanese, Hawaiian, Irish, German, native American, and many other national and ethnic minority backgrounds.

Ben and his wife Clara also played a major role in establishing the Sunnyhills United Methodist Church. In fact, some early services of the church school were held from the back of Ben's pickup truck. Ben was instrumental in obtaining a UAW local hall in Milpitas to serve as the temporary home for the church until larger quarters could be secured in 1964. He served as lay-leader for his church from 1965 to 1970.

Ben's civic involvement did not go unnoticed. In 1961, he was elected to the Milpitas City Council were he served for 4 years. In 1966 he was elected mayor of Milpitas—a fitting tribute to Ben for his tireless work in behalf of the entire Milpitas community. He received an "Outstanding Citizen Award" from the San Jose, CA, branch of the NAACP for his role in convincing Pacific Southwest Airlines to hire black stewards and ticket agents.

He did not allow his active political and civic life to come between him and his union activi-

ty. In 1956 he was elected as a shop committeeman for Local 560 and was later appointed the chairman of the Education and Political Action Committee.

Ben's political activity extended throughout the State of California. He also served for 7 years as the chairman of the Northern California Fair Employment Practices Council. He served as a member of the County Democratic Council of Santa Clara County where he helped to coordinate Democratic clubs, platforms, candidates and programs for the California State Democratic Party.

In 1964 he was a delegate to the Democratic National Convention in Atlantic City, NJ. He also served on the campaign committee of many prominent California Democrats from 1958 to 1966. In 1967 he was selected by the board of directors of the League of Cities of California as one of the outstanding mayors of California and was selected to make a "goodwill tour" of Europe. He visited London, England; East and West Berlin, Germany; Moscow and Leningrad, Russia; Warsaw, Poland; Budapest, Hungary; Prague, Czechoslovakia; and Paris, France.

In 1963 he was appointed as an international representative to the Fair Employment Practices staff by then President Walter Reuther. Reuther had worked with Ben on the Sunnyhills projects as well as on other projects. In 1971 Ben moved to Detroit to work out of Solidarity House. His many years in service to the cause of equal rights and fair practices was recognized in a special way in 1976 when Ben was appointed as coordinator, and later, assistant director of the Fair Practice Department.

The accomplishments I have mentioned in this short space are only sufficient to give a flavor for what Ben's life of contribution has been. All his activities have been characterized by a deep devotion to eradicating injustice. I think Ben is so deeply respected, so deeply loved because he has been guided in his life by an overriding confidence in the basic goodness of his fellow human beings. He is respected because he has respected others. His long and fruitful career in the UAW is a shining example for us all.

JUSTICE FOR FEDERAL RETIREES

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. FEIGHAN. Mr. Speaker, from the moment he took office, President Reagan has railed against the vices of the Federal Government: its wastefulness, its sluggishness, its stifling effect on economic activity. In his first inaugural address, the President, with a simplicity that appeals to simple minds, declared that "Government is not the solution to our problem; Government is the problem." Within hours, the President had begun to make good on his pledge to curb the size of Government. As his first official act, he chose the imposition of a hiring freeze on civilian Federal employees.

This first act was typical of the President's strategy for shrinking Government activity. Not content to root out wasteful or unnecessary spending, the President has sought to undermine Federal operations by attacking the rights and benefits of the workers who faithfully carry out the Government's business. Unable to achieve all the domestic spending cuts he desires, the President has tried to contain Government activities by demoralizing the workers, both current and retired, who sustain those activities. These assaults, unwarranted and inhumane, Mr. Speaker, must be stopped.

In his fiscal 1987 budget proposal, the President called for the elimination of this year's COLA for Federal retirees and the restriction of all future COLA's to 2 percent below the rise in the consumer price index. This COLA cut would come on top of the denial of their COLA that Federal retirees have already suffered in fiscal 1986.

The President's budget would also have reduced benefits for those retiring before the age of 62. And it would have replaced the high-three average formula for the retirement base with a high-five average formula.

Many of these proposals are familiar. The President has offered them before and the House has rejected them before. In his fiscal year 1984 budget, the President called for the elimination of the Federal retirees COLA, for the reduction of early retirement benefits and for the establishment of the high-five average retirement base. I was proud to be part of the majority in the House that defeated these proposals.

Again in his fiscal 1985 and 1986 budget plans, the President pressed his attacks on Federal retirees' welfare. Again I joined with a majority of my colleagues in the House to defeat these efforts.

Just a few week ago, the President's proposals for cuts in federal retirees' benefits met defeat on the House floor once again. This time, with the fiscal 1987 budget under consideration, both the House and the Republican-controlled Senate overwhelmingly rejected the President's plans.

The President claims that the elimination of Federal retirees' COLA's is necessary to satisfy the deficit targets established by the Gramm-Rudman balanced budget law. Nothing could be further from the truth. The Republican-controlled Senate Budget Committee has constructed a budget resolution that meets the fiscal 1986 Gramm-Rudman target of $144 billion without touching the civil service retirement system.

Along with more than 200 of my colleagues in the House, I have cosponsored H.R. 4060 to make sure that the Federal retiree's COLA will be paid in full.

Mr. Speaker, Federal workers serve their country every day. They do so despite often harsh treatment in the press and despite lower than average compensation. The one way in which the Federal Government attempts to redress these inequities is by providing a reasonable and secure retirement system for Federal employees. That retirement system represents a solemn obligation between the citizens of our country and the employees who carry out the public's business. It is an obligation that we must not allow the President to violate.

QUESTIONNAIRE RESULTS

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. GOODLING. Mr. Speaker, I recently received results of my districtwide questionnaire distributed throughout the 19th District of Pennsylvania. My office received back some 9,000 completed questionnaires. I urge my colleagues to study the results of this questionnaire.

(1) Do you agree that federal funding for abortions should be permitted in instances where the life of the mother is endangered?

Yes—67.4 percent; No—29.2 percent; Not answered—3.4 percent.

(2) Do you feel government support to farmers should be reduced?

Yes—52.0 percent; No—44.8 percent; Not answered—3.2 percent.

(3) Do you believe the government should continue to provide assistance to individuals wishing to attend college?

Yes—55.6 percent; No—41.0 percent; Not answered—3.2 percent.

(4) Would you support an increase in the FICA tax to maintain COLA's for Social Security recipients?

Yes—41.0 percent; No—49.6 percent; Not answered—9.4 percent.

(5) Should the Federal Government continue to fund Amtrak?

Yes—27.2 percent; No—67.0 percent; Not answered—5.8 percent.

(6) Should the Federal Government sell its share of Conrail to Norfolk-Southern Railroad if it is the highest bidder?

Yes—74.4 percent; No—18.4 percent; Not answered—7.2 percent.

(7) Now that the undamaged reactor at Three Mile Island has been restarted, do you feel officials have the situation safely under control?

Yes—38.6 percent; No—54.4 percent; Unanswered—6.8 percent.

(8) Do you believe the cleanup of hazardous dumps (Superfund) should be a TOP government priority?

Yes—79.2 percent; No—18.0 percent; Not answered—2.8 percent.

(9) Although the House passed a tax reform bill which needs action by the Senate before the President can sign it into law, would you prefer a flat-rate tax bill with no exceptions?

Yes—60.4 percent; No—32.6 percent; Not answered—7.0 percent.

(10) Do you think relations between the Superpowers are improving?

Yes—53.0 percent; No—38.6 percent; Not answered—8.0 percent.

(11) Should deficit reduction be a priority for the U.S. Government?

Yes—90.8 percent; No—2.0 percent; Not answered—7.2 percent.

If yes, how: Less domestic spending—7.4 percent; Less defense spending—16.8 percent; Tax increases—1.6 percent; Less spending across the board—43.4 percent; Reduced Federal spending—16.0 percent.

(12) Do you favor allowing countries to export their goods to the United States, including automobiles, when they restrict the importation of our goods to their countries?

Yes—9.2 percent; No—88.4 percent; Not answered—2.4 percent.

(13) Do you think the Strategic Defense Initiative is a good investment of our tax dollars?

Yes—53.4 percent; No—33.2 percent; Not answered—13.2 percent.

(14) Campaign spending has skyrocketed in recent years with the rise of political action committees. Would you favor a proposal which puts a ceiling on total Congressional campaign spending by PAC's?

Yes—93.0 percent; No—5.4 percent; Not answered—1.6 percent.

(15) What do you consider to be the most important issue facing the country in 1986?

Deficit—47.6 percent; Taxes—1.2 percent; Trade—8.6 percent; Unemployment—6.8 percent; Social Security—2.8 percent; Defense spending—23.2 percent; Not answered—1.6 percent.

75.1 percent of respondents were male; 24.9 were female. 7.9 percent of respondents were under 30 years of age; 32.7 percent between 30-49; 31.0 percent between 50-64; and 28.5 percent were over 65 years of age.

REFORMING OUR TORT SYSTEM

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. PORTER. Mr. Speaker, the Illinois delegation to the 1986 White House Small Business Conference has focused its attention on the need for reforming our tort system. The insurance task force of the delegation, chaired by my appointee to the conference, George Noyes of Winnetka, IL, recently completed its report and recommendations for action. I urge my colleagues to review the following findings of the insurance task force:

REPORT

The civil justice system in the United States is not meeting its citizens' needs. The scales of justice are grossly unbalanced. We need to have rational standards of conduct expected of us. If an injury occurs because we fail to meet those standards the injured party must be compensated promptly and with fairness to all. If the present situation continues we predict an ever escalating crisis for millions of Americans. They will be increasingly affected because of the inability of insurance buyers to obtain or afford adequate liability coverage. Change is necessary. It should be accomplished at the Federal level to attain consistency and because the problem is national. If any of our recommendations to correct the imbalance is within the purview of only the States, then the Federal Government must encourage the State Governments to deal with it. If necessary a carrot or stick approach would not be inappropriate.

Some ideas that have received support cause us concern. We suggest that neither changes affecting attorneys such as regulation of contingency fees nor changes affecting insurance companies such as repeal of the 1945 McCarran Ferguson Act are appropriate now. It is questionable that they are a major cause of the problem we face because they are no different now than they were twenty and more years ago.

There is significant risk of overreaction to the current situation because extreme change has occurred in such a very short time. We considered that risk and followed these criteria: Fair, Sensible, Effective and Possible.

RECOMMENDATIONS IN ORDER OF PRIORITY

1. Return to fault based verdicts and awards and limit a non-economic award to $300,000 or the economic award whichever is the lesser.
2. Require that the losing party pay the legal expenses of the winning party.
3. Abolish joint and several liability which will eliminate the injustice to the "deep pocket".
4. Establish an optional non-judicial resolution of disputes with the objective of saving time and costs.
5. Abolish the collateral source rule. It prevents the introduction of evidence showing that a plaintiff has been compensated by another source.
6. Enact products liability legislation including a statute of limitations and a state of the art defense.
7. Limit class action suits to those with provable economic loss.

GOLETA BEAUTIFUL

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. LAGOMARSINO. Mr. Speaker, my colleagues, it's my pleasure to call to the attention of the House the work of a civic-minded group in my district, Goleta Beautiful.

Goleta Beautiful is a nonprofit organization formed in 1974 for the purpose of promoting the beautification of the Goleta Valley. By working as a coordinating agency, encouraging assistance from citizens, public and private organizations and State and local governments, Goleta Beautiful develops, educates and promotes activities for a clean, attractive well-designed community, beautiful roadways, and environment with a heightened appreciation of the Goleta area's natural beauty.

In its first years, Goleta Beautiful was responsible for the placement of the corrugate rock trash containers in downtown Goleta. A master plan was designed for old town and given to the Goleta Downtown Business Association. Goleta Beautiful was instrumental in securing underground services on Hollister and coordinated this Edison project. Goleta Beautiful was active in promoting the acquisition of the Goleta Union School for the Goleta Community Center.

In its early years, Goleta Beautiful organized youth groups in cleanup activities, such as the Boy Scouts cleaning up on San Pass.

In November 1981, Goleta Beautiful moved the old Goleta Depot to its present site at 300 N. Los Carneros. The saving of the Goleta Depot was the most challenging project undertaken by Goleta Beautiful in the early 1980's.

Goleta Beautiful is responsible for the planting of the medians near the airport, a project shared with the city of Santa Barbara, and the continuous planting of medians in Old Town Goleta and at Hollister and Patterson.

In 1982 September was Cleanup Goleta Month and many volunteers help Goleta Beautiful ready the sidewalks and streets for "Goleta Valley Days."

Goleta Beautiful holds an annual award banquet each May to give recognition to owners, architects and gardners of exceptionally well cared for properties.

Goleta Beautiful has declared March as Goleta Beautiful Month as a stimulus to the public to participate in the beautification of the area.

I'm proud to extend the commendations of the House to Goleta Beautiful and its members for their work in making the Goleta Valley an even nicer place to live.

EASTON (PA) AREA HIGH SCHOOL GIRLS GYMNASTIC TEAM HONORED

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. RITTER. Mr. Speaker, I would like to honor the Easton Area High School girls gymnastics team. The team recently won the East Penn conference, District XI, and State championships in their category. The winning team includes coach Linda Fisher, assistant coach Kelly Kreitz, team managers Kate Kreitz and Kevin O'Brien, and team members Ann Zingales, Lori Rush, Paula Cavan, Deanne DeBellis, Tara Rissmiller, Anne Blandeburgo, Tracy Tomaino, and Keely Huff.

CONGRATULATING JAMES F. CAHILLANE ON BEING RECOGNIZED BY THE NORTHAMPTON CHAMBER OF COMMERCE AS "CITIZEN OF THE YEAR"

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. CONTE. Mr. Speaker, I wish to take this moment to acknowledge the lifelong dedication which James F. Cahillane has exhibited toward his community of Northampton, MA and to congratulate Mr. Cahillane for being recognized by his fellow citizens as Northampton's "Citizen of the Year," an honor well deserved.

Mr. Cahillane has made an invaluable contribution of his time and business talent in promoting the economic growth of his community and providing permanent employment for hundreds of Northampton residents. He has served as president of Cahillane Motors, Inc., since 1964. Recognized as a leader of the local business community, Mr. Cahillane was appointed to the Northampton Redevelopment Authority in 1970 and soon thereafter became its chairman.

James Cahillane understood that urban renewal and industrial park development were necessary to provide the incentive for businesses and industries to settle in his community. He pursued the establishment of Northampton's industrial park at a time when the idea was both novel and controversial. Nonetheless, his foresight proved fortuitous for his community. Fourteen businesses have settled in Northampton's industrial park. Two more will establish themselves there by the end of

the year. Altogether, the Northampton industrial park represents several million dollars of local investment and 800 jobs.

Mr. Cahillane has also been instrumental in fostering the entrepreneurial spirit from his position as director of the Northampton Development Corp. This corporation has financed the expansion and renovation of several existing community businesses and has aided the founding of new businesses in the area.

In addition, Mr. Cahillane has served on ad hoc redevelopment committees concerned with the rehabilitation of Main Street and Pleasant Street in his hometown. The efforts of these committees have led to the rejuvenation of Northampton's center as a vital and thriving small business area.

Mr. Cahillane has devoted himself to the enhancement of the economic welfare of Northampton and its residents. Through work and dedication to his community, James F. Cahillane has truly earned the title of "Citizen of the Year."

CONGRATULATIONS TO MR. POTIER AND PERRY MORRICE FFA

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. SCHUETTE. Mr. Speaker, I would like to take this opportunity to congratulate the Perry Morrice Future Farmers of America Chapter on its 50th anniversary, and also to commend Mr. James D. Potier, retiring vocational agriculture instructor, on his 26 years of service to the Perry Public School system.

Throughout his years at Perry Schools, Mr. Potier has distinguished himself through his dedication to furthering vocational education. He has been the recipient of the Honorary Chapter, State, and American Farmer degrees. Mr. Potier's service in the field of agriculture is admirable, and he has been an inspiration to many young future farmers.

Also, the Perry Morrice Future Farmers of America Chapter deserves commendation for its excellent record in promoting agricultural excellence. The chapter has had several agricultural judging teams that have won State competitions and six teams which, in the past, have been selected to participate in national competition. On the eve of the chapter's 50th anniversary, I would like to congratulate its members, both past and present, and wish the organization an equally successful future.

KOREA MAKING TRADE PROGRESS IN TENNESSEE

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. SUNDQUIST. Mr. Speaker, I want to take a moment to call your attention to the promising discussions now taking place between representatives of the United States and one of its most important trading partners—the Republic of Korea. Business and government leaders from my State—Tennessee—and from other Southeastern States have been meeting with their counterparts from Korea, a delegation headed by Minister of Trade and Industry Jin-Ho Kum, to explore forging new economic ties.

The Southeast is rich in opportunities for exports to Korea—from manufactured goods to agricultural products. The ground breaking talks between representatives of our two countries hold significant promise. They could lead to new trading agreements that would provide a major boost to the economic well being of our region.

We are encouraged to see Korea, the eighth largest customer for United States products, undertake plans to expand and intensify its trading relationships with our country. Korea is a nation whose continued economic strength is of strategic importance to us in the Pacific. It shoulders an immense defense burden and has the fourth largest international debt in the world.

Through our discussions with the Koreans, we have taken some important first steps in developing mutually beneficial trading relationships. These initiatives could serve as a model for dealing with each of our good-faith trading partners. Thoughtful, cooperative efforts of this kind are certain to gain more lasting benefits than what might be produced by short-sighted confrontational policies.

GEORGIA STATE SENATOR GLENN E. BRYANT LAUDED FOR OUTSTANDING ACCOMPLISHMENTS

HON. ROBERT LINDSAY THOMAS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. THOMAS of Georgia. Mr. Speaker, it is my great honor to call to the attention of the House a milestone of great significance which will be celebrated in my congressional district on April 24. The event will be the observance of the 40th anniversary of the establishment of Coastal Utilities, Inc., under the leadership of the Honorable Glenn E. Bryant of Hinesville, GA.

It will be my privilege to participate in the anniversary occasion along with our Governor, Lieutenant Governor, State legislators, city and county officials, and private citizens.

As important as the Coastal Utilities organization is to our community, the real reason for our gathering will be to pay tribute to a man, not a company. We will be joining to salute State Senator Bryant.

Senator Bryant purchased the Hinesville Telephone Co. in 1946, and changed the name to Coastal Utilities, Inc. Under his guidance and leadership, the company has grown from an operation with about 200 customers to more than 18,000 today. It is one of the most modern independent telephone companies in America with exchanges in the communities of Hinesville, Midway, Richmond Hill, and Keller.

In that process, Senator Bryant has also been a pioneer in cable television in our area, in banking, and in many other fields of business and commerce. But his great success as a businessman has always been surpassed by his great generosity with his resources.

He is among our most active community philanthropists, and has been especially recognized for his contributions to the Boy Scouts of America, Georgia Southern College, Brunswick Junior College, and many other organizations.

Those accomplishments alone would make Senator Bryant one of our most notable and distinguished citizens. But his career and his contributions go far beyond the field of business. He has served in public office for nearly 30 years in posts including the office of mayor of the city of Hinesville, chairman of the Liberty County Commission, and now in his fourth term in the Georgia Senate.

In short, Glenn Bryant is an individual who typifies the very best in America—a citizen who takes the responsibilities of his citizenship seriously. He is a man who is generous with his time, his money, and his energy. He is not one who sits back and takes the blessings of this great country for granted. Instead, he is a man who has made a difference in the quality of life in his local community, his State, and his Nation.

On behalf of the Georgia Congressional Delegation and the people of the First District of Georgia, we salute Glenn Bryant, we recognize his accomplishments, and we look forward to his continuing service in behalf of his fellowman.

MORE POWER TO THE PEOPLE

SPEECH OF

HON. ROBERT A. YOUNG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 21, 1986

Mr. YOUNG of Missouri. Mr. Speaker, I rise to express my strong support for the action the House took yesterday by passing H.R. 44, the Electric Consumers Protection Act of 1986.

Currently, hydropower provides over 13 percent of the total amount of electrical power our country produces—almost as much as that provided by nuclear energy. Much of this capability comes from federally owned and operated dams. Historically, the primary developers of large, multiple-purpose dams have been the States and the Federal Government. A substantial number of dams, however, are owned by private investors who must still license their facilities with the Federal Government.

Part I of the Federal Power Act, enacted in 1920, grants what is now the Federal Energy Regulatory Commission [FERC] with the authority to issue licenses for the construction and operation of hydroelectric projects. The

act requires the FERC to give preference in licensing to States and municipalities over private utilities in issuing original licenses if the State or municipality has developed plans which are "Equally well adapted" to "conserve and utilize in the public interest the water resources of the region." There has been substantial debate, however, as to whether this initial preference in licensing also applies to the relicensing of projects.

When the original license expires, the Federal Government has the option of taking over the project. If the Government does not elect to do so, then FERC can issue a new license to either the original licensee or to another license applicant.

Because licenses issued during the surge of dam building in the 1930's and 1940's were issued for a maximum of 50 years, many are now coming up for relicensing. Of the 366 investor-owned hydropower projects, 177 licenses will expire by 1993. In most cases, existing licenses have made substantial investments and devoted considerable resources to utilize a given project site efficiently.

Since the mid-1970's, the FERC has relicensed 95 projects. Of these projects, 16 have resulted in increased generation capacity totaling over 1.4 million kilowatts. According to FERC testimony, more than 6 percent of the relicense applications proposed installation of new capacity of over 100,000 kilowatts each. Of the 95 relicensed projects, 79 were major licenses; 15, or 19 percent of the 79 major relicenses resulted in additional capacity. The average increase in capacity was 60,000 kilowatts. Also according to the FERC, if 19 percent of the 250 relicense applications for major licenses to be filed in the next 15 years are capable of adding 60,000 kilowatts, over 2.8 million kilowatts of additional capacity could result.

Mr. Speaker, this gain to all the consumers in this country stands to be lost unless the question of municipal preference in the relicensing procedure is resolved. Because private utilities serve approximately 74 million customers—76 percent of all electricity customers nationwide—while States and municipalities serve relatively few, the application of a municipal preference to relicensing could result ultimately in concentrating the benefits from most of the hydroelectric power projects in the country into the hands of a relatively small number of "preferred customers."

Furthermore, if the license is not issued to the original licensee, under current law the new licensee is required to pay the owner of the original license an amount equal to the original licensee's net investment, plus severance damages. Some have argued that this should be interpreted to mean the original cost of the plant minus accrued depreciation. Thus, concern has also focused on whether private utilities and their customers will be adequately compensated for a loss of a project since the market value of hydropower projects often greatly exceeds the original cost of construction.

Mr. Speaker, common sense would tell us that if competing applications are in fact "equally well adapted," demonstrated good performance by the existing licensee should be given considerable weight. Good performance should be rewarded with license renewal because many licensees have invested substantial financial and human resources to develop and operate hydropower sites efficiently to provide least cost electricity to their customers. The primary consideration in relicensing should not be based on who owns the utility operating the dam, but on the most efficient allocation of resources—FERC's historic concern.

In short, Mr. Speaker, adopting or continuing a municipal power preference in hydroelectric relicensing is both inefficient and unfair. H.R. 44 is absolutely necessary in order to provide the most power at the lowest cost to the greatest number of customers.

I would also like to add that I am very pleased by the provisions added to this bill regarding fish, wildlife, and other values to be considered at relicensing time in addition to the utility of power generated.

Specifically, the report accompanying this bill notes that in recent years there has been increasing recognition of the environmental problems caused by industrial, commercial, and residential development, and that this recognition extends to a heightened awareness of the dangers to fish and wildlife from hydroelectric development. This bill seeks to address these concerns and provide greater protection for fish and wildlife. The bill also enjoins FERC to place greater value on safety, recreation, and water quality when relicensing. More stringent environmental protection and controls will only enhance the relicensing procedure and ensure that the utilitarian decision-making process of relicensing will not exclude consideration of safety factors and environmental conditions.

As the committee report plainly states, under this bill the original act would be amended so that basic environmental considerations are given "equitable treatment." With these amendments power development is no longer considered an absolute priority. For the first time, the FERC would have the authority to deny an application on environmental grounds.

Moreover, the FERC would be asked to apply these so-called nonpower values in all its projects, whether licensed or exempted, original or otherwise. This bill would clearly upgrade the status at FERC of critical recommendations of the National Marine Fisheries Service, the U.S. Fish and Wildlife Service, and applicable State fish and wildlife agencies under the Coordination Act. It would require FERC to rely heavily on the advice and informal approval of these expert agencies.

In conclusion, Mr. Speaker, allow me to congratulate the gentleman from Alabama [Mr. SHELBY], the gentleman from Massachusetts [Mr. MARKEY], and the gentleman from Michigan [Mr. DINGELL] for their diligent and painstaking efforts. The Committee on Energy and Commerce has been keenly aware of the variety of interests on this issue and has fashioned a bill which protects those interests. The result, which we passed yesterday, ensures we will meet both the need for least cost electricity and the need for equitable consideration of nonpower values.

NATIONAL CONFERENCE ON COMPETITIVENESS

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. HORTON. Mr. Speaker, this past weekend I had the pleasure of joining 11 of my colleagues at a National Conference on Competitiveness. This meeting, sponsored jointly by the Northeast-Midwest Congressional Coalition, the Business-Higher Education Forum, and the Congressional Clearinghouse on the Future, was the culmination of an 18-month process that included discussion sessions around the country. The conference brought together a bipartisan group of Members of Congress and chief executives of many of the Nation's leading corporations and colleges and universities to identify specific steps each sector can take to enhance the nation's economic competitiveness.

If one thing has become clear in the last year, it is that greater cooperation between the business and education sectors and the Federal Government is necessary if the United States is to reverse the drastic decline in its competitive position in the world economy. For this reason the coalition, the forum, and the clearinghouse have performed a valuable service by organizing this unique effort. The leadership and vision of Edward Donley of Air Products and Chemicals, Inc., who currently chairs the forum, has been particularly important in bringing us to this point, and he is committed to pursuing the recommendations we agreed upon.

And speaking as a cochair of the coalition, I can promise you that our organization will follow up on those recommendations and lead the way in forming a bipartisan consensus on appropriate actions for the Congress. A report on the conference detailing an action agenda for all three sectors will be prepared in the next several weeks. When it is finished, the coalition will host a meeting for Members of Congress who have been involved in the cooperative effort and leaders of the foremost business and higher education groups to release it. We also will distrubute it to all Members of the House and Senate so they can see the range of actions upon which we agreed.

Mr. Speaker, at this point I would like to introduce into the RECORD a speech delivered to the conference by Ruben F. Mettler, the chairman of TRW, Inc. Mr. Mettler was one of the driving forces behind the effort to bring the business and higher education leaders together with Members of Congress, and cochaired the steering committee that planned our regional meetings and the conference. His speech clearly and succinctly lays out the challenge facing our Nation and the need to make competitiveness one of our top priorities. It should be required reading for every policymaker whose decisions in any way affect our economic future.

The speech follows:

COMPETING EFFECTIVELY: A CHALLENGE TO ALL AMERICANS

The underlying proposition for this conference is that we Americans face a major challenge to our national will and our national capacity—a challenge that is not receiving the attention it deserves.

The challenge is to rebuild and maintain an American competitive position in the world marketplace . . . to sustain strong, noninflationary growth, with high levels of employment, and a rising standard of living for an expanding population.

How well and how quickly we meet that challenge will largely determine our ability to meet our national defense and foreign policy goals . . . as well as our domestic social, political, and economic aspirations. Thriving cities, renewed rural areas, new job opportunities, upward mobility, aid to the disadvantaged, security in old age, a healthy environment, superior educational and cultural institutions—all depend upon a competitive economy.

And today, as never before, we must act in a worldwide context. The world's problems are our problems. We can't wish them away. We must deal with them, because our domestic economic health and vigor have become dependent upon world markets.

At the moment, our alarming fiscal and trade deficits suggest that we can no longer pay the combined costs of our social welfare commitments, military defense, foreign aid, environmental protection, let alone maintain the vast infrastructure on which our society depends. Either we have overcommitted our economic resources, or our economy is failing to perform as it should. Which is it? In my view, it is both. That means we must both restrain the demands on our economy, and improve its performance. At stake are millions of American jobs—as well as the long-term growth and vigor of our entire economy—and all that depends on it.

With the stakes so high, why are we losing our competitiveness? We have so many strengths! . . . the world's greatest industrial capacity, the biggest marketing networks, science and technological capacities that lead all other nations in scope and depth, a work force that is one of the best educated and most skilled; and superb managers. What's our problem?

I believe one of our fundamental problems is that too many Americans, and unfortunately many in leadership positions, don't fully accept the need to be fully competitive on a worldwide basis. Our easy economic superiority of prior decades has created a dangerous national sense of economic isolation and invulnerability. Perhaps we think the issues will solve themselves. As a result, we give competitiveness a low priority in domestic policies and politics.

Competitiveness means hard work—sustained over many years, even decades. We are in a marathon, not an annual 100-yard dash. It means tough choices. It means working together . . . changing antiquated attitudes and practices.

It means thinking and acting with the understanding that the global competitive battle is no longer just between industry and industry, or company and company; with each seeking a competitive advantage on its own, but rather a matter of what the entire society does—government, managers, employees, unions, educational institutions, consumers and taxpayers, all together, all part of the action, for better or worse.

It means giving weight to the often substantial consensus as the center, and not allowing the small, but vocal, minorities at the fringes—the 10 or 15 percent at both ends—to dominate policy debates and deter action.

It is not unusual to hear people say: "I know that. Of course, we must be competitive." My point is we have had too much rhetoric about competitiveness and too little action. Priorities and policies are revealed by the actions that are taken, not by rhetoric.

For decades, both the private and public sectors have failed to make competitiveness a test of merit in developing our policies. Too often, competitiveness in world markets is not even at the policy-making table in government, business, and educational institutions.

Winning or losing in today's world markets is a combination of many factors—government and company policies, currency exchange rates, cost of capital, human skills, wage and salary levels, science and technology, product quality, productivity, location, and competent management.

In this intensely competitive environment, very small margins of advantage or disadvantage in any of these factors often spell the difference between winning or losing.

It is not difficult to find examples of actions that demonstrate the low priority we place on competitiveness. They can be found:

In our national macroeconomic policies;

In dozens of laws, policies, regulations and programs which have embedded side effects that work against American firms and workers and favor foreign competitors—a legacy of prior decades;

In the strategies and actions of American companies;

In the curricula and research of our academic institutions.

I do want to say that the actions taken in the past 6 months to get a significant movement in some currency exchange rates is a major positive step.

But it is vital that we not fall into the trap of believing that currency exchange rates are the whole ball game.

Now, quick examples that illustrate the low priority to competitiveness.

The tax bills proposed by the Administration and under consideration by the Congress, do contain some economically worthwhile features—a broader tax base, and lower marginal rates, for example. But they are not designed with a high priority on competitiveness. Quite the opposite. If enacted as they stand, they would be a boon to our foreign competitors.

A little noticed provision in the current tax code substantially reduces taxes for multinational companies if they will move their research and development out of U.S. labs and universities and into overseas facilities.

Despite the rising importance of skill training and worker mobility in making the adjustments necessary to improving competitiveness, federal and state training programs and employment services operate in a conflicting, overlapping, and ineffective maze.

To help resolve the divisive issue of taxation of multinational companies at the state level, a federal tax force several years ago arrived at the so-called "water-edge" solution—in competitive terms that means tax American companies but exempt their foreign competitors operating in the same states.

The available protection for the intellectual property of American companies—patents, copyrights and know-how—is weak and relatively ineffective against foreign competitors. In addition, there is a clear asymmetry between the U.S. and Japan in the reciprocal access to scientific and engineering research in the two countries.

A succession of public policy changes have led to a serious under-investment in the nations scientific and engineering infrastructure.

Current U.S. antitrust statutes and their interpretation do not recognize the reality of worldwide competition, and work to the disadvantage of U.S. companies in our own domestic markets. In addition, the extraterritorial application of U.S. antitrust laws in foreign countries works as a competitive handicap to American companies in foreign markets.

The strategies, plans and thinking of too many U.S. companies focus on domestic markets and ignore the reality of worldwide markets and foreign competitors. And too often, our standards of product quality and productivity, and our investment in new technology and upgrading employee skills don't match those of foreign competitors.

Most economics departments and business schools still teach the 18th century wine and wool concept of comparative advantage in international trade based on climate and natural resources. Yet in the modern world, comparative, or one now could say "competitive" advantage, is being created by technology, investment, and worldwide marketing, as demonstrated by Japan and other Far Eastern nations. The two concepts lead to very different public and private policies.

Despite the rich source of economic performance data around the world, most university courses in comparative economic systems (if taught at all) are limited to the U.S. and the Soviet Union, omitting any study of the competitiveness of the U.S. as compared with Japan or other Far Eastern countries or countries in Western Europe. Indeed, it is possible to get a graduate degree in economics in most universities without ever studying the issue of worldwide competitiveness.

Clearly, I'm suggesting that we recognize and move together to meet the global competitive challenges we face . . . that we work to put America's competitive performance at the top of our national economic agenda . . . that we make competitiveness a test of merit in developing new policies, and in correcting old policies . . . indeed, in all that we do.

As Ed Donley mentioned last night, our approach in this important venture has been to seek the best ideas and recommendations from previous studies, to seek consensus and then identify what is needed to translate consensus into action.

Our challenge today and tomorrow is to reduce our agenda to a few actionable items and then identify what must be done to make politically feasible that which is economically necessary. I repeat to make politically feasible that which is economically necessary.

And as Ed said last evening, the very important macro issues—tax, budget, defense, monetary policies and the like, vital as they are—are not the focus of this particular conference.

Most of us are addressing these very difficult issues in other forums and through other means.

Rather, our purpose is to focus attention on four subjects where we can make a difference: R&D infrastructure; trade policy; worker education and training; and science and technology policy. Taken together, they

can have a profound influence on U.S. competitiveness.

Many of the most important problems identified in the regional seminars could be corrected as a matter of policy, with no, or only small federal or state budget implications. Others would require new funds.

Most important, we are seeking actions that can readily be pushed through to completion. Actions that we can take back to our own institutions, where we have a special measure of influence or control, and invite a widespread participation.

OPPOSED TO PAY RAISE

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. CLINGER. Mr. Speaker, I rise to strongly protest recent action by this House in sneaking through what amounts to a pay raise for Members of Congress.

On Tuesday, April 22, with no more than a handful of Members present on the floor, the leadership of this House allowed a surprise resolution to be brought up and passed, without the benefit of a recorded vote, which increases the total amount of outside income the Members of Congress are allowed to receive.

Mr. Speaker, I submit that this was both a shameful and cowardly act. The leadership of this body knows full well that I, along with the large majority of my colleagues, would never have voted in favor of this blatant, self-serving bill.

This country is facing a $200 million deficit and there are tens of thousands of hard-working Americans who cannot find a job. These are critical problems * * * these are the things that we were elected to fix * * * this is the business that we should be focusing on.

Instead the leadership of this body chooses to spend its time raising its own salary * * * without any debate and without the requirement that each Member go on record with their vote.

I am here to tell you, Mr. Speaker, that I am vehemently opposed to this pay raise, and that's what it really is * * * a pay raise, that I would not have voted for it, and I will not take it. Quite frankly, Congress does not deserve this increase.

And now I am supposed to go back to the fine people of my district and tell them that we haven't balanced the budget, we haven't solved the terrible problems of unemployment, but we did give more money to ourselves * * * no way!

Mr. Speaker, I pledge that I will help lead the fight to have this thinly veiled pay raise revoked. The people of our districts didn't elect us to take care of ourselves. We were elected to work on the tremendous problems that face this country * * * unemployment, inflation, high taxes.

These are the problems that should receive our full attention.

I urge my colleagues, on both sides of the aisle, to reject this frivilous measure and return our attention to the pressing issues before this House. This is where our duty lies.

FUNDING LEVELS IN H.R. 4356

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. FISH. Mr. Speaker, yesterday Attorney General Edwin Meese wrote a letter to the chairman of the Committee on the Judiciary, PETER W. RODINO, Jr., discussing H.R. 4356, legislation authorizing appropriations for the Department of Justice for fiscal year 1987. Mr. Meese's letter included a thoughtful analysis of the impact on the administration of justice of funding levels in H.R. 4356.

This morning, the Committee on the Judiciary marked up H.R. 4356 and responded to some of the Attorney General's concerns. The committee adopted an amendment offered by Mr. MOORHEAD to authorize the administration's requested funding level for the Federal prison system and an amendment offered by Mr. LUNGREN to authorize most of the administration's funding request for U.S. attorneys. H.R. 4356, as originally introduced by Chairman RODINO, recognized the special needs of the Immigration and Naturalization Service and the Drug Enforcement Administration. Those needs remained protected during our markup.

The administration is committed to the funding levels included in the President's budget submission. The letter from the Attorney General is a useful document that discusses the Department of Justice's budget. I am pleased to commend it to the Members of this body.

The letter follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, DC, April 21, 1986.

Hon. PETER W. RODINO, Jr.,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN RODINO: I am writing to advise you of my significant concern about the 1987 funding levels proposed for the Department of Justice in H.R. 4356—a bill to authorize appropriations to carry out the activities of the Department for fiscal year 1987, and for other purposes.

When I testified before your Committee on March 12, 1986, we had not yet completed review of H.R. 4356. I therefore request that you include my comments on H.R. 4356 in the record of the hearing.

I regret that the Administration's proposed 1987 Appropriations Authorization Bill for the Department of Justice had not yet been forwarded to the Congress at the time of the hearing. However, the Committee had been provided detailed justification material in support of the President's 1987 budget for the Department of Justice. On April 16, 1986, our proposal was submitted to the Congress.

As you know, the President's FY 1987 budget request addresses the need to meet the FY 1987 Gramm-Rudman-Hollings maximum deficit target of $144 billion.

In reaching this target, the President decided to fund certain core functions the Federal Government must perform. Among these essential functions is the administration of the federal justice system. The President recognizes this and his budget decisions confirm his views about important programs within the Department of Justice. In essence, the President's 1987 budget continues and, in many cases, enhances the resource levels for the Department's federal mission related programs.

H.R. 4536, on the other hand, proposes to freeze the majority of the Department of Justice's 1987 appropriations at the 1986 enacted level. Given that the Department of Justice performs essential functions of the Federal Government it is not prudent for your Committee, the Congress or the Administration to plan on freezing the majority of the Department of Justice at our 1986 appropriation level.

The Congress enacted the laws that the Department of Justice enforces. The people expect these laws to be enforced. For example, one result of our vigorous attack on major drug trafficking organizations and on organized criminal enterprises has been a 50 percent increase in the federal prison population since 1981. Federal judges sentenced these people for having violated laws that this and previous Congresses enacted. It is my responsibility to house and care for the prisoners in a humane manner. The freeze level you propose for the Federal Prison System will not accommodate the major facilities expansion we need in our Federal Prison System. Nor will it allow us to provide adequate food, medical care and necessary inmate programs for a continually growing federal prison population.

This Congress and this Administration cannot abdicate from the core federal responsibilities we must perform—defending the public interest in criminal and civil court proceedings, operating correctional facilities, and protecting the integrity of our judges and other judicial officials—even in times of severe fiscal constraint.

As the President's 1987 budget recommends, the Congress must find the necessary savings in other less essential federal programs in order to fund the Department of Justice at the level requested by the President in his 1987 budget.

Some of the important initiatives H.R. 4356 would curtail in 1987, should our 1987 appropriations be limited to the amounts proposed for authorization are:

Federal Prison System. Our current federal prisoner population is 46 percent greater than our rated bedspace capacity. The President's 1987 budget proposes funding for three new federal prison facilities which we plan to locate in Bradford, Pennsylvania, Sheridan, Oregon, and Marianna, Florida. These three new facilities would add 2,250 critically needed bedspaces.

In addition, the President's 1987 request would fund the construction of two camps at the existing Marion, Illinois and Phoenix, Arizona facilities—adding another 250 bedspaces. Another critical portion of our request for the Federal Prison System would provide the funds to staff new housing units which will be ready for activation in 1987. Further, there is a significant increase in the 1987 request, compared to 1986, to provide funding for the dramatically growing average daily population of our Federal Prison System. The level of funding proposed in H.R. 4356 would not provide the funds necessary to feed and care for the existing and growing federal prisoner population.

The federal prisoner population is the end result of federal criminal justice system actions taken by the three branches of our Federal Government—law making, law enforcing and law adjudicating. The Congress and the Administration must exercise our mutual responsibility to ensure adequate funding to house and care for in the growing federal prisoner population.

Federal Bureau of Investigation (FBI). Your proposed appropriation authorization would bring to a halt a critical Presidental initiative within the FBI. That is the continued, measured enhancement of our Foreign Counterintelligence program. The 1987 request represents the fourth year of this essential initiative. The FBI has been providing significant results from the investments in our Foreign Counterintelligence program. This vital national security initiative must be continued as planned for 1987.

We also need the funding requested ($10 million) to add clerical support to our FBI field investigative programs. Extreme backlogs are developing in transcribing tapes and typing reports in the field offices. The federal criminal justice system will suffer unless this problem is resolved.

Further, there are important technological initiatives proposed for funding in the FBI for 1987—including continued expansion of our voice privacy radio network, which is vital to the security of our field operations and the safety of field agent personnel, and funding for new uses of artificial intelligence in our field investigative programs.

Drug Enforcement Related Initiatives. While H.R. 4356 recognizes the need to add additional resources in 1987 to the Drug Enforcement Administration, there are drug enforcement related initiatives proposed in several other appropriation accounts which are also important. These include the U.S. Marshals Service request for additional support to our Organized Crime Drug Enforcement Task Forces (OCDETF) initiative and our request for additional prosecutors in the Tax and Criminal Divisions and the U.S. Attorneys. We also need, in 1987, funds for the full costs of the staff added to the U.S. Attorneys in 1986 for the OCDETF initiative.

General Legal Activities. Billions of dollars of federal funds are at risk in civil litigation. The Department of Justice must defend the Federal Government and we simply must be provided adequate resources to cope with a growing defensive caseload. The requests we have proposed for the Civil and Land and Natural Resources Divisions and the U.S. Attorneys are essential if we are to defend the Federal Government successfully in 1987. In order to preclude extensive future growth in staffing and to make current staff more productive, it is also critical that the President's request for a $10 million Legal Activities Office Automation initiative be supported in 1987. To allow effective and efficient use of all our attorney resources, I urge the Committee's support of the President's 1987 budget proposal to merge the U.S. Attorneys into the General Legal Activities appropriation.

I hope these highlights of our 1987 initiatives will cause you to reconsider the appropriations authorization levels proposed for the Department of Justice in H.R. 4356. I urge you to propose amendments, during full Committee mark-up of H.R. 4356, which would authorize 1987 appropriation levels in line with the President's 1987 budget request for the Department of Justice. These levels are provided in the enclosure.

As mentioned earlier, I would appreciate your including this letter as part of the Committee's hearing record on the Department of Justice's 1987 appropriations authorization request.

Sincerely,

EDWIN MEESE III,
Attorney General.

Enclosure.

1987 APPROPRIATIONS AUTHORIZATION

[Dollar amounts in thousands]

Appropriation	H.R. 4356	President's Budget
General administration	$70,800	$73,708
U.S. Parole Commission	9,800	10,420
General legal activities	205,000	584,099
Antitrust Division	44,500	50,009
Foreign Claims Settlement Commission	700	596
U.S. Marshals Service	150,000	176,759
U.S. attorneys	321,802	(1)
Oversight of bankruptcy cases	10,198	11,663
Support of U.S. prisoners	57,000	58,180
Fees and expenses of witnesses	47,400	34,676
Community Relations Service	29,900	32,009
Federal Bureau of Investigation	1,209,000	1,278,410
Immigration and Naturalization Service	609,393	609,393
Drug Enforcement Administration	414,029	411,329
Federal prison system	613,963	767,454

[1] U.S. Attorneys 1987 budget request is included within the general legal activities.

A CONGRESSIONAL SALUTE TO LUCY GUILD TOBERMAN

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. ANDERSON. Mr. Speaker, it is my distinct honor to rise and pay tribute to Lucy Guild Toberman, who has worked unselfishly for the past 50 years to help our community through her profound dedication to local government, civic activities, and philanthropies. Mrs. Toberman will be honored as the Harbor Area YWCA Woman of the Year at a dinner at the Princess Louise Pavilion on May 1, 1986.

Following 2 years of study in the graduate school of social work at USC, Lucy Guild Toberman dedicated her life to improving and enriching the world in which she lives. Contributing her immense talents and time to the city of Los Angeles, Mrs. Toberman served for 4 years under Mayor Yorty as a member of the social service commission, where she was vice president. In addition to being on the city planning commission and serving as vice chairman of the mayor's advisory board, Mrs. Toberman was president of the Municipal Art Patrons for 18 years, helping promote the building of the present municipal art gallery. She is also a founder and member of the junior philharmonic committee, as well as chairman of Los Honores of the Hollywood Bowl and a member of the bowl volunteer committee.

Continually responding to the needs of others, Lucy Toberman has founded 31 organizations, among which are the Colleagues of Big Sisters, Les Amies, ABC's of Children's Bureau, the Los Angeles Supper Clubs, and Las Floristas, which combined have raised several million dollars for charity in our community. While serving on the faculty of Los Angeles City College, Mrs. Toberman raised $52,000 for needy students and founded the school of public relations. Additionally, she has for the last 18 years been a member of the inmate welfare commission, assisting in resolving county and jail problems.

Over the years, Lucy Guild Toberman has been recognized throughout our State and across the Nation for her countless contributions to community life, culture, education, and charity. Among her many awards, Lucy Toberman was California Mother of the Year in 1973 and, that very same year, was chosen one of the four outstanding members of Kappa Kappa Gamma fraternity in the entire United States. In 1976, Mrs. Toberman was selected the Los Angeles Times Woman of the Year, and in 1977, received the silver cup for Outstanding Volunteer of the United Way Central Committee.

Mr. Speaker, it is with great pride that my wife, Lee, joins me in congratulating Lucy Guild Toberman on the occasion of her being deservedly selected the Harbor Area YWCA's Woman of the Year. We wish Lucy, her husband Homer, and their children—George, Erik, John, Lucy Ann, and Patricia—all the best in the years ahead.

A TRIBUTE TO MIKE HORN

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. COURTER. Mr. Speaker, I would like to join the citizens of New Jersey in paying tribute to one of New Jersey's most dedicated and committed public servants, Michael Horn.

Mike has recently left State government to return to the private practice of law. His talents and leadership will be sorely missed in our State capital Trenton. During his tenure in the Kean administration, Mike served initially as the State's Commissioner of Banking. In that position he gained the respect and confidence of the banking industry, his colleagues in the administration and the dedicated professional staff which surrounded him.

His efforts in that role so impressed our Governor that when the office of State Treasurer became vacant, he turned to Mike as the logical choice to fill that important job. While heading the Department of Treasury, the State of New Jersey has been at the forefront of our national economic recovery. In fact the State ran a budget surplus last year, a situation many Members of Congress find hard to imagine.

I know it is with great regret that Governor Kean accepted Mike's resignation. I would like to take this opportunity to join with him, and the people of New Jersey in paying tribute to Mike and his wife Gerri for the outstanding example of selfless service they have given all of us, and wishing them the best in all their future endeavors.

DEPUTY SECRETARY OF STATE JOHN WHITEHEAD TALKS ABOUT COUNTERTERRORISM

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. BROOMFIELD. Mr. Speaker, I want to commend the President for confronting the mounting threat of Libyan terrorism. Early on in the administration, President Reagan promised the American people that our country would face up to the terrorist threat. He is to

be commended for a tough but necessary decision.

We all know that terrorism is a complex international problem which can only be solved through international cooperation and joint efforts. Over the years, the administration has been encouraging our allies to work with us to confront terrorism. Although many of our allies lost citizens in terrorist attacks and have suffered a massive decline in tourism in Europe as a result of terrorist activity there, many of them refused to take the significant political and economic steps that were necessary in order to effectively isolate Colonel Qadhafi.

Our Government was quickly running out of options to use against that terrorist-supporting country. When intelligence reports revealed numerous Libyan-backed terrorist plans against American targets, the President sent two high-level missions to Europe for more consultations with our European allies on possible joint responses to Libyan terrorism. Deputy Secretary Whitehead, from the Department of State, headed the mission in January and presented highly sensitive intelligence information linking Libya to the airport bombings in Rome and Vienna. Two weeks ago, the U.S. delegate to the United Nations, Vernon Walters, conducted a similar mission to Europe. He presented intelligence showing Libyan involvement in the planning of the night club bombing in West Berlin. Although our allies took some measures against Libyans in Europe substantive actions were not forthcoming.

In essence, the failure of the Europeans to act decisively gave the administration few options to take in order to protect our personnel. A military operation had to be conducted in order to defend American personnel and facilities.

In the aftermath of the military operation, the European Community agreed on April 21 to reduce the number of Libyan diplomats accredited to Libyan People's Bureaus and restrict the number of other Libyan national allowed into their countries. A British proposal for stronger economic sanctions against Libya was not agreed to. Regretfully, our Government had to goad our allies into taking action against that terrorist-supporting country.

I want to share with my colleagues excerpts from Secretary Whitehead's recent comments about our counterterrorism policy before the House Foreign Affairs Committee.

EXCERPTS FROM THE TESTIMONY OF THE HONORABLE JOHN WHITEHEAD, DEPUTY SECRETARY OF STATE, BEFORE THE HOUSE FOREIGN AFFAIRS COMMITTEE, APRIL 22, 1986

Libya is not the only state which supports terrorism, but it is the most flagrant violator of international law—in its organization and direct support of terrorist activities and in its use of surrogates, such as Abu Nidal. More than 50 Libyan diplomats have been expelled since 1981 by the United States and its allies for reasons of terrorism, an astonishing statistic. Earlier this year, Libya's support for terrorism was the subject of a State Department White Paper. That White Paper is already outdated due to continuing Libyan terrorist acts with even more direct official involvement, including the bombing of La Belle discotheque in Berlin, probably the shooting of an American Embassy employee in Khartoum and the killing of two British professors who were innocent hostages in Lebanon.

The threat from Libya is not new, but it has increased dramatically in recent months. Our initial reactions were to improve security, and to work with host governments where we faced specific threats. The response from host governments was universally good from these governments—with one exception. In Berlin, we advised both the East German Government and the Soviet Union of the activities of Libyan Peoples' Bureau members accredited to East Germany. Both governments noted our concerns and stated their general opposition to terrorism; but they undertook no actions to curb the activities of the Peoples' Bureau members. And it was that Bureau which delivered the bomb to La Belle discotheque that killed and injured 250 people. I am not accusing the Soviet Union or the East German Government of complicity in the bombing of the La Belle discotheque, but these governments did not use their influence and legal position to stop illegal activity on the part of Peoples' Bureau members accredited to East Germany.

Our military response to Libya's continued policy of terrorism against us was measured. It was based on the objective of demonstrating that Qadhafi's continued pursuit of his policies would not be without direct cost to Libya; that the United States was prepared to use force to fight terrorism along lines repeatedly and carefully defined by the President; and that the United States reserves the right to defend itself and its citizens against aggression by any state, even when that aggression takes new forms, such as terrorism.

Our right of self defense is more than just a right. It is also our duty to protect our citizens. In the months and years preceding our most recent action in Libya, we saw risks increase abroad for our military and diplomatic personnel, for American businessmen, and for tourists. All have been innocent victims of terrorists.

We are more convinced than ever that effective prevention of terrorism requires multilateral cooperation. It is no secret that we have had differences with European states over what measures were necessary to deter Libya and other states from supporting terrorism. We have engaged in a long-term effort to deter Libyan support for terrorism through peaceful economic and political measures. In 1979, we designated Libya as a state supporting terrorism. In 1981, we decreed unilateral economic sanctions that decreased U.S.-Libyan trade from five billion dollars to a few hundred million. In January, we invoked legislation that virtually cut all remaining economic and political ties to Libya. In January, I emphasized to European leaders that Qadhafi needed to understand that he could not support terrorism and enjoy normal relations with civilized nations. We recognized that our allies would have to take similar measures for our sanctions to be fully effective. We also recognized that our allies would have to make Qadhafi understand that Libya could not continue to have normal political and economic relations with civilized nations, if peaceful measures were to be effective. The measures adopted were uneven; Qadhafi's attacks increased in number, geographic range and deadliness. As a result, America decided it would no longer stand idly by, that the time had arrived for a carefully designed military action.

Some of our European allies did not provide the support we would have liked to see. However, having just returned from extensive meetings with European leaders at the OECD meeting in Paris and from a meeting with NATO allies in Brussels, I would urge that this is not the time for recrimination. We have had extraordinary contacts on counter terrorism cooperation with the EC through our Ambassador-at-Large for Counter Terrorism, Robert Oakley, and through Attorney General Edwin Meese. European states agree that multilateral cooperation must be made dramatically more effective. In the past week and a half, EC states have been engaged in intensive sessions on counter terrorism. We welcome this development and we welcome the invitations we have received to cooperate with European states as a group. Our allies have also gotten the message that the economic costs to them of allowing terrorism to continue can be very high, as American tourists plan their vacations elsewhere. Our strike against Libya may have helped to open a hopeful new chapter in multilateral cooperation between European states and the United States.

We also need to do a better job of handling the flow of information regarding terrorism. Due to the sensitive nature of much of this information, I suggest that together we devise a way of providing that information directly to members that need to know. Mr. Chairman, I would be happy to go into the details of how we are cooperating with the Europeans and how we might better inform you and members of the Committee in closed session.

Aviation security is a key strand in the fabric of multilateral counter terrorism cooperation. The Department of State has actively supported improved security for international aviation. We have raised aviation security to a top priority issue within the International Civil Aviation Organization and have established contact with all of our bilateral aviation partners to meet the goals established by the Foreign Airport Security Act.

Our other major bilateral effort has been to work with the FAA and DOT to implement the Foreign Airport Security Act. U.S. Embassy officers worldwide have paved the way for the FAA's foreign airport inspection program, and have negotiated arrangements to allow armed U.S. Air Marshals to fly overseas. No formal warnings have yet been issued under the Foreign Airport Security Act, but FAA inspectors have identified areas for improvement in a number of countries which have been rectified following strong though discreet FAA and Embassy representations.

A TRIBUTE TO DR. C. ALBERT HENSON, PASTOR OF ZION BAPTIST CHURCH

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. DYMALLY. Mr. Speaker, on Thursday, February, 27, 1986, the Members of this body were privileged to have our invocation delivered by the Reverend Dr. C. Albert Henson, who for the past 23 years has served as pastor of Zion Baptist Church in Compton, CA. Dr. Henson's moving eloquence has long been a source of spiritual sustenance to the

members of our community, and I was overjoyed when he was able to visit this Chamber to add meaning to our day's activity.

On Saturday of this week the Women's Auxiliary of the Providence District Missionary Association will be honoring Dr. Henson for his past work as moderator of the association. I thought it appropriate to inform my colleagues of the sterling civic and religious record which has won esteem for Dr. Henson as he has labored in the Lord's field over the past third of a century.

Dr. Henson is one of those wise individuals who recognized early on that a true spiritual leader must see to not only the spiritual but also the corporal needs of his flock if he is to lead them safely to an eternity of happiness in the presence of their Maker. Dr. Henson is a life member of the National Association for the Advancement of Colored People. He is also a member of the board of the Western Christian Leadership Conference.

While his work within the NAACP represents a commitment to national civic leadership, and his WCLC membership has involved him in regional activities, Dr. Henson has been equally cognizant of the need for leadership at home in our own immediate community. He is a member of the Los Angeles County District Attorney's Advisory Council, a role of critical importance to the stability and the development of Los Angeles County. Dr. Henson has a special concern for those in ill health, knowing that the strength of the spirit can often be a decisive factor in the rapid restoration of the body to strength. This concern is reflected in his work at Martin Luther King Hospital where he is coordinator of chaplain services.

In religious affairs, Dr. Henson has been active not only nationally, but internationally as well. He is a member of the World Baptist Alliance, and has traveled extensively over the past 30 years throughout Europe, Asia, Africa, and the Holy Land. He was an active participant in the 1975 World Baptist Congress in Stockholm, Sweden. He was a group leader for the World Baptist Youth Congress in Beirut, Lebanon, in 1963, and served a preaching mission with the Southern Baptist Convention in Japan in 1972.

Dr. Henson has been active in Christian education throughout his ministry. He is a board member of the National Baptist Congress of Christian Education, and has served as supervisor of the Minister's Wives Division of the National Baptist Congress of Christian Education. Within the State of California, Dr. Henson has served as director of Christian education for the State Baptist convention.

Dr. Henson's skill as a preacher is nationally known. In recognition of his accomplishment, Dr. Henson has served as president of the California-Louisiana Crusade for Christ. He was honored as guest speaker for the 1971 California Southern Baptist State Conference on Evangelism. He has come to be so well known for his overall leadership within the black community that he was listed in the very first edition of "Who's Who Among Black Americans." And the State of California has officially honored his work with a unanimously adopted commendation by the California State Assembly in recognition for the service he has rendered to the people of California and the people of the United States. Dr. Henson, our congratulations to you for a life of dedication to the people of God.

MADELEINE'S GIFT

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. GALLO. Mr. Speaker, I rise today to call my colleagues attention to the thousands of Americans who devote their energy and effort as volunteers. With National Volunteer Week approaching it is appropriate to take a moment to consider the seemingly endless numbers of activities Americans perform for the sole purpose of improving the society we all share.

With voluntarism alive and well, we should express our gratitude to those who selflessly serve organizations both large and small. The St. Vincent's Hospital and Medical Center of New York City has done just that. I attach a recent tribute, which appeared in the New York Times, to one such person who embodied the true spirit of volunteers all over this great land. I know that to this volunteer, like thousands of her colleagues, the rewards of friendship and accomplishment gained in that experience far outweighed any sacrifices made. The woman St. Vincent's Hospital has seen fit to honor, I am proud to say, is Madeleine Courter the late mother of our colleague from New Jersey JIM COURTER. I know she would be grateful to see that her example can serve to further a cause she believe in deeply.

[From the New York Times, Apr. 9, 1986]

MADELEINE'S GIFT

You could tell Madeleine Courter had been a real beauty. You could even imagine, as she bustled energetically about her work, that she had once been a dancer. At age seventy-eight Madeleine was still helping out two days a week at St. Vincent's Medical Center. She'd been a volunteer there for ten years.

Madeleine wasn't one to talk much of past deeds—she wasn't the boastful sort. But every now and then she could be persuaded by her co-workers in the Anesthesiology Department to reminisce. And after fifteen successful years on stage, there were plenty of stories to tell.

Like the first casting call she showed up for—uninvited. How she was selected out of 300 auditioners. And how one day she was singing in the church choir and the next, she was singing and dancing in the Ziegfeld Follies.

It was an exciting fifteen years. There were the bright lights, the elegant costumes, the eager suitors.

She'd tell you about the glamour days if you wanted to know. But, the truth was, she didn't really miss them.

Madeleine was glad to be where she was. And lucky, too. Because when she was sixty-four, Madeleine fell seriously ill. In fact, she nearly died. She contracted spinal meningitis. She was taken to St. Vincent's and treated. Happily, she recovered.

When she did, she decided to do volunteer work for the hospital. She said she wanted to give back to the world some of the goods it had given her.

Madeleine found volunteering tremendously rewarding. She looked on it as the most important work she had ever done. And she made some wonderful friends in the process.

Madeleine stayed with St. Vincent's until the year before she died. Now, with National Volunteer Week approaching, St. Vincent's pauses to remember Madeleine Courter and the hundreds of other men and women who give their time and energy volunteering at the hospital, and who provide something priceless—comfort to the sick, and humanity to the surroundings.

FOR TRADE TALKS WITH CANADA

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. KEMP. Mr. Speaker, I would like to call my colleagues' attention to an excellent article written by my good friend and our colleague from the other body, Senator BILL BRADLEY, on the importance of the administration's proposal to negotiate a free-trade agreement with Canada.

As Senator BRADLEY points out, a free-trade agreement with Canada would provide tremendous benefits to American workers and consumers. Canada is our largest trading partner, with our two-way trade totaling almost $117 billion last year. A successful free-trade agreement would expand markets for U.S. manufacturing, agricultural, and service products, resulting in more jobs and higher economic growth in this country. Vigorous trade negotiations with Canada also offer a chance to resolve ongoing trade disputes, while setting an example for future trade discussions with our other trading partners.

I agree with Senator BRADLEY's argument that we literally cannot afford to pass up this opportunity to engage in wide-ranging trade talks with Canada. I commend the article, which appeared in the April 22, 1986, edition of the New York Times, to my colleagues and congratulations to BILL BRADLEY for his insights and leadership.

[From the New York Times, Apr. 22, 1986]

FOR TRADE TALKS WITH CANADA

WASHINGTON.—The Senate Finance Committee may well make a major foreign policy blunder by refusing to authorize the Administration to move forward quickly with proposed trade negotiations with Canada. Without such negotiations, Canada is almost sure to withdraw its request for a trade agreement. But that is not the only reason why the committee should vote to proceed with the talks.

First, American jobs are at stake. At a time when many fear the decline of industrial America, this country cannot pass up an opportunity to enlarge a major industrial market. The trade talks with Canada offer a rare chance to resolve festering disputes with Canada over patent protection, lumber, uranium, tariff parity and potatoes. At about $46 billion per year, the United States' exports to Canada are twice as large as its exports to Japan and equally as large as exports to the European Economic Community. Some senators have complained that we suffer under a no-action Administration when it comes to trade policy. A vote

to scuttle Canadian trade talks would make us a no-action Congress on trade issues that matter to American workers.

Second, we would alienate a key ally. Canada has flirted with the idea of a trade agreement with us for 100 years. But at some political risk, the Canadian Government has courageously chosen to follow through with actual talks. Disapproval by the Finance Committee would be a slap in the face—especially at a time when Canada is one of only three countries that strongly support our response to Libyan terrorism.

Third, a "no" vote would damage the prospects for a new round of multilateral trade negotiations. Many of our trading partners have elaborate trade barriers that keep American products out of their markets. There has been little pressure on these countries to open their markets. But the possibility of a trade agreement with Canada, and the threat of other bilateral deals between like-minded countries, has begun to pull some of these reluctant trading partners to the bargaining table. They do not want to see Canada and the United States enjoy trade privileges in one another's markets that are denied to the rest of the world. Negotiations between the United States and Canada would thus strengthen both countries for a new round of multilateral trade talks that, if successful, would be a strong new force for worldwide economic growth.

Fourth, American trade strategy will be undermined. We have been trying vainly for years to get other countries to reduce trade barriers in services, investment and high technology. If we cannot agree to proceed on these issues with our closest neighbor, the chances of getting the 90 members of the General Agreement on Tariffs and Trade to discuss them become remote. Yet services, investment and high technology are precisely the sectors where we have the greatest natural advantages.

Finally, there is no need to fear, as some senators do, that the Administration would use the authority to negotiate a pact that ignores Congress's wishes. These talks would not be completed before current negotiating authority expires in January 1988. Congress must pass a trade bill extending that authority, and we are free to write in any provisions we please (including specific provisions on Canadian negotiations). Progress on the Canadian talks could be reviewed at that time with just as much leverage over the Administration as Congress has now.

Canada has taken a bold initiative to improve the North American economy and to strengthen its hand and ours in pursuing a new multilateral trade agreement. Every farmer and every worker in American export industries has a stake in making certain these talks do not stall. And as senators, we should welcome the opportunity to be active in resolving trade problems.

SANDINISTA REPRESSION OF RELIGION

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. FASCELL. Mr. Speaker, perhaps the most insidious form of repression in Nicaragua is the Sandinista government's relentless efforts to strangle religion in that country. Not content with virtually eliminating political freedom, Nicaragua's Communist leaders are seeking to interfere with religious self-determination as well.

War has been declared on all religious denominations—catholic and protestant. Churches are burned, religious leaders are persecuted, priests and nuns are expelled and church properties are expropriated. The only reason why we hear little about persecution of Jews is there are so few of them left in the country.

The Catholic Church has been a particular target of Sandinista repression. It is by far the largest and most influential religious organization and it has traditionally been responsible for public education in Nicaragua. It has become increasingly clear that the Sandinistas seek to impose total control over the lives of the people, especially over the minds of the Nation's school children.

The Sandinistas, in typical Communist fashion, seek to direct and manipulate every aspect of life. Freedom, of any sort in any area, is a threat to their efforts.

Paradoxically, the Catholic Church was an important moral force that led to the overthrow of the Somoza regime in 1979. Then Archbishop Miguel Obando y Bravo personally intervened to protect Sandinista leaders captured by Somoza and some Sandinista leaders owe their lives to the archbishop's intercession.

In return, the Sandinistas have banned the church's newspaper, Iglesia; ordered Radio Catolica off the air; directed mob violence against church members and clergy; expelled priests and nuns; seized the church's social services agency, COPROSA; heckled the Pope as he celebrated Mass in Managua in March 1983, and conscripted seminarians into the military.

Now elevated to cardinal, Miguel Obando y Bravo has tried unsuccessfully to maintain a constructive dialogue with the Sandinista government. Instead, the government has sought to undermine the church by setting up a so-called "popular church" made up of a small minority of revolutionary-minded clergy.

Meanwhile, Catholic Church leaders in the United States and Central America have rallied to Cardinal Obando y Bravo's support. Cardinal Barnard F. Law, archbishop of Boston, and Cardinal John O'Connor, archbishop of New York recently sent the following letter to Cardinal Obando y Bravo:

Your Eminence: The present trials through which you and the Church in Nicaragua are suffering are a poignant reminder that the mystery of the Cross continues to be lived in the Body of Christ. During this Lent, your two brother bishops in the United States, who were called to membership in the College of Cardinals with you last May, have often thought of you and discussed the courageous efforts you make for the well-being of the Church and the people of Nicaragua. We have taken the extraordinary step of making this letter public so that the faithful in our Archdioceses and as many as possible in our country will know what is actually happening to their brothers and sisters in Nicaragua.

We share your deep pain when your people are denied the full opportunity to build a just, peaceful and progressive society based on the transcendent dignity of each human person. We know your suffering when attempts are made to violate the religious conscience of Nicaraguans by denying them access to the liberating teachings of the Church. This has been done by physical harassment, crude attempts at intimidation, and censorship. Priests have been summarily expelled from your country. Officers of your archdiocese have been raided by military personnel and remain under military occupation. The Archdiocesan newspaper, Iglesia, was confiscated after its first edition, and the Catholic radio remains closed. You are subjected to a barrage of distortions, slanderous insults and innuendoes at home and by some representatives of the government abroad.

In this ordeal, the Church in Nicaragua has been seeking to maintain a constructive dialogue with the government in an attempt to reach a climate of mutual respect so that the Church can play a role in the reconstruction of your country. We want to assure you of our solidarity with you. With you we are praying for that peaceful reconciliation necessary to rekindle the original hope of the resolution. For this to take place, it is essential that there be an immediate cessation of the present unjust restrictions suffered by the Church and other sectors of Nicaraguan society. This will undoubtedly provide a powerful impetus to the just resolution of the conflicts in your country and in that strife-torn region.

Be assured of our prayers and support, our brother Cardinal, through the intercession of the Blessed Virgin Mary, the "Most Pure," as the Nicaraguan people particularly venerate her.

Fraternally yours in Christ,

BERNARD CARDINAL LAW,
Archbishop of Boston.
JOHN CARDINAL O'CONNOR,
Archbishop of New York.

The Sandinistas have moved against the protestants as well. In 1982, at least 50 Moravian Churches were burned when the Sandinistas forcibly relocated 10,000 Miskito Indians into camps which have no facilities for religious worship. The only Moravian seminary in Nicaragua was closed.

Sandinista mobs seized 20 churches, and worship centers were seized from Mormons, Seventh-Day Adventists, Mennonites, and Jehovah's Witnesses. The National Council of Evengelical Pastors, the umbrella organization for protestant churches, has been repeatedly harassed, and the protestant radio station forced to submit to censorship.

The churches of Nicaragua have long been in the forefront of the struggle for human freedom and dignity and are an anathema to the Sandinista regime because of what they stand for. They are truly the "enemy" because they preach the freedom of the human spirit and oppose the iron fist of repression.

THURSDAY THE RABBI WENT TO PRISON

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. LEHMAN of Florida. Mr. Speaker, during the last several months, we have witnessed what I consider to be selective prosecution of

peaceful demonstrators outside the Soviet Embassy in Washington. When five rabbis were sentenced to prison at the end of last year, I joined with some of our colleagues in cosponsoring legislation urging their pardon.

Since that time, more arrests and prison sentences have occurred. One of those who was similarly treated is my good friend and constituent, Rabbi Ralph P. Kingsley, who heads the congregation of Temple Sinai of North Dade in North Miami Beach, FL.

I regret that the U.S. Attorney for the District of Columbia has decided to prosecute those violating the 500-foot rule in front of the Soviet Embassy while overlooking the many arrests at other embassies in violation of the same ordinance. I believe that those arrested at the Soviet Embassy should be treated similarly to those arrested at the South African Embassy. Many of those demonstrators at the South African Embassy, including rabbis, were not given harsh sentences.

I want to place in the CONGRESSIONAL RECORD an article written by Rabbi Kingsley reporting on his experience in the D.C. jail. Despite the unfairness of these prosecutions, the sense of solidarity expressed in the article calls even more forcefully for attention to the worsening plight of Soviet Jewry.

THURSDAY THE RABBI WENT TO PRISON

(By Rabbi Ralph P. Kingsley)

Henry David Thoreau, the American writer best known for his study of man and nature called "Walden," is also the spiritual father of "civil disobedience," about which he wrote in 1849, saying that the state derives its power from the individual, and that the individual therefore has the right to challenge the authority of the state when he believes that the state is committing a moral wrong.

I don't know whether the story is true or apocryphal (probably the latter) but when Thoreau refused to pay poll taxes in 1840 to express his opposition to slavery, choosing to spend a night in jail (that part is true), it is told that his friend Emerson passed by and said: "Henry, what are you doing in there?" to which Thoreau replied: "Ralph, what are you doing out there?"

This Ralph who has been "out there" has now joined Thoreau, and thousands of others who have committed acts of civil disobedience, to protest an injustice, not with regard to slavery, but with regard to Soviet Jewrey. Together with 20 other Rabbis—one of them a woman—I violated Washington, D.C. Ordinance 2215—which prohibits demonstrations less than 500 feet in front of a foreign embassy, and was arrested, arraigned, and for several hours, actually imprisoned. Yes, if I may suggest a title to add to the list of Kemmelman books—"Thursday, the Rabbi Went to Jail." I must tell you—the experience is not one that I will soon forget.

On the one hand, all was carefully preplanned. The Washington D.C. police, who are used to this kind of activity, were in place with paddy wagons awaiting our entry. At 11:45 we gathered across the street from the Russian Embassy, where a vigil on behalf of Soviet Jewry takes place every day between 12 and 1. Promptly at 12:00 P.M. the police stopped traffic, allowing us to cross and stand directly in front of the Embassy gates where we made statements, read from the Megillah, sang songs and sounded the Shofar. There were several warnings by the police, asking us to stop and explaining that we were in violation of D.C. Ordinance 2215 and that we would be subject to arrest. After about 5 minutes we were removed, one by one, handcuffed, photographed, placed in the Paddy Wagon and taken to the police station where processing continued—and from which we were taken to the prison which attaches to the Federal Courthouse.

It was all very surrealistic at first. The police were friendly and we were all very relaxed and chummy, reunited with old friends, and discovering new ones—all the time knowing that in a matter of hours we would be out and on our way to our homes—in N.Y., N.J., Delaware, Maryland and then Florida (I had come from the farthest distance).

On the other hand, I must tell you it was *very real.* There were the handcuffs—behind the back—not very comfortable. There were, after the Police Station, the real cells, amidst real criminals—one open commode in the cell which, fortunately, none of us had to use, urine stains on the floor, having an iron gate slam shut behind you in a sub-terranian windowless environment in what seemed like the bowels of the earth and feeling suddenly very cut off from everyone—no telephone, no access, no way to call for help when a bureaucratic snafu almost caused us to be taken to yet another place for further processing. Our lawyer had warned us about Murphy's Law—that everything that can go wrong usually does—and it almost did. And we were not in control.

We had a taste of what it's like not to be free. We were body searched—just as you see it on T.V. and in the movies, spreadeagled against the wall. Our personal possessions were removed from our pockets. The inside of our wallets, our shoes, the linings of our coats were carefully examined, and our fountain pens were taken away from us—presumably they could be used as weapons, like a knife.

Plastic bracelets were attached to our arms and suddenly we became numbers, not names. I was L88.

It was all very de-humanizing, but also very humbling. Most of all, it was also very moving. Here we were—representing the three branches of Judaism, including the presidents of the C.C.A.R.[1] and the R.A.[2]—Rabbis Jack Stern and Alex Shapiro, making a statement together about our concern for Soviet Jewry—each sacrificing a day of his life, a sum of money, and subjecting himself—and herself—to less than a pleasant experience. We davened Mincha together in the cell, we sang together, we talked Torah together. Prison creates a unique kind of feeling between people. For those few hours there was "Achdut," the kind of Jewish unity that, alas, has become so elusive these days.

And it's not over yet. We were, of course, released on our own recognizance, but we've got to return in time for sentencing. If things proceed as they have before, there will be a guilty verdict, a suspended sentence and a fine. The U.S. Government, for some reason, has been playing hardball. They have not chosen to look the other way. When 5 rabbis refused to accept the terms of the sentence last December, they went to jail for 15 days—as some in our group are considering doing this coming June.

There is an appeal process being pursued by our attorney—Henry Asbill—who is handling the cases without fee, but the court has refused to stay the sentencing subject to appeal.

The defense is based on two legal principles. First, there is the "defense of necessity" which claims there to be a religious and moral imperative to violate the D.C. statute in order to prevent a greater harm from being done—namely the persecution of Soviet Jews. Our defense, in essence, questions the very constitutionality of that statute as well for it is an infringement on the rights of free speech.

The other legal issue is that of selective prosecution. The thousands that have protested in front of the South African Embassy have been arrested but *not* charged, for doing exactly what we did in front of the Soviet Embassy. On what grounds has the U.S. Government chosen to prosecute those of us who demonstrate in front of the Soviet Embassy while letting those picketing the South African Embassy go free? No one has satisfactorily answered that one.

With it all, however, the more important question that needs answering is, does it help Soviet Jewry?

I must admit that I did not get on the plane on March 27th with great enthusiasm. I went out of a sense of "noblesse oblige" because as Chairman of the C.C.A.R. Committee on Soviet Jewry, I couldn't not go. I can't tell you that I believe my small act of disobedience will get Jews out of the Soviet Union.

But having gone, I'm glad I went. And even if the direct benefits are not immediately visible, the indirect benefits are there.

The media was present, so that the issue of Soviet Jewry remains before the public eye.

The Soviet Embassy continues to get the message that the American Jewish community cares and will not be silenced. Embassy officials stood behind their gates watching. You can be sure reports of our activities are transmitted to Moscow, just as there is a clear signal the other way when we are not there. Keep in mind that it was the world's nonresponse to Krystal Nacht which gave Hitler the message that he could destroy Jews with impunity.

Thirdly, the U.S. Government knows and the Congress knows that the American Jewish community, especially its leadership, is not sitting on its hands. Even the U.S. Marshalls who frisked us know. At one point, I heard them speaking to each other about those "Jewish guys." And when we finally left the courthouse, another black officer asked us: "Why were you arrested? Demonstrating for Soviet Jewry?" Even as we went on the way to the demonstration, a black doorman wished us luck and held up his thumb as a sign of support. "I'm with you all the way" he said.

We Rabbis did, of course, walk out of jail and our captors—if not exactly our best friends, did not treat us badly. But as we walked out, we couldn't help but think of those who can't walk out: Yosef Begun, serving his third extended sentence; Vladmir Lifschitz, recently convicted, after having been beaten before his trial, and his wife Anna, now in jeopardy because she refused to testify against her husband; Ida Nudel, not in jail, but also "imprisoned," as are 400,000 other Jews who are not free to leave the Soviet Union and to go to a land of their choice where they can live as Jews. In January, Ida sent an urgent appeal to the 27th Congress of the Soviet Communist Party asking to be allowed to leave in order to be at last reunited in Israel with her

[1] Central Conference of American Rabbis.

[2] Rabbinical assembly.

sister, Ilana Fridman, from whom she has been separated 14 years, a request she first made in 1971 and which was denied because she allegedly "may have heard something" of a confidential nature. She wrote: "Is there anybody among sane and educated people who could believe that rumors which I may or may not have heard or things said could still be "matters of state interest."

Had the brief sojourn in prison done nothing else but give me, personally, a little more strength to continue the task that some of us pursue with such fervor, and others of us tend to take far too lightly, it would have been worthwhile. I think it did much more, but it did at least that.

In the language of our Torah, as alluded to by my cellmate Rabbi Alex Shapiro, who never got to finish his thought because he was interrupted by our jailers, it was Joseph's brothers who put him into a pit, only to take him out and thus to save his life. The young Joseph is the Jews of Russia. Though we, his brothers and sisters did not put him into the pit, who is there but us, to help him climb out, and to see once more the light of freedom? God help us if we forget that. And thank God that we at least have that opportunity, living as we do in this land of freedom, and sharing as we do their dream of redemption. May we experience it together—Bimhayara b'yamenu—speedily in our time.

CONTRA AID

HON. TRENT LOTT

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. LOTT. Mr. Speaker, while the Washington Post has not wavered in its opposition to aid for the Contras in Nicaragua, it has at least registered agreement with our efforts on this side to decouple that issue from the urgent supplemental appropriations bill, and get a clean vote on the administration's request.

In its April 18 editorial entitled,"A Cliffhanger Still," the Post observes that, by their legislative maneuvering, the Democratic leadership offered the President, "a narrow and—to him—unpalatable range of options: One was for no military aid at all, and a second was for circumscribed aid now, some but possibly no more aid later." The editorial goes on:

"In the circumstances, the Republicans have a good case for demanding a "clean" vote, one which may trouble swing Democrats politically but which fits the realities on the ground in Central America: Contras yes or Contras no. At this point, there is really no room left to have it both ways.

Mr. Speaker, in so saying, the Post correctly, I think, assesses our real choices. We cannot keep postponing to a future date a decision on providing military assistance to the Contras. If the democratic resistance in Nicaragua is to remain a viable force, we must vote "Contras yes" soon: "Contras maybe" just isn't going to confront the realities on the ground.

Mr. Speaker, while the Post editorial to which I have referred attempts to couch this choice in partisan terms by saying that "the up-or-down vote that Republicans seek rejects a bipartisan compromise solution," and, "bipartisanship, this time around, seems a nonstarter," such a conclusion ignores the prospect that a significant number of Democrats are uncomfortable with the "Contras no" choice and may yet provide the bipartisan margin of victory for the administration's request.

Finally, I think it should be pointed out that in both our substitute rules on the supplemental last week, and in the special rule on which we are filing a discharge petition tomorrow, we have ensured clean votes on three options—"Contras no," Contras maybe" and "Contras yes"—whereas the Democratic leadership rule last week guaranteed only a vote on the "Contra no" substitute.

We are willing and eager to present the House with these three clearcut choices, separate from extraneous legislation. I urge my colleagues on both sides of the aisle to sign the discharge petition on House Resolution 419 tomorrow. That special rule will bring House Joint Resolution 283 to the floor and guarantee separate votes on the Hamilton, McCurdy, and Michel approaches, in the traditional "king of the mountain" approach.

At this point in the RECORD, I include the editorial to which I have alluded and a summary of our special discharge rule. The items follow:

[From the Washington Post, Apr. 18, 1986]

A CLIFFHANGER STILL

In the latest installment, Republican stalwarts in the House saw that the contra aid amendment likely to pass was unsatisfactory and, furthermore, that any amendment passed would ride an appropriations bill moving slowly toward an eventual cash on a presidential veto. So to keep the possibility of aid alive, and to keep it alive in a form favored by the administration, the leadership of the Republican minority deftly stole control of the issue from the Democrats and set out on a parliamentary course intended to secure a straight up-or-down vote in May.

The public opinion polls show continuing broad disapproval of American support for intervention in Nicaragua. Yet President Reagan's weight in Washington is substantial. Votes in Congress remain cliffhangers in which swing blocs attaching strings to aid dictate the outcome. This is the pattern that Republicans in the House now seek to upset. Unlike the Democrats, they do not want a result that reflects the House's ambivalence. They want a clear-cut victory for their president—the full $100 million sought, without strings—and to get it they seem prepared to risk defeat. Their calculation is that they can pick off enough Democrats fearful of being held accountable for putting the contras out of business.

It is commonly said in these foreign policy battles that bipartisan compromise is the statesmanlike way. But the up-or-down vote that Republicans seek rejects a bipartisan compromise solution. The Democrats by their legislative maneuvering had done pretty much the same thing, offering the president a narrow and—to him—unpalatable range of options: one was for no military aid at all, and a second was for some circumscribed aid now, some but possibly no more aid later. Bipartisanship, this time around, seems a nonstarter.

In the circumstances, the Republicans have a good case for demanding a "clean" vote, one which may trouble swing Democrats politically but which fits the realities on the ground in Central America: contras yes or contras no. At this point, there is really no room left to have it both ways.

Our answer has been and remains: contras no. The chances are too slight that on their own they can unseat the Sandinistas, and the costs of the effort appear too great. That leaves the United States to rely on and support the program of the Latin democracies to build a security fence outside Nicaragua and then to pursue available ways to soften Sandinista rule inside.

SUMMARY OF SPECIAL DISCHARGE RULE ON CONTRA AID

(H. Res. 419, Representative Lott and Representative Michel, 4-14-86)

1. Immediately upon the adoption of the rule, the House would resolve into the Committee of the Whole for the consideration of H.J. Res. 283, to promote internal reconciliation in Nicaragua on the basis of democratic principles and to further peaceful resolution of the conflict in Central America.

[NOTE: H.J. Res. 283 was introduced by Rep. David McCurdy on May 8, 1985 with 10 cosponsors, and referred to the Committees on Appropriations, Foreign Affairs, Intelligence and Rules.]

2. The joint resolution would be subject to two hours of general debate divided between the majority and minority leaders.

3. All points of order are waived against the consideration of the joint resolution.

4. The rule makes in order the following amendments in the nature of a substitute to be offered only in the following order, waives all points of order against them, makes them in order even if a previous amendment has been adopted, prohibits any amendments to the amendments or a division of the question in the House or in the Committee of the Whole, and provides one hour of debate on each, divided between the proponent and an opponent: (1) an amendment printed in the Congressional Record by May 7th by Rep. Hamilton; (2) an amendment printed in the Congressional Record by May 7th by Rep. McCurdy; and (3) an amendment printed in the Congressional Record of April 21 by Rep. Michel. The last amendment adopted shall be reported back to the House (king-of-the-mountain).

5. After the joint resolution has been amended and reported to the House, the previous question is ordered to final passage without intervening motion except one motion to recommit.

6. After passage of the joint resolution, the House would proceed to the immediate consideration in the House of S.J. Res. 283, the Senate passed contra aid bill, and it would then be in order to move to insert the House passed language or, if the Michel substitute has been adopted, it would be in order as a preferential motion to move the previous question on the Senate joint resolution to final passage without intervening motion.

ROBERT R. GARVEY, JR., RETIRES

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. SEIBERLING. Mr. Speaker, the retirement of Robert R. Garvey, Jr., as Executive Director of the Advisory Council on Historic

Preservation, marks a major milestone in the history of the national preservation movement in the United States. During the past two decades, he has had a significant impact on our Nation's preservation programs, both in the Federal Government and in the private sector, and he has also played a major role in international preservation efforts as well.

I am pleased to have the opportunity to recognize Mr. Garvey's achievements. As chairman of the Subcommittee on Public Lands—which has legislative jurisdiction over the national historic preservation program—I have come to know Mr. Garvey and his outstanding ability to deal with the many and varied issues that are involved in protecting our Nation's cultural treasures. He has served our country well.

Mr. Garvey's first involvement in the formulation of national preservation policy came in 1966. He was then executive director of the National Trust for Historic Preservation and a key contributor to the report, With Heritage So Rich, which ultimately resulted in the passage of the landmark National Historic Preservation Act. That act provided the framework for today's preservation programs and, among other things, established the Advisory Council on Historic Preservation.

Mr. Garvey was the first Executive Secretary of the Council after its establishment, and in that role he was responsible for developing its system of protection, for setting the pattern to address critical issues and for dealing with general historic preservation problems. When he assumed the position, no mechanism existed that encouraged Federal agencies to integrate historic preservation values into their basic mission and policies. The Federal protective process for cultural properties, subsequently established and administered by the Council under Garvey's direction, has afforded protection to thousands of the Nation's historic properties for nearly 20 years.

Under the Council's regulations and procedures for implementing section 106 of the National Historic Preservation Act, the Council staff has reviewed over 20,000 project proposals, environmental assessments, and requests for advice and comments. Among the outstanding properties saved through consultation and negotiation during these years were the Old U.S. Mint in San Francisco, the U.S. Customhouse and Post Office in St. Louis, the Old Post Office Building in Washington, DC, Saratoga National Historical Park in New York, and the Apollo 11 Launch Umbilical Tower at Kennedy Space Center.

I have been personally pleased with the Council's advice on numerous projects in Ohio, including the renovation of Quaker Square in Akron, and the resolution of conflicts over the Anderson Ferry in Cincinnati.

The Council has also helped create good working relationships between agencies within the States—including Ohio, which I believe has one of the strongest and best managed State historic preservation offices in the country. For example, with the help of the Council's staff, the Ohio SHPO was recently able to achieve a workable and amicable process for assuring that historic preservation concerns are adequately addressed by the State's Office of Surface Mining. Indeed, in a recent survey of State preservation offices which I conducted as part of my subcommittee's ongoing oversight review of the national historic preservation program, the Council, was frequently lauded for the excellent assistance it provides. I know that much of the credit for the Council's success was due to Mr. Garvey's leadership.

Mr. Garvey was also influential in changing national policy by helping the Council to play a key role in developing Executive Order 11593, "Protection and Enhancement of the Cultural Environment." This Executive order, signed in 1971, gave Federal agencies specific historic preservation responsibilities. Mr. Garvey also contributed to the development of ideas for amendments to the Surplus Property Act to permit the transfer of historic properties to States and localities for preservation purposes that included revenue producing activities, thus promoting the new preservation of adapative reuse.

Mr. Garvey also initiated the preparation of a white paper on reasons for changing the U.S. Tax Code to provide incentives for the preservation of properties used for commercial purposes, which led eventually to the passage of legislation providing investment tax credits, a system that has revolutionized preservation today. With his support, Council staff also played significant roles in suggesting and reviewing amendments to the National Historic Preservation Act which were enacted in 1976 and 1980. Among other things, these Acts made the Council an independent agency of the Government and provided new tools for all levels of government and the private sector to carry out the national historic preservation program.

Perhaps no other individual working in Federal Government has had such an important and lasting influence on the operation of the historic preservation in our time. It is my pleasure to acknowledge his achievement and commend him for his long and outstanding service in preserving our historic heritage.

Bob Garvey will be missed.

AMERICAN BUSINESSES ARE PAYING $2 BILLION A YEAR TO QADHAFI

HON. ALBERT G. BUSTAMANTE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22 1986

Mr. BUSTAMANTE. Mr. Speaker, I join my colleagues in applauding President Reagan's bold action against Libya last week. We have now established a clear policy on international terrorism.

The evidence linking Libya to the bombing of a German nightclub in which one American soldier was killed and many others injured is incontrovertible.

Given that evidence, the United States had every moral, legal, and national security obligation to act militarily.

I am proud of the performance of our Air Force pilots who conducted their recent bombing mission in Libya with precision and quickness, at the same time, Mr. Speaker, I am embarassed that five American Fortune 500 corporations still continue to do business as usual in that country.

The continued presence of Occidental Petroleum, Conoco, Amerada Hess, Marathon Oil, and W.R. Grace & Co. undercuts the purpose of economic sanctions. These companies are not there illegally. They were exempted from President Reagan's January Executive order mandating the disinvestment of U.S. commercial interests.

Their presence represents an important revenue source for financing Libya's terrorist campaign, according to Dr. Henry Schuler, a good friend and specialist on the Middle East at the Georgetown Center for Strategic and International Studies, five United States companies paid an estimated $2 billion in taxes last year to Libya.

That amount accounts for nearly one-foruth of Libya's national budget, and for nearly all its hard currency.

I am disappointed with the reaction of some of our key allies to the U.S. military attack. But I am equally disappointed that our resolve to impose effective economic sanctions against Libya is subject to question. I urge the President to call on those companies to withdraw their interests. Current circumstances dictate that the President implement an economic sanctions' policy that is clear and unequivocal. The President has squarely framed the conditions for future military engagement. Our position on economic sanctions should be no less resolute.

To W.R. Grace & Co., Occidental Petroleum, Conoco, Amerada Hess, and Marathon, I urge you to leave Libya. Libya is at war with the free world. It is your tax dollars which are financing the missles which are aimed at our F-111's. The line has been drawn in the sand. Whose side are you on?

Thank you, Mr. Speaker.

THE NEW GI BILL—A 9-MONTH-OLD SUCCESS STORY

HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. MONTGOMERY. Mr. Speaker, the new GI bill is now 9 months old, and all available statistics on the progress of the program tell us the same thing—we've got a winner on our hands. Tens of thousands are joining or reenlisting in our Active and Reserve Forces because of the educational incentives of the new GI bill.

I am pleased to report that, as of March 31, more than 129,000 recruits and reenlistees had elected to participate in the new GI bill. This number includes almost 108,000 active duty recruits, representing 51 percent of the total eligibles in all branches of the active components. Over 21,000 members of the Guard and Reserve have applied to the Veterans' Administration for benefits under the program.

The new GI bill is providing an option for thousands who otherwise might not have been able to afford college or receive technical training. Furthermore, as the statistics

show, it is a program essential to the survival of the All-Volunteer Force.

Mr. Speaker, I would like to share with my colleagues the following letter, indicative of what I am hearing from recruits, families of recruits, military recruiters, and educational institutions across the Nation.

APRIL 2, 1986.

Representative G.V. "SONNY" MONTGOMERY
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE MONTGOMERY: I am not one of your constituents from Mississippi, but I am concerned about the New G.I. Bill issue. I hope to be of some help in this war you are waging. Recently, an article written by George C. Wilson with The Washington Post was printed in The Houston Chronicle on Sunday, March 30, 1986 concerning this dilemma involving the New G.I. Bill. I am distressed at the action the Office of Management and Budget feels must be taken. As noted in the article, it has been a positive force in some of the Armed Forces enlistment.

I have a brother, 22 years old, who enlisted in to the U.S. Army because of the educational incentives offered through the G.I. Bill of July 1985—July 1988. Because of the rising costs of higher education and fewer jobs available in the public sector many young people are enlisting. This repeal would be a signal to the leaders of tomorrow that their government is not interested in "What Uncle Sam can do for them" but, in "What they as citizens can do for Uncle Sam."

Representative Montgomery please send me the names of the members of the House Veteran's Affairs Committee and any Senators or Representatives that need some persuading. You may wonder why I am so concerned with this issue; recently I realized that many of the "freedoms" our nation has fought for in the past are on the verge of being taken away from us. This is a result of the passivity of this nation's citizens. I am 27 yrs. old single and someday hoping to raise a family in this free nation. However, many of our citizens are unaware of the dire straits we are facing. So in closing I look forward to hearing from you soon. Thank you for your time and cooperation.

Yours truly,

ROBERTA VALLANTYNE.

Mr. Speaker, what we are hearing is contrary to the administration's position that the new GI bill is not needed. What we are hearing is that by enacting the new GI bill, we made a wise investment. To withdraw such an investment when it is yielding benefits far beyond our expectations would dash the dreams of thousands of America's young people and would do substantial damage to our recruiting capabilities.

FREDERICK W. MIELKE RETIRES AS CHAIRMAN OF PG&E

HON. CHARLES PASHAYAN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. PASHAYAN. Mr. Speaker, Frederick W. Mielke, Jr., is retiring as chairman and chief executive officer of Pacific Gas and Electric Co. During his term, he moved PG&E from an archaic to a modern and streamlined organization. He should be commended for serving not only the stockholders of PG&E, but more importantly the public in general and PG&E consumers in particular. His enlightened management clearly demonstrates the vital role played by private power companies in the American power system.

Mr. Speaker, whatever Mr. Mielke chooses to do next he will do well. I wish him the best of luck. I submit for the record, Mr. Speaker, an article in the San Francisco Chronicle of March 11, by Harre W. Demoro, written on Mr. Mielke.

[From the San Francisco Chronicle, Mar. 11, 1986]

THE MAN WHO GOT PG&E HUMMING

(By Harre W. Demoro)

Frederick W. Mielke Jr. couldn't have become chairman and chief executive of Pacific Gas and Electric Co. at a darker moment in the company's history.

Seven years ago, customers were screaming about soaring bills. Wall Street was shunning the company, and the Diablo Canyon nuclear power plant was plagued by design errors and a construction slowdown.

But today, as Mielke approaches his retirement on May 1, the first nuclear-powered unit is humming away at Diablo Canyon and the second is being tested. His successor will be longtime PG&E Executive Vice President Richard A. Clarke. Both men are attorneys, rather than the engineers who traditionally run utilities.

Many of the company's 3.5 million electrical and 2.9 million gas customers still complain about bills. But Wall Street is looking favorably on PG&E because it has earned its authorized return on investment—the margin approved by the California Public Utilities Commission—every year since 1982.

In his gray pinstriped suit, reed-thin Mielke would not draw attention from his fellow Peninsula commuters who ride Southern Pacific each morning.

Few SP passengers would suspect that understated Mielke, described by his colleagues as a better-than-average tennis player, coaxed one of the nation's most controversial nuclear plants into a revenue operation.

"I never had a doubt about Diablo," said Mielke, who jointed PG&E's law department in 1951.

"It would have been finished in 1974 if an earthquake fault wasn't discovered."

Although getting Diablo finally running in 1985 is perhaps the most visible Mielke accomplishment, it is only one example of how he abruptly changed the utility's direction. Many changes were subtle and apparent only to insiders.

For example, Mielke generally is credited with PG&E's move from a sluggish, sometimes secretive, rarely imaginative bureaucracy dominated by engineers whose chief interest was building power plants and transmission lines.

Instead, the utility stopped being only a big design and construction company and announced to shareholders and regulators that it planned only to finish what was under construction and then try to be more efficient. And, where possible, PG&E would buy power from outsiders, maybe from Canada, and even from windmill owners.

"It took a complete change in the way people did things all around," Mielke said.

One of Mielke's most dramatic changes was in how the company dealt with the state PUC, one of the least predictable in the United States.

The utility and the regulatory commission had been at odds for years. "We were facing rapidly increasing costs, and the regulatory process (the PUC) was not used to rapidly increasing costs," he said.

For years PG&E has steadily reduced rates. Now they were soaring because the cost of oil burned to generate electricity jumped in the early 1970s from $2.50 a barrel to $40 a barrel.

At the same time, the cost of natural gas, which almost always follows oil prices, jumped dramatically. PG&E sells natural gas for home heating and cooking and also burns it to generate electricity.

These problems increased customers' bills and triggered rapid-fire inflation that made the cost of borrowing money nearly astronomical.

"No one predicted double-digit inflation would come," he said.

During the 10 years ending in 1981, the PUC underestimated PG&E's costs when it set rates. This resulted in PG&E earning $1.4 billion less than the PUC said the company was entitled to make, according to Mielke.

The situation became so complicated that Mielke took unprecedented action. Rather than send his managers to plead for a rate increase, which had been PG&E policy for decades, Mielke appeared before the PUC in November 1981 to ask for help.

Mielke says he believes that his appearance helped initiate changes in estimating and rate-making methods. Soon, PG&E was earning the 12 percent to 12.5 percent return on investment permitted by the PUC.

Both Mielke and veteran PUC Commissioner Victor Calvo agreed that the PUC deserved some of the credit for PG&E's revival.

However, although chief executives of other California utilities appear before the PUC from time to time, Mielke never came back and rarely called on the commissioners, recalled Calvo.

"PG&E is, I think, in very good shape and, excepting the uncertainly of Diablo, they have been reasonably well managed," Calvo added.

Mielke, who will be 65 by the time he retires, leaves several major tasks unfinished.

Although the PUC has allowed PG&E to raise rates modestly to cover operating costs of the first Diablo reactor, it has not granted any increases to pay for $5.1 billion in construction costs.

Mielke's successors may face even greater problems than Diablo Canyon.

Dozens of large companies are looking at ways to disconnect their factories from PG&E and generate their own electricity using heat generated by their manufacturing processes, Mielke said.

PG&E also faces a tough battle with the federal government over access to cheap hydroelectric power that is becoming a available in western Canada. Mielke said that the federal government is trying to block PG&E because British Columbia power is cheaper than electricity produced by the federal government's Bonneville power network in the Pacific Northwest.

NEW HORIZONS FOR AMERICA'S YOUTH

HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. RUDD. Mr. Speaker, this year nearly 250,000 secondary school students from across the country participated in the Veterans of Foreign Wars and its Ladies Auxiliary Voice of Democracy scriptwriting contest. The theme of this year's competition is "New Horizons For America's Youth."

Norman Roy Williams II, an 11th grader from Arcadia High School in Scottsdale, AZ, was the Arizona winner. In his speech, he pledges an active role for youth in global affairs, as such action has in the past served our country well.

I commend Norman's speech to my colleagues. The text of it follows:

NEW HORIZONS FOR AMERICA'S YOUTH

Terrorists brutally murder 58 innocent travelers. Military officers overthrow the democratic government in a small African nation. Nazis attempt to murder a black mayor. Such is the world as it exists today. Resembling a fierce ocean, it tosses and tumbles through time, enriching some people and destroying others. Fatalists claim we have no power over our future; pessimists claim we have power but it doesn't work to our advantage. In a world of troubles and obstacles as these, existing, much less succeeding, could be construed as impossible. Yet it is the youth of America that must exist, succeed, and conquer. It is the youth's sacred duty and sacred privilege to do so, it is our new horizon.

Throughout the world examples exist that society has failed to secure liberty, equality, and democracy as universal values. In Nicaragua, in Cuba, in Libya, and in the Soviet Union, innocent citizens are jailed and persecuted because they exercised their God-given rights of freedom of speech, freedom of religion, freedom of free elections, and freedom of choice. It is a bleak picture that youth must face; it is a bleak picture that they must and can change.

In America, we do not know the horrors of the real world. We bathe ourselves in luxuries, the luxuries of liberty, equality, and democracy. America's youth, fresh from the shower of personal freedoms, have the obligations and the honor to protect these values from foreign conquest and to promote these values to every part of the globe where treachery and injustice feed upon the lifeblood of the people.

Since America can no longer shield itself from foreign events, youth, in order to preserve democracy in our republic, have the duty to improve the entire world. In an age of nuclear weapons, youth must reduce worldwide tensions and build peace. By promoting international student exchanges, which allow over one million students worldwide to live in foreign nations, youth attempt to enlarge the global understanding of the future leaders. In an age of Marxist tyranny, youth must free the world's peoples from injustice. Actively resisting communism, todays youth show increasing respect for the military. In fact, after years of decline, more young people are volunteering to serve in the armed services. Demonstrating compassion for ongoing holocaust victims, youth organizations display moral unity in the fight against tyrants of all kinds.

The honor is also bestowed upon youth to promote security and liberty. Nature has given the future for youth to determine. With every tragic event, more hope is placed in our ability as future leaders. To build our leadership qualities, we participate in leadership seminars like Close-Up, which sends high school students to Washington, D.C., to learn about government. To promote good citizenship, we participate in organizations which enhance our character like the Boy Scouts of America. As soldiers have defended America in the past, youth have the privilege to extend the values of the last bastion of personal freedom to all parts of the globe.

It could seem impossible for youth to accomplish this task; however, this generation of youth have been raised in a different society. Raised after the civil strife of the 1960's, we don't know of racial predjudice. Reared in an age of such activism, we speak out for our beliefs. We have been given the greatest opportunity and the widest horizon of any previous generation. While there are no guarantees, we know youth have succeeded in the past. Whenever America fought in a war, it called upon its youth and they responded. Youth can succeed again. Winston Churchill said it best when he stated:

"You will make all kinds of mistakes; but as long as you are generous and true, and also fierce, you cannot hurt the world or even distress her. She was made to be wooed and won by youth."

MARTIN SNYDER: BRIGHTON BEACH MAN OF THE YEAR

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. SOLARZ. Mr. Speaker, I would like to pay tribute to Marty Snyder on the occasion of his being named "1986 Man of the Year" by the Brighton Beach Board of Trade at a special roast in his honor on May 8.

Marty has lived in the Brighton Beach community for over 50 years and has long been one of its prime movers and shakers. He has seen the community change many times in many ways, and he has always been a main force striving to change it for the better.

Marty has been an active member of every major organization in Brooklyn's shorefront, including the Knights of Phythias, the Brighton Lodge of B'Nai Brith, and the Community Democratic Club. He has been a distinguished member of Community Board 13 for several years and also serves on the Oceanfront Coordinating Council. Besides sitting on the board of directors of Vacations and Community Services for the Blind, he is a volunteer with the shorefront advisory committee of the VCB, and devotes each Thursday during the summer months to escorting 40 blind senior citizens to the Brighton Beach Baths and Racquet Club.

Having served his country on active duty in the Navy during World War II, he is a member of the Jewish War Veterans. He also raises funds for the Boy Scouts of America.

In addition to his numerous volunteer activities, Marty has served the Brighton Beach community as a businessman throughout his adult life. For many years, he had a wearing apparels store for ladies on Brighton Beach Avenue, and was an area supervisor for Waldbaum supermarkets for 20 years. Because of his extensive business experience, the Oceanfront Development Corp. selected him to be the project coordinator for the Brighton Beach Revitalization Program, a position he continues to fulfill with distinction.

As a tribute to Marty's long record of achievement, President Ronald Reagan presented him with the prestigious private sector initiative commendation award on December 12, 1985. The award was made in recognition of his tireless and persistent devotion to the Brighton Beach community he has loved and served.

For the same reason, the Brighton Beach Board of Trade has selected Marty to be the honoree at their first annual "Man of the Year" Testimonial Roast. This organization has chosen wisely, for Marty is truly the personification of Brooklyn's shorefront community at its best. As such, he follows in the footsteps of his illustrious dad "Zayda," whose contributions to Brighton Beach are equally well-known and respected.

I applaud Marty for making Brighton Beach a better place to live and offer my heartfelt congratulations to him on this joyous and well-deserved occasion.

HOUSE ARMS CONTROL PANEL ANNOUNCES HEARINGS

HON. BEVERLY B. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mrs. BYRON. Mr. Speaker, I am taking this time to announce that the House Armed Services arms control and disarmament panel will begin hearings on April 29 on various bills and developments concerning arms control. I would like to submit the following statement for the RECORD.

HOUSE ARMS CONTROL PANEL ANNOUNCES HEARINGS

WASHINGTON.—Representative Beverly Byron (D-Md.), chairwoman of the Special Panel on Arms Control and Disarmament of the House Committee on Armed Services, announced today that the panel will begin a series of hearings on various arms control proposals and issues contained in several bills and resolutions now pending in the committee.

The hearings will begin on April 29, 1986, and continue indefinitely. Representative Byron and Representative Marjorie S. Holt (R-Md.), the ranking minority member of the panel, said, "the purposes of this series of hearings are to provide a record of testimony that the Committee on Armed Services can use to support possible future action on several bills now pending and to provide a factual record for members of the House to use in debating highly controversial arms control issues."

Under the Rules of the House, the Committee on Armed Services has oversight jurisdiction of all arms control and disarmament matters and legislative jurisdiction of bills and resolutions that affect the national security, the Department of Defense, and

the defense programs of the Department of Energy.

"Examples of pending legislative proposals before the committee," Mrs. Byron said, "are the bills: H.R. 3100, introduced by Rep. Edward Markey (D-Mass.), that would enforce a freeze on the testing, production and deployment of numerous aircraft, missiles, fissionable materials, nuclear weapons, and all facilities to assemble these items through a cutoff of funds for those purposes; H.R. 3442, introduced by Rep. Pat Schroeder (D-Colo.), that would legislate U.S. compliance with the nuclear weapons testing moratorium proposed by Chairman Gorbachev, General Secretary of the Communist Party of the Soviet Union; H.R. 2124, introduced by Rep. John Porter (R.-Ill.), to prohibit the U.S. production of chemical weapons; H.J. Res. 272 and H. Con. Res. 35, introduced by Rep. Henry Hyde (R-Ill.) and Rep. Ken Kramer (R-Colo.), respectively, that would express the support of Congress for President Reagan's arms control policies; and H.R. 4542, also introduced by Rep. Markey (D-Mass.), that would prohibit the use of any funds appropriated to the Department of Defense or Department of Energy for any Strategic Defense Initiative (SDI) component designed to use nuclear explosive devices in any manner.

"In addition to the above issues," Chairman Byron said, "the panel will again address the issues of Soviet noncompliance with existing arms control agreements, verification problems, U.S. and Soviet interpretations of the Anti-Ballistic Missile (ABM) Treaty with respect to SDI research, and continued U.S. compliance with the unratified SALT II agreement when new Trident submarines enter sea trials.

"In this connection," she stated, "the panel will examine what would be an appropriate and proportional response to Soviet violations and whether a U.S. decision to undercut SALT at this time would be to our strategic advantage." The panel will also review the effects on national security and the impact on current arms control negotiations efforts resulting from the prohibition on testing of U.S. antisatellite (ASAT) weapons imposed by the Congress last year.

The panel expects to invite the congressional sponsors and opponents of proposed legislative arms control initiatives as the initial witnesses to be followed by Administration witnesses and knowledgeable experts from outside of government.

During the first session of the 99th Congress, the panel conducted extensive hearings on arms control matters which were completed in December 1985 (H.A.S.C. No. 99-18). The panel issued a report on those hearings, entitled Review of Arms Control and Disarmament Activities, 99th Congress, 1st Session, in January 1986 (H.A.S.C. Committee Print No. 14).

Other members of the panel joining in the hearings with Representatives Byron and Holt are: Representatives Nicholas Mavroules (D-Mass.); Richard Ray; (D-Ga.), John M. Spratt, Jr. (D-S.C.); Samuel S. Stratton (D-N.Y.), who also chairs the Subcommittee on Procurement and Military Nuclear Systems; Robert E. Badham (R-Calif.); and Jim Courter (R-N.J.).

GEORGE WILL QUESTIONS CONTINUED SALT II COMPLIANCE

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. COURTER. Mr. Speaker, barring some unlikely protests from our NATO Allies, the President appears poised to order the dismantlement of two aging but perfectly functional, survivable Poseidon ballistic missile submarines. As George Will contends in the following column, such action could only be described as "zany," when considered in light of Soviet noncompliance with arms control agreements and their relentless military buildup.

Approximately 300 submarine warheads will be lost from the arsenal in the event of Poseidon dismantlement, as our ballistic missile submarine force begins its slide from 31 boats to only 20 in the year 2000. But while our old submarines go to the graveyard, Soviet submarines are refurbished and fitted with advanced, long-range nuclear cruise missiles for attacking the U.S. mainland. Surely this is not what President Reagan intended to be the result of continued SALT II compliance, but, as George Will points out, Jimmy Carter's "fatally flawed" agreement has now become "Reagan's treaty," and he feels some obligation to preserve the SALT regime, regardless of the consequences. I urge my colleagues to pay careful attention to the following column:

LET REAGAN BE REAGANIZED

(By George F. Will)

Gorbachev, miffed because the United States has been beastly to a Soviet client, Kaddafi, may not soon do the United States the stupendous favor of attending a summit. Gosh. Into every life some sun must shine, but this is unseasonably sunny. Another agreeable aspect of current events is this. At a moment when the allies are behaving even more badly than usual, the president must make a decision that can only be made correctly if he is prepared to annoy the allies. The question is: will the president scrap two Poseidon submarines in order to continue his zany policy of unilateral compliance with the unratified SALT II treaty?

Candidate Reagan denounced SALT II as "fatally flawed." President Reagan says the Soviet Union has violated SALT II seriously and continuously. And now, for the second time in 10 months, the entry into service of a new Trident submarine requires Reagan to decide whether to continue the policy of not "undercutting" SALT II (which even if it had been ratified, would have expired by now). Last June he ordered the dismantling of a Poseidon to keep below the 1,200 ceiling on multiple-warhead missiles. He explained this decision, which dismayed supporters of his embattled defense program, as going an "extra mile" for arms control. How such a nonresponse to Soviet noncompliance helps arms control is a mystery. If Reagan now scraps two Poseidons, he will make SALT II immortal, himself incredible and a portion of the Constitution trivial.

Reagan should say simply: we are no longer bound by SALT II. However, he is being advised to respond to Soviet violations by putting the Poseidons in dry dock indefinitely rather than dismantling them. This would be a microscopic protest: the Poseidons would not be directly destroyed, so the United States would not be strictly complying with SALT II. But dry dock would render the boats incapable of performing a military function. Besides, such boats are complex organisms and dry dock would amount to slow destruction through decay. So dry dock would amount merely to a slow-motion version of unilateral compliance. Remember, Reagan has spoken of SALT II the way Dizzy Dean spoke of his injured toe: "Fractured, hell! The damn thing's broken!"

DOUBLE STANDARD

The Poseidons are not what is crucial. The following is. Having ordered a report on "proportionate responses" to substantial Soviet violations, Reagan will look ludicrous if he merely adopts a temporary and trivial technical violation, such as dry-docking. Ten months ago he declared the United States could not continue to live by a double standard. Dry-docking is continuation. If he sacrifices two more submarines, he probably will serve eight years in unilateral compliance. Then SALT II will no longer be Jimmy Carter's treaty. (Carter was president only 18 months after it was signed in Vienna.) It will be Reagan's treaty. And if Reagan, who campaigned against ratification of it, and who has documented violations of it, cannot bring himself to abandon it, no president will feel free to do so.

Worse, continued compliance would release future presidents from the Constitution's requirement regarding ratification of treaties. Eight years of compliance with an unratified treaty would constitute the Reagan Precedent. Future presidents would feel free to treat Senate consideration of arms-control agreements as a dispensable formality. There would be no check on the president's power to bind the nation to whatever he and the Soviet leader decide.

PUT UP OR SHUT UP

The very senators most eager to bind presidents to collaboration with Congress in foreign policy through things like the War Powers Resolution are urging him to evade constitutional due process by complying with an unratified treaty. Fifty-two senators have urged Reagan to continue compliance by scrapping two boats. Fine. Let's put up or shut up.

Perhaps Reagan should negotiate with the Soviets a new expiration date of SALT II—say, 1989. Then he should send SALT II to the Senate for ratification. Of course 34 senators, including Majority Leader Robert Dole, have signed letters opposing destruction of the two submarines. Thirty-four votes would defeat ratification of SALT II. But it would be entertaining to hear the president explain why a fatally flawed and frequently violated treaty is now indispensable. Reagan's explanation probably would call to mind the baseball manager of whom a player said: "He does things that there is no justification for, and then refuses to explain them."

Reagan has dispatched envoys to ascertain what the allies think about ending compliance with SALT II. Is the suspense killing you? The allies will urge continued unilateral compliance. The allies always favor U.S. passivity. Regarding Libya, U.S. policy toward the allies was correct. It was to listen very nicely, then go out and do precisely what U.S. interests required. In his sixth year Reagan is getting the hang of something important: selective unilateralism.

The Reaganization of foreign policy requires three things. One is the Reagan Doctrine: support for resistance movements at

the margin of the Soviet Empire (Nicaragua, Angola, Afghanistan). The second involves demonstrating willingness to use military force (Grenada, Libya), even—no, especially—without allied consensus. The third involves restoring realism by displacing the arms-control "process" as the "centerpiece" of U.S./Soviet relations. All three policies, but especially the third require a health, even jaunty disregard for "world opinion." Jefferson, a judicious writer, did not use adjectives carelessly. He spoke (in the Declaration of Independence) of a "decent respect" for the opinion of mankind. Jefferson knew there could be slavishness about opinion. The decision about SALT II, like the decision about Libya, tests Reagan's ability to rise above unworthy concern for mere opinion.

ESTABLISHMENT OF THE DEFENSE ACQUISITION CORPS

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. HERTEL of Michigan. Mr. Speaker, today I am introducing legislation to address many of the critical problems with procurement in the Department of Defense. This legislation consists of two parts. The first part parallels legislation my colleague from Massachusetts, Mr. MAVROULES, has introduced with respect to the establishment of an Under Secretary of Defense for Acquisition. The second part creates a Defense Acquisition Corps.

We can only improve the acquisition process in relationship to the availability and efficient use of a talented and qualified professional work force. We must attract the best individuals and retain them. We must give them respect, security and reward. The Packard Commission stated in its report that the:

DOD must be able to attract, retain, and motivate well qualified acquisition personnel * * * the Secretary of Defense should have increased authority to establish flexible personnel management policies necessary to improve Defense acquisition. Alternate personnel management system, * * * should be established to include senior acquisition personnel and contracting officers as well as scientists and engineers. Federal regulations should establish business-related education and experience criteria for civilian contracting personnel, which will provide a basis for the professionalization of their career paths. Federal law should permit expanded opportunities for the education and training of all civilian acquisition personnel. This is necessary if DOD is to attract and retain the caliber of people necessary for a quality acquisition program.

The shining highlights of our massive military expenditure over the past 5 years has been our continued efforts to improve the quality or our military combat personnel and the quality of their lives. This commitment has ensured our national security more than any other recent change.

We need to make the same commitment to our acquisition work force. Only by creating a genuine career path for acquisition professionals can we make good management ideas work.

The legislation I am introducing today authorizes a Defense Acquisition Corps to be organized with professional requirements, special salary to attract and keep top performers, special bonus systems, and grievance procedures. It includes a special senior acquisition executive rank similar to the senior executive service. It gives the Secretary of Defense the flexibility to assign Corps members as urgent acquisition needs arise. Finally, it authorizes the Secretary to establish a Defense Acquisition University to upgrade the training of procurement personnel and provide continuing education in acquisition specialties. It also authorizes the Secretary to send Corps members of our Nations many colleges and universities which have programs in procurement related disciplines.

I believe as the quality of our procurement work force increases, our acquisition system will be more controlled and effective. Consequently bureaucratic inertia, redtape, and long lead times will decrease and our national security will be improved.

The text of the legislation follows:

H.R. 4657

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Defense Acquisition Reorganization Act of 1986".

SEC. 2. ESTABLISHMENT OF POSITION OF UNDER SECRETARY OF DEFENSE FOR ACQUISITION.

(a) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by inserting after section 134 the following new section:

"§ 134a. Under Secretary of Defense for Acquisiton: appointment; powers and duties; precedence

"(a) There is an Under Secretary of Defense for Acquisition, appointed from civilian life by the President, by and with the advice and consent of the Senate. The Under Secretary shall be appointed from among persons who have extensive experience in the defense industry, including a strong managerial background in the private sector.

"(b) Subject to the authority, direction, and control of the Secretary of Defense, the Under Secretary of Defense for Acquisition—

"(1) is responsible for setting overall policy for, and supervises, all acquisition activities of the Department of Defense; and

"(2) shall perform such duties and exercise such powers as the Secretary of Defense may prescribe.

"(c) The Under Secretary—

"(1) is the senior procurement executive for the Department of Defense for the purposes of section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3));

"(2) is the Defense Acquisition Executive for purposes of regulations and procedures of the Department providing for a Defense Acquisition Executive; and

"(3) to the extent directed by the Secretary, supervises all other officers in the Office of the Secretary of Defense who have acquisition responsibilities (notwithstanding any law other than section 136a of this title providing that any such officer is responsible only to, and reports directly to, the Secretary or the Deputy Secretary).

"(d) The Secretary of Defense shall prescribe the precedence of the Under Secretary in the Department of Defense.".

(b) EXECUTIVE SCHEDULE II PAY GRADE FOR UNDER SECRETARY.—Section 5313 of title 5, United States Code, is amended by adding at the end the following: "Under Secretary of Defense for Acquisition.".

(c) CONVERSION OF UNDER SECRETARY FOR RESEARCH AND ENGINEERING TO ASSISTANT SECRETARY LEVEL.—The position of Under Secretary of Defense for Research and Engineering is hereby redesignated as Director of Defense Research and Engineering. The Director of Defense Research and Engineering is an Assistant Secretary of Defense.

(2) CONFORMING AMENDMENT.—Section 136(b) of title 10, United States Code (relating to Assistant Secretaries of Defense), is amended by adding at the end the following new paragraph:

"(7) One of the Assistant Secretaries shall be the Director of Defense Research and Engineering. The Director shall perform such duties relating to research and engineering as the Secretary of Defense may prescribe.".

(3) ELIMINATION OF POSITION OF USD(R&E).—Section 135 of such title is amended as follows:

(A) Subsection (a) is amended by striking out the first two sentences and inserting in lieu thereof the following: "There is an Under Secretary of Defense for Policy, appointed from civilian life by the President, by and with the advice and consent of the Senate.".

(B) Subsection (b) is amended by striking out the second sentence.

(C) Subsection 9(c) is amended—

(i) by striking out "and the Secretaries of the military departments" and inserting in lieu thereof "the Secretaries of the military departments, and the Under Secretary of Defense for Acquisition"; and

(ii) by striking out the second sentence.

(D) The heading of such section is amended to read as follows:

"§ 135. Under Secretary of Defense for Policy: appointment; powers and duties; precedence".

(4) TECHNICAL AMENDMENT.—Section 5324 of title 5, United States Code, is amended by striking out "Under Secretaries of Defense (2)" and inserting in lieu thereof "Under Secretary of Defense for Policy".

(5) SAVINGS PROVISION FOR INCUMBENT.—The redesignation of the position of Under Secretary of Defense for Research and Engineering as Director of Defense Research and Engineering and the amendments made by paragraphs (2), (3), and (4)—

(A) shall not affect the appointment in that position of the person holding that position on the date of the enactment of this Act; and

(B) shall not affect the rate of pay or other benefits to which that person is entitled on the date of the enactment of this Act as an Under Secretary of Defense.

(d) GENERAL CONFORMING AMENDMENTS.—

(1) Section 136a(b) of title 10, United States Code (relating to the Director of Operational Test and Evaluation), is amended by striking out "Under Secretary of Defense for Research and Engineering" in the second sentence and inserting in lieu thereof "Director of Defense Research and Engineering".

(2) Section 171(a) of such title (relating to the Armed Forces Policy Council) is amended——

(A) by redesignating clauses (3) through (10) as clauses (4) through (11), respectively;

(B) by inserting after clause (2) the following new clause (3):

"(3) the Under Secretary of Defense for Acquisition;"; and

(C) by striking out "Under Secretaries of Defense" in clause (7) (as so redesignated) and inserting in lieu thereof "Under Secretary of Defense for Policy".

(e) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by striking out the item relating to section 135 and inserting in lieu thereof the following new items:

"134a. Under Secretary of Defense for Acquisition: appointment; powers and duties; precedence.

"135. Under Secretary of Defense for Policy: appointment; powers and duties; precedence.".

SEC. 3. REVIEW OF MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2325. Major programs: approval of program stages

"(a)(1) The Secretary of Defense shall review a major program before the program proceeds into each of the following stages:

"(A) Initial research and development.

"(B) Full-scale development.

"(C) Production.

"(2) A review required by paragraph (1) shall include an evaluation of each of the following:

"(A) The plans and requirements for the program.

"(B) The necessity for production of the program.

"(C) The commonality of parts and components of the program among the military departments.

"(D) The complexity and practicality of the program.

"(b) The Secretary of Defense or the Secretary of the military department concerned may not obligate or expend funds with respect to a stage of a major program specified in subsection (a)(1) unless the Secretary of Defense approves that program at the beginning of that stage.

"(C) The Secretary of Defense may not delegate any power of the Secretary under this section to the Secretary of a military department.

"(d) In this section, the term 'major program' means a major defense acquisition program subject to the Selected Acquisition Report requirements of section 139a of this title.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2325. Major programs: approval of program stages.".

SEC. 4. DEFENSE ACQUISITION CORPS.

(a) IN GENERAL.—Part II of subtitle A of title 10, United States Code, is amended by inserting after chapter 83 the following new chapter:

"CHAPTER 84—DEFENSE ACQUISITION CORPS

"Sec.

"1611. Establishment.

"1612. Appointments.

"1613. Civilian personnel system.

"1614. Merit pay system.

"1615. Assignments.

"§ 1611. Establishment

"(a) ESTABLISHMENT.—There is in the Department of Defense a Defense Acquisition Corps consisting of acquisition-related positions in the Office of the Secretary of Defense, the military departments, and the defense agencies specified in regulations prescribed by the Secretary of Defense. The head of the Defense Acquisition Corps is the Under Secretary of Defense for Acquisition.

"(b) NUMBER.—The number of Defense Acquisition Corps positions in a military department shall be determined by the Secretary of Defense.

"§ 1612. Appointments

"The Secretary of Defense shall make appointments to the Defense Acquisition Corps from the best-qualified civilian applicants and military personnel. The qualifications of such personnel shall be established based on levels of education, experience, and training and performance on examinations.

"§ 1613. Civilian personnel system

"(a) IN GENERAL.—The Secretary of Defense shall by regulation establish a personnel system for civilian personnel within the Defense Acquisition Corps. Such regulations shall—

"(1) provide rates of pay for civilian members of the Defense Acquisition Corps that are not in excess of the maximum rate of basic pay established for the Senior Executive Service under section 5382 of title 5, and that are adjusted at the same time and to the same extent as rates of basic pay for the Senior Executive Service are adjusted;

"(2) provide for removal of civilian members of the Defense Acquisition Corps consistent with section 3592 of such title, and removal or suspension consistent with subsections (a), (b), and (c) of section 7543 of title 5;

"(3) permit the payment of performance awards to civilian members of the Defense Acquisition Corps consistent with the provisions applicable to performance awards under section 5384 of title 5; and

"(4) provide for the career recruiting and training (including high-technology training) of civilian members of the Defense Acquisition Corps, consistent with the procurement management personnel requirements established in chapter 85 of this title.

"(b) EXCEPTION FROM COMPETITIVE SERVICE REQUIREMENTS.—Except as otherwise provided in subsection (a), the Secretary of Defense may—

"(1) make applicable to civilian members of the Defense Acquisition Corps any of the provisions of title 5 applicable to applicants for or members of the Senior Executive Service; and

"(2) appoint, promote, and assign individuals to civilian positions established within the Defense Acquisition Corps without regard to the provisions of title 5 governing appointments and other personnel actions in the competitive service.

"§ 1614. Merit pay system

"The Secretary of Defense may by regulation establish a merit pay system for such members of the Defense Acquisition Corps as the Secretary considers appropriate. The merit pay system shall be designed to carry out purposes consistent with those set forth in section 5401 of title 5.

"§ 1615. Assignments

"The Secretary of Defense may assign a civilian member of the Defense Acquisition Corps to any position in the Defense Acquisition Corps in which that member is eligible to serve and may assign a civilian member from one such position to another such position as the needs of the Defense Acquisition Corps may require.".

(b) TRANSITION PROVISION.—(1) Not later than the end of the one-year period beginning on the date of the enactment of this Act, the Secretary of Defense shall—

(A) establish the Defense Acquisition Corps under section 1611 of title 10, United States Code (as added by subsection (a));

(B) review existing acquisition-related positions in the military departments for purposes of determining which positions should be included in the Corps; and

(C) make appointments to such positions under section 1612 of such title (as added by subsection (a)).

(2) To the extent practicable, the Secretary of Defense shall make the appointments required by paragraph (1)(C) from the best-qualified civilian and military personnel currently assigned to acquisition-related functions of the Department of Defense.

(c) CLERICAL AMENDMENT.—The tables of chapters at the beginning of subtitle A of such title and at the beginning of part II of such subtitle are each amended by inserting after the item relating to chapter 83 the following new item:

"84. Defense Acquisition Corps..... 1611".

SEC. 5. DEFENSE ACQUISITION UNIVERSITY.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish by regulation of Defense Acquisition University that includes acquisition-related defense schools in existence on the date of the enactment of this Act.

(b) REGULATIONS.—The regulations establishing the Defense Acquisition University shall include the following:

(1) Provision for separate schools within the University with respect to various acquisition specialties, including contracting, logistics, quality, program management, systems engineering, production, and manufacturing.

(2) Standards and procedures for admission to the University.

(3) A requirement that each student at the University successfully complete a central curriculum of contracting and acquisition methodology.

(4) Provision for the education of members of the Defense Acquisition Corps through programs offered in conjunction with or in lieu of attendance at the University.

H.R. 822

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. MOAKLEY. Mr. Speaker, the human rights situation in El Salvador continues to be of great concern. I recently received a letter from Holly Burkhalter, Washington representative for the American Watch Committee, in which she details the ongoing atrocities committed against the Salvadoran people by government forces and by guerrillas. Her letter points out quite clearly that violence and terror are still very much a fact of life in El Salvador.

Mr. Speaker, I am the author of legislation, H.R. 822, which would temporarily suspend the deportation of Salvadorans now in the United States. This legislation was recently re-

ported by the Subcommittee on Immigration, Refugees and International Law to the full Judiciary Committee for its consideration. As Ms. Burkhalter's letter indicates, H.R. 822 is both a necessary and urgent piece of legislation which needs to be considered by this body in the very near future.

For the benefit of my colleagues, I would like to submit Ms. Burkhalter's letter for the RECORD.

AMERICA'S WATCH
Washington, DC, April 9, 1986.

Congressman JOE MOAKLEY,
Cannon Building,
Washington, DC.

DEAR CONGRESSMAN MOAKLEY: It is my understanding that your legislation to grant temporary safe haven to Salvadoran refugees in the United States will be considered by the Judiciary Committee in the near future. I write to thank you for this important effort, and to inform you of current human rights problems in El Salvador.

As you know, the American Watch has an office in San Salvador which is staffed by our counsel, Jemera Rone. She closely monitors abuses by both the Salvadoran government and by the guerrillas. Our staff also travels to Honduras and collects testimony from Salvadoran refugees who have fled their country. The following human rights violations continue to occur in El Salvador:

Death squad killings.—From the period of July through December, 1985, Salvadoran death squads killed 51 people. Many of the victims bore signs of torture, mutilation, and decapitation. In the past year, three new death squads have been created: The Protective Salvadoran Army, created in October 1985 took credit for the killing of a woman law graduate in November. The Protective Army of Santa Ana was formed in December 1985, stating that it wanted to bring thieves to justice by eliminating them. It took credit for three assassinations in Santa Ana. A third group, calling itself COCOFAN announced in January 1986 that it would support the Army in attacking enemies of the people.

Death squad-style killings by uniformed soldiers.—In addition to the 51 death squad killings mentioned above, the Catholic Archdiocese of San Salvador has documented 55 cases of death squad-style executions by uniformed members of the military. The victims included several trade unionists and a lawyer. The 55 killings were committed by Army soldiers, members of the civil patrol, members of the National Guard, and members of the National Police.

Known death squad members promoted within military.—In late 1983, Vice President George Bush reportedly submitted to the government a list of military persons known to be linked with the death squads. Many of these individuals were dismissed or transferred. Among those persons on the list sent into "diplomatic exile" were Denis Moran, a lieutenant colonel in the army who was sent to the United States, and Ricardo Pozo, head of the intelligence section of the Treasury Police, who was sent to Paraguay. In late 1985, by orders of the Salvadoran High Command, these two officers were promoted to colonel and lieutenant colonel. This is a step backward for human rights; it appears that not only will military officers linked to death squad activity not be punished, they will in fact be promoted.

Military abuses against civilians in conflicted zones.—In spite of President Duarte's rules of engagement for the Air Force, which prohibits attacks on areas where civilians live, the Air Force continues to bomb in areas inhabited by civilians. The military command makes no secret of the fact that it regards civilians living in guerrilla-controlled or conflicted zones as the enemy, in spite of the fact that attacks against civilians are prohibited by the Geneva Conventions. Colonel Aviles was quoted in the New York Times on December 20, 1985, as stating that the army considered most people in rebel held areas to be guerrillas; "The good people, the people not with the guerrillas, aren't there." In January, 1986, Archbishop Rivera y Damas toured Chalatenango, an area which has come under heavy Air Force bombardment. In his homily of January 12, 1986, the Archbishop pleaded for the civilian population to be protected, stating, "The greatest plea is that I advise that there is a large civilian population here. It is not the case that there is not a civilian population. The petition is clear. That I make myself the voice of all and express to those who should hear that the bombings cease in areas inhabited by the civilian population."

One example of aerial bombardment of civilian targets was described in the Washington Post of November 5, 1985. The reporter visited the town of Patamera, and viewed three families' houses and a health clinic which had been destroyed by aerial bombing. The residents of the town hid in holes or fled into the forest thus only one was wounded in the attack. The New York Times of December 20, 1985, described Air Force attacks against five villages in recent months. Reporters saw 14 houses that were bombed or rocketed and 19 houses that were burned or demolished by army units during sweeps. At least 8 civilians were reported killed in recent attacks. New York Times reporter James LeMoyne concluded that "In such regions, the armed forces appear to bend the rules governing bombing of towns and destruction of property."

In addition to bombing civilian targets, the Americas Watch has received much testimony describing the burning and destruction of crops and food stores. The destruction of food items necessary to the survival of the civilian population is a violation of Protocol II of the Geneva Conventions.

Army restrictions on humanitarian assistance.—The International Committee of the Red Cross (ICRC) provides food and assistance to approximately 100,000 civilians living in the conflicted zones. Approximately half of them are displaced persons. As of mid-March, the ICRC has had no access for the purpose of delivering food and medical care to persons in need in parts of Chalatenango for the past six weeks, no access to the area north of the Torolo River in Morazan for the past two months, and no access to towns south of Guazapa since January. In these areas, the Armed Forces have claimed that access is denied because of military operations. This appears to be a pretext because no military operations have lasted for such long periods of time in any area except Guazapa itself, which the ICRC does not serve.

Torture.—Torture remains a serious problem in El Salvador. It is frequently used by the police and security forces during interrogation for purposes of extracting confessions. According to reports from detained persons, torture increasingly consists of practices which do not leave marks, such as suffocation, immersion in filthy water, sleep and food deprivation, and threats against family members. These practices are employed during the 15-day period of incommunicado detention permitted under the State of Siege which still governs the country. The condition of death squad victims also indicates that mutilation also continues to take place. According to a January 13, 1986 Reuters report entitled "Torture Used More and More by Salvadoran Authorities", women prisoners are almost always raped by security forces when captured for alleged political crimes.

Guerrilla violations.—According to information complied by the Catholic Church human rights monitoring group, guerrillas committed 67 summary executions during 1985, which includes military persons killed outside of combat. The Americas Watch investigated such an incident of summary executions in April, 1985 at Santa Cruz Loma where guerrillas executed 6 captured civil defense members. The execution of captured combatants is a violation of the Geneva Conventions. Another example of illegal executions by guerrillas which took place in 1985 was the killing of 9 civilians and 4 U.S. marine guards who were not on duty in the capital city.

On December 12, 1985, Radio Venceremos, the official FMLN radio station called upon people to send to the radio station the names and addresses of "pilots, military chiefs, members of death squads and corrupt and killer Christian Democrats." The Americas Watch is concerned that the information sought by this broadcast might be used to summarily execute members of the armed forces and others.

In addition to summary executions of civilians and captured soldiers, the FMLN is also responsible for the deaths of civilians by failing to exercise proper care in the distinguishing military from civilian targets. According to reports received by the Salvadoran Catholic Church, 13 people were killed in 1985 when the FMLN shot up cars traveling during a traffic stoppage. The church also received 31 complaints of civilian deaths in 1985 due to mines placed by the FMLN.

As you can see from this brief summary of human rights conditions in El Salvador, the situation remains extremely dangerous for its citizens. The vast numbers of displaced persons, the breakdown in social services, the increase in death squad activity, the targeted killings by military and FMLN members, and the continuing civil war with its heavy costs for both soldiers and civilians are of deepest concern to the Americas Watch. We share the belief of the Archbishop of San Salvador, Rivera y Damas, that it is not safe for Salvadorans to be returned to their country at this time.

Thank you for your continued attention to this important matter.

Sincerely,

HOLLY BURKHALTER.

A BILL TO STOP ILLEGAL IMPORTS

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. WALGREN. Mr. Speaker, today I am introducing a bill to give American industries and employees direct access to Federal courts to stop dumped and subsidized imports and customs fraud. My bill, a companion to S. 1655 introduced by Senator ARLEN SPECTER, is needed because the current methods for

seeking relief from illegal imports through the executive branch have simply not worked.

Currently, American workers and industries—be they textiles, shoes, electronics or steel—must go through protracted and costly agency proceedings, with the Department of Commerce and the International Trade Commission. A dumping case with any controversy takes an average 11 months, often much longer, giving the foreign industry time to garner huge illegal profits and capture new markets. Forcing injured industries to plod through layers and layers of bureaucracy at a snail's pace is inexcusable. It may be good for the Washington lawyers, but it means lost jobs and shattered economies in places like my hometown of Pittsburgh.

And then, if you can imagine, if and when relief is finally granted by the ITC under current law, the relief is prospective—usually in the form of countervailing duties on future imports. Under my bill, courts could award damages, attorneys fees, and injunctive relief against further imports. In other words, courts could stop the imports immediately and make monetary awards to the injured American industry for the damage sustained at that point.

Having only prospective relief creates an essentially "risk-free" situation for the dumper. They know they can export to this country with no adverse consequences except duties on future goods. If caught, they will only have to stop beating their wife. Present law is almost no deterrent against illegal trade practices. My bill would create the possibility of heavy penalties for past illegal acts.

In addition, we must take trade enforcement out from under international diplomacy. Administration after administration has traded their responsibility to protect American industries for diplomatic points with our allies. By adding the courts as an avenue for redress, cases would be less susceptible to political manipulation.

CURRENT POLICIES HAVE NOT STOPPED UNFAIR IMPORTS

Last year, the U.S. trade deficit reached an unprecedented $150 billion. Since 1980 the number of antidumping cases filed with the International Trade Commission has increased 42 percent.

In the case of steel, imports have been steadily climbing from 15 percent in 1979, to 20.5 percent in 1983, to 25 percent in 1985, at one time reaching a record high of 33 percent. Industry losses in the last 4 years were close to $7 billion. Since 1974, 15 steel companies have gone out of business. Thirty plants have been closed and 560 producing units in other plants have been terminated. Thirty million tons of capacity have been eliminated. Employment in the industry has been cut in half. The administration rejected quotas on imports and has attempted to implement "voluntary restraint agreements," but clearly this policy is not working. The VRA program's goal is to hold imports to 20 percent, but one year later imports were hovering at 25 percent. Of course 25 percent is preferable to, for example, 38 percent, which some say would be the figure without VRA's, but even so, VRA's stop only future imports; they do not levy and penalties for the unfair imports of the past.

Additionally, there is significant evidence that under the VRA's, circumvention is occurring. Many believe that there is transshipment of steel from a participating country through a nonparticipating country, thereby changing the "country of origin" in violation of our customs laws. Witnesses before Congress have testified that products are shipped from a controlled VRA country to a non-VRA country where they undergo substantial transformation. The final product is then deemed to be eligible because it is not credited to the "controlled" actual country of origin. In products like apparel and footwear, there are many cases of products being mislabeled or simply declared to be something which they are not, to evade import laws. My bill would give U.S. industries a right to go to court to fight such customs fraud.

Finally, I have to say that the approach embodied in this bill is only fair. If importers expect to do business in our country, they would be subject to our court system. We only ask for fair trade. As the House of Representatives develops major trade legislation this year, I offer this bill as one way to combat this flood of illegal products that are exporting American jobs from our shores.

AMERICA'S TRUE ART FORM, JAZZ

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Ms. OAKAR. Mr. Speaker, I would like to submit for the RECORD an article that appeared in the Washington Post on April 18, 1986, written by one of the most important jazz critic's and political commentator's in the country, Mr. Nat Hentoff.

Mr. Hentoff has been a staunch supporter and promoter of America's true art form, jazz.

IF ONLY THEY KNEW ABOUT JAZZ

In 1965, the panel nominating candidates for Pulitzer Prizes in music made so bold as to cite Duke Ellington for a special award. Not a full-scale Pulitzer, for those were reserved for "serious" musicians. The panel was overruled by the ultimate arbiters of these honors. They took the token away from Duke. Asked for comment, Ellington would only say publicly: "Fate is being kind to me. Fate doesn't want me to be too famous too young." He was 66 at the time.

Privately, he was disappointed but not surprised. "Most Americans," Ellington told me, "still take it for granted that European-based music is the only really respectable kind."

This spring, posthumously, Ellington has received a certain degree of official respectability. His face will be on a postage stamp, part of the Performing Arts Series. It is doubtful that most people using that stamp will have any idea that Ellington was the most abundantly original composer, beyond category, in this nation's history. Charles Ives was a respectable second. Ellington's works, short and long, speak, among many other things, of centuries of changing black American consciousness—from "Black, Brown and Beige" to "Harlem."

Except in rare places by rare teachers, Ellington's music and his history are not taught in the schools. In fact, some years ago, when pianist Marian McPartland was rehearsing a large number of Washington, D.C., school kids in a tribute to him, she asked how many of them knew who Ellington was, what he'd done. Hardly any did know. That is no longer the case, I expect, at the Duke Ellington School of the Arts, but I wonder how much other kids in Washington know of Duke Ellington.

Ignorance of what drummer Max Roach calls America's true classical music is pervasive among most Americans of all ages. Once, when a black principal was taking me on a tour of a largely black elementary school in Columbus, Ohio, I noticed portraits on the walls of Ralph Bunche, Marian Anderson, Roy Wilkins, William DuBois. I asked her if the paintings of Duke Ellington, Count Basie and Lester Young were on another floor. She looked at me with disdain: "We do not put pictures of entertainers on our walls."

They sure were entertainers, but they also were deep story tellers; and night after night, taking more risks than most of the rest of us do in a lifetime, they improvised luminous melodies and intricately textured waves of rhythm that made people dance and laugh and cry—and remember what they'd felt for a long time after. And they were heroes, in the classic mold. Engaging in fierce after-hours tournaments of improvisation, going back on the road to deal with hydra-headed Jim Crow, and in time getting to meet kings and queens who couldn't swing but gave them, fleetingly, honor they did not receive at home.

Kids across the board can learn a lot from the music of jazz people, and from their lives. One way to start teaching them their heritage would be an adaptation of what Lincoln Center in New York is doing to bring classical music into schools in a way that propels kids and teachers into the very center of the sounds and forms. Musicians, called master teachers, are dispatched to public schools, where they teach the teachers—in lay language—how particular compositions are made. It is as if the piece were suddenly outfitted with windows, and the fun of following the interplay of the shapes inside becomes all the more infectious when the schoolteachers go on to instruct the kids in how to go through the musical looking glass.

There are many jazz musicians who could illuminate jazz in that way in the schools while also telling stories about the lives of these classic heroes and about their own odysseys. In this year of the Ellington stamp, maybe one cultural center somewhere may begin to help reduce the cultural deprivation of the nation's young by hiring a pride of jazz master teachers.

Wynton Marsalis, a young jazz trumpeter who has also earned renown as a classical player (to show he could do it), recently wrote an article for Ebony about preserving the jazz heritage: "The same recognition of deep human values that you hear in Beethoven, you hear in Louis Armstrong. . . . Jazz has all of the elements from the spare and penetrating to the complex and enveloping. It is the hardest music to play that I know of. And it is the highest rendition of individual emotion in the history of Western music. . . . Negroes have been more concerned with freedom and the quality it can provide than any other group in this country. . . . What is so remarkable, however, is that Negroes invented a form based on freedom, a great art form."

How many teachers, principals and school superintendents know that? How many kids?

PROBLEMS FACING CYPRUS

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. YATRON. Mr. Speaker, I rise to discuss the continuing problems facing the country of Cyprus. Unfortunately, the island remains divided despite the best efforts of our Government, the United Nations, and others. The situation on Cyprus is extremely complicated and are deeply rooted in historical, political, cultural, social, and economic factors.

Because of the complexity of this issue, many misconceptions, particularly regarding Greek Cypriot intrasigence, the interference of the Greek Government and Turkish moderation, have surfaced. One example where the situation in Cyprus was not presented in a completely fair and accurate manner was the December 26 editorial in the Wall Street Journal, "Holding Cyprus Hostage," which also appeared in the CONGRESSIONAL RECORD on January 22.

The Ambassador of Cyprus, A.J. Jacovides, subsequently responded to the editorial with a letter to the editor. I think it is only fair that my colleagues have an opportunity to review the Ambassador's reply so that they may have more than one source upon which to base any conclusions or observations.

My own knowledge of the issue leads me to believe that the Greek Cypriot community or the Greek Government cannot be solely to blame for the continuing political stalemate on Cyprus. The Turkish Cypriots and the Turkish Government have erected many obstacles to an agreement and have essentially relied on force to maintain their position.

Ambassador Jacovides' letter appeared in the January 13, 1986, Wall Street Journal and I respectfully request its publication in the RECORD.

[From the Wall Street Journal, Jan. 13, 1986]

IMPEDIMENTS TO A REUNIFIED CYPRUS

Your editorial "Holding Cyprus Hostage" (Dec. 26) is incorrect both in its premises and in its conclusions.

It is factually incorrect to allege that Turkish Cypriots do not benefit from foreign aid. For example, U.S. refugee aid (administered through the U.N. High Commissioner for Refugees) has consistently gone to Turish Cypriots in the ratio of 19.05%, even though the Turkish Cypriots are not strictly speaking "refugees" and their ratio of population is 18.6%. Turkish Cypriots also benefit directly or indirectly from many other forms of international assistance, not to mention their unpaid use of electricity, which amounts to over $100 million since 1964. At the root of the economic plight of the Turkish Cypriots is separatism, the policy of self-isolation imposed by their leadership for political objectives, and the importation of mainland settlers and many of the ills of the Turkish economy. The answer is the reunification of the free-enterprise economy of the island, not the solidification of its de facto separation.

The real reason for the lack of progress toward a just solution is Turkish intransigence and the systematic effort on the part of Ankara and the Turkish Cypriot leadership to impose a partitionist solution which would legitimize the results of the 1974 Turkish invasion. The Cyprus government and the Greek Cypriot side have made serious concessions in their sincere effort to bring about an honorable compromise based on genuine federation. The basic prerequisites, as President Kyprianou declared recently, are the withdrawal of Turkish troops before the establishment of any transitional government, the establishment of freedom of movement, freedom of settlement, and the right to property, and generally of all internationally recognized human rights, as well as effective international guarantees for such settlement.

To the extent that you advocate international recognition of the "legally invalid" (Security Council Resolution 441) entity set up by Turkey in the part of Cyprus illegally occupied by its armed forces, you are not only doing a gross injustice to a small democratic country, which demonstrated its friendship to the U.S. on many occasions in the recent past and which has been the victim of aggression; you are also taking a position opposite to that of the U.S. administration and both Houses of Congress and of the international community as a whole, which consistently and on numerous occasions—in the U.S. Security Council, the Council of Europe, the European Community, the Commonwealth and Non-Aligned Heads of Government Conferences, to mention the main ones—have condemned the blatant attempt to dismember Cyprus; you are on the wrong side of international law and morality; you are helping to establish a very bad precedent of rewarding the aggressor, a precedent that may be invoked by others in other parts of the world; and you are doing a grave disservice to the U.S. Secretary-General, who, with universal international support, is continuing his commendable efforts to arrive at an agreed, just and viable solution in accordance with the unanimous and legally binding (Art. 25 of the Charter) United Nations Resolutions.

My government has every incentive in solving the problem, getting rid of the foreign forces and opening a new chapter in the island's long history, for the benefit of all the people of Cyprus and of peace in the volatile Eastern Mediterranean region. It therefore fully supports these efforts of the Secretary-General and cooperates with him by word and deed, as demonstrated by the history of the negotiations for the past 11 years.

A.J. JACOVIDES,
Ambassador of Cyprus.

Washington.

THE NUCLEAR WASTE POLICY REFORM AMENDMENTS ACT OF 1986

HON. JOHN R. McKERNAN, JR.

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. McKERNAN. Mr. Speaker, today I join several of my colleagues in introducing legislation which addresses an issue that poses immeasurable consequences for the State of Maine, the New England region, the eastern half of the United States and, in my view, the entire country. I am referring to the issue of high-level nuclear waste.

One of the most controversial aspects of nuclear power is the problem of disposing of the highly radioactive wastes produced. Because these wastes remain dangerous for thousands of years, they must be isolated from the environment. The Nuclear Waste Policy Act of 1982 established the Federal Government as the entity responsible for carrying out high-level nuclear waste disosal. The act also affirmed the most favored method of disposal as being in deep-mined repositories that have remained geologically undisturbed for millions of years.

A key element of the act mandates that the Department of Energy locate and construct one repository and pinpoint a second potential repository. Although the Act established certain guidelines and criteria which would automatically disqualify a site, the act generally has given the Department of Energy considerable discretion to develop a site selection process.

Last January, the Department of Energy announced that seven States—Wisconsin, Minnesota, Virginia, North Carolina, Georgia, New Hampshire, and Maine—had been indentified as having potentially acceptable granite sites for the location of the second repository. This announcement has understandably alarmed and outraged citizens in these States, as well as citizens in adjacent States.

Mr. Speaker, citizens are concerned for a number of reasons which I believe are valid—concerns I have myself. However, I believe that the fundamental concern is our nuclear waste disposal policy generally and how that policy has been implemented by the Department of Energy.

The Department of Energy is already several years behind the schedule established in the Nuclear Waste Policy Act, and, questions persist about the safety of the disposal technology selected. In any venture, it is a bankrupt notion to move headlong on all phases of a project when essential components of the first phase cannot even be met. Such is the case with respect to the way in which the Department is proceeding to implement the provisions of the Nuclear Waste Policy Act. The Department cannot even meet the act's 1998 disposal deadline for the first repository and yet, the Department is rushing to develop a second repository apparently oblivious to concerns raised about the safety of the disposal technology.

This Congress is faced with a fiscal problem that does not permit us the luxury of continuing bankrupt notions. It is for this reason that we are introducing this legislation which I believe will more clearly establish our nuclear waste disposal policy. This legislation will terminate all Federal activities with respect to the second repository; remove the arbitrary 70,000 metric ton limitations on the first repository; limit the geologic medium in which a repository can be constructed; impose a moratorium on the Department of Energy's repository program if the Department cannot meet the 1998 disposal deadline; and, establsh a commission to report to Congress on the deep geologic disposal program and alternative disposal technologies.

The disposal of high-level nuclear waste in an issue that effects all States. The legislation we are introducing makes fiscal sense and represents sound policy. I therefore urge my colleagues to support this effort.

NATIONAL CHILD ABUSE PREVENTION MONTH

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. BIAGGI. Mr. Speaker, today I wish to recognize National Child Abuse Prevention Month, a campaign designed to increase public awareness of this sensitive and critical issue. My deep and longstanding involvement with the issue of child abuse and neglect prevention and treatment spans my entire 17-year career in Congress, for the very first bill I ever sponsored was a forerunner to Public Law 93-247, the Child Abuse Prevention and Treatment Act. This landmark legislation marked the beginning of a concentrated and dedicated effort on the part of both Federal and State governments to address this tragic subject. Yet, despite a remarkable record of activity in terms of legislation and funding for intervention and treatment programs, the problem remains as serious today as it was in 1973.

The problem of child abuse and neglect has reached epidemic proportions in the United States. Each year, 1½ million children suffer from abuse—physical, mental, and sexual. Over 2,000 children will die from their injuries each year. And this is only the tip of the iceberg—because most cases of abuse and neglect are never even reported. Child abuse is an increasing tragedy which cuts across all boundaries of economic level, race, ethnic heritage, and religious faith. It is undoubtedly one of our Nation's greatest health risks to children.

The personal and social costs of child abuse are staggering. Child abuse has been linked to juvenile delinquency and adult criminal behavior. Studies reveal that 80 to 90 percent of all incarcerated felons were victims of child abuse. In addition, those who were mistreated as children are 80 percent more likely to abuse their own children. The conclusion that emerges is that child abuse not only has tragic consequences for the child, but it leaves its scars on future generations.

The Federal and State programs that now address this problem are some of the most important domestic programs we have in operation at this time. They are programs which reflect on us as a society. They mirror a national conscience of concern about young, oftentimes defenseless, children suffering from abuse and neglect. Although our courage and efforts have permitted us to take this problem out of the closet and into the national spotlight, we must renew and strengthen our commitment to treat this abhorrent problem and prevent it from spreading deeper into the realm of society.

Every year, National Child Abuse Prevention Month is celebrated across the country with many exciting events. Since 1983, April has been designated by a Presidential proclamation as the month to help increase public awareness of the problem of child abuse and neglect and teach people how to prevent it. I urge each of my colleagues to join in the fight to increase public awareness of this vital issue and dedicate time and energy toward preventing child abuse. Child abuse is a tragedy which haunts many people throughout their lives.

REJECT ROBERT RADER

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. OWENS. Mr. Speaker, even after 5 years of consistently scraping the bottom of the barrel for its nominees to Cabinet and other top Federal positions, the Reagan administration is apparently not even close to exhausting its available supply of dubious appointees. Merely the latest addition to the ever-expanding Reagan Hall of Shame is Mr. Robert Rader, Jr., the President's newest nominee to the Occupational Safety and Health Review Commission.

Like all too many of the administration's prior selections for top positions in the Labor Department, Mr. Rader's chief qualification for office is apparently his great experience in fighting to undermine the very laws he will be responsible for overseeing. A prominent Texas attorney, Mr. Rader specializes in providing advice, comfort, and an ardent legal defense to corporations who find themselves on the wrong side of Federal labor and health and safety laws. He has, throughout his career, proven a notably bitter opponent of OSHA and other Government efforts to protect the health and safety of American workers.

Considered in the context of other Reagan appointees to the Labor Department, none of this, unfortunately, seems all that extraordinary. Recent news reports, however, indicate that Mr. Rader is indeed someone special. He is not just another run-of-the-mill right-wing ideologue; he is an ideologue who will stop at nothing, not even deceit, to ensure that his will prevails. In its April 17 edition, the Washington Post reports that in 1984 Mr. Rader was sanctioned and fined $3,000 by a Federal judge for grossly misrepresenting the facts in a lawsuit he was trying in U.S. District Court. It seems that in his capacity as defense counsel for a Texas firm accused and later found guilty of racial discrimination, Mr. Rader did everything within his power to suppress evidence that was sought by the plaintiffs, evading and ignoring the judge's discovery order for nearly 3 years. When the frustrated judge finally convened a hearing to consider issuing a contempt citation against Mr. Rader's clients, Mr. Rader brought the hearing to a halt by suddenly producing several cardboard boxes stuffed with papers, indicating to the judge that, here at last, were the long-sought-after documents. The judge took Mr. Rader at his word, only to discover some days later that he had been the victim of a clever ruse: not one of the requested documents was still anywhere to be found among the reams of paper that Mr. Rader had so dramatically produced for the court.

In the end, Mr. Rader's elaborate efforts to obstruct the trial's discovery process proved unsuccessful. The plaintiffs not only eventually managed to get their hands on the evidence that Mr. Rader went to such great lengths to deny them, but they then went on to win their case against Mr. Rader's clients. The trial's end and Mr. Rader's departure from the courtroom was apparently a source of great relief to the judge, who described Mr. Rader's conduct throughout the proceedings as "obstinately disobedient," "indifferent and disrespectful to established rules of procedure," and finally, a "perversion."

Although I imagine that Robert Rader's slick courtroom mendacity might be considered nothing short of heroic in some right-wing circles in Washington, I think most Americans would agree that honesty and respect for the law should be one basic and nonnegotiable requirement for appointment to any Federal office. For members of the Occupational Safety and Health Review Commission, in particular, personal integrity is not just a matter of principle—it is all too literally a matter of life or death. The Review Commission is not a patronage dumping ground for the party faithful; as an adjudicatory agency responsible for reviewing appeals of OSHA citations, its decisions have a direct impact on the health and lives of thousands of working Americans every year. That Mr. Rader would come to the Commission with an ideological axe to grind is bad enough; that he would also bring with him a habit of stooping to falsehoods to support his ideas is completely unacceptable.

During the next few weeks, the Members of the other body will be asked to vote on Robert Rader's fitness to serve on the OSH Review Commission. Though some Members may be understandably reluctant to unleash this man on the Federal judiciary again, they clearly have no alternative but to reject his nomination to such a sensitive position. No man as contemptuous of the truth as Mr. Rader has any business participating in decisionmaking that is so vital to the health and well-being of the American people.

NUCLEAR WASTE POLICY REFORM AMENDMENTS ACT

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Ms. SNOWE. Mr. Speaker, today I am introducing legislation, the Nuclear Waste Policy Reform Amendments Act of 1986, along with Congressman MCKERNAN and 20 other Members of this body. This legislation concerns the conduct of the Department of Energy (DOE) with respect to its selection process for crystalline sites and consideration for a second high-level waste repository.

Last January, DOE announced that seven States, including Maine, Wisconsin, Minnesota, Virginia, North Carolina, Georgia, and New Hampshire, are on DOE's list as "potentially acceptable sites" to store high-level radioac-

tive wastes. These States are now directly affected by DOE's conduct under the general mandates of the Nuclear Waste Policy Act of 1982. The selection guidelines established administratively by DOE give me cause for concern because I believe these guidelines run contrary to the intent of the act.

As a result of flaws in this selection process, serious factors, including the transporting of the high-level wastes and the proximity of a site to highly populated areas and water supplies, have been pushed back to a secondary status. By ignoring these and other obviously important factors early in the selection process, Maine and other States may have to endure many years of pain and live with this skewed determination system. For the citizens of these States, the agony is real, and the implications are very serious. Because the safe disposal of these wastes is so very essential, and because there is no room for error, I believe legislation is needed to amend the act to address these serious deficiencies. I don't have any confidence that the current approach taken by DOE's Office of Civilian Radioactive Waste Management will produce a safe storage site.

The bill I am introducing today has several essential components designed to call a halt on the selection process now underway for the second repository. This bill also calls for a moratorium in 1998 if the timetable for the first repository hasn't been met, since that would demonstrate DOE's failure to administer its program with any effectiveness.

In sum, this legislation terminates all Federal activities with respect to a second repository; removes the arbitrary 70,000 metric-ton limitation on the first repository; imposes a moratorium on DOE's repository program if the act's 1998 disposal deadline cannot be met; and during the moratorium period, establishes an independent review commission to report to Congress on the deep geologic disposal program, and the merits of alternative disposal technologies.

Mr. Speaker, because the Department has failed in its administrative responsibilities, Congress must move forward with corrective legislation. There are many questions that still need to be answered about nuclear waste storage, and for the seven States now on DOE's candidate list, the errors in the process clearly call for a logical response.

THE NATIONAL COOPERATIVE BUSINESS ASSOCIATION

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. FAZIO. Mr. Speaker, when an organization starts its 70th year of service to a major portion of the American population, I feel special recognition is in order. The National Cooperative Business Association [NCBA], founded in 1916 as the Cooperative League of the USA [CLUSA], has just entered into its 70th year serving more than 58 million Americans who are members of cooperatives. The noteworthy accomplishments and ongoing efforts of this fine organization are a credit to its board, staff, and membership.

The National Cooperative Business Association is a membership and trade association representing America's cooperative business community. The NCBA, of which Morgan Williams is president and chief executive officer, serves as a chamber of commerce for cooperative businesses representing the unique and mutual needs of the various industries which make up the grand spectrum of cooperatives.

Membership includes farm supply, agricultural marketing, insurance, banking, housing, health care, consumer goods and services, student, credit union, worker, fishery, rural electric, telephone, State association, and other types of cooperatives. In addition, the National Cooperative Business Association represents all American cooperatives as the U.S. representative to the International Cooperative Alliance, a worldwide organization based in Geneva, Switzerland which is a coalition of cooperatives in 72 countries, speaking for over 499 million people.

The program of the National Cooperative Business Association includes:

Supporting the development, expansion and interconnection of cooperative businesses in the United States;

Representing the cooperative business community in Washington, DC through legislative policy and regulatory advocacy before Congress and Federal agencies;

Development, building, and providing technical assistance to cooperative businesses in the developing world;

Representing American cooperatives in the world's cooperative business community through membership and active participation in the International Cooperative Alliance [ICA], headquartered in Geneva, Switzerland;

Promoting and developing international commerce, banking, insurance, trade, joint ventures, and other business interconnections by and among the world's cooperatives.

There is much more, Mr. Speaker. Over the years, the National Cooperative Business Association has developed a number of related entities that pursue specific missions in close coordination with the association. They include the National Cooperative Business Foundation, the National Cooperative Business Political Action Committee, the Cooperative Hall of Fame and Historical Society, the National Cooperative Business Institute and Cooperative Business International [CBI sm].

NCBA has played a prominent role in the founding of two well-known organizations in the cooperative business world, such as Cooperatives for American Relief Everywhere [CARE] and the National Cooperative Bank [NCB].

Currently the NCBA International Division is implementing 11 long-term programs focusing on agribusiness development and cooperative education and training. Programs are underway in India, Indonesia, Equatorial Guinea, Niger, Rwanda, Haiti, Jamaica, Guatemala, and Peru.

Cooperative Business International, a subsidiary of NCBA, is holding CO-EXPO in San Francisco, in July 1986. This will be the first trade show which will bring together cooperatives and other businesses from all over the world to learn about each other and explore opportunities for trading with each other.

The National Cooperative Business Association is holding its 1986 annual meeting here in Washington on April 28 through May 1.

I know my colleagues join me in congratulating the National Cooperative Business Association for 70 years of dedicated service to America's cooperative and wishing the NCBA well in its endeavors over the next 70 years.

RECOGNIZING EDYTHE GUTMAN

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. COURTER. Mr. Speaker, I would like to take this opportunity to bring to the attention of my colleagues the outstanding work of Edythe Deiches Gutman.

Edythe Deiches Gutman is a social worker who works with everybody from anorexics to senior citizens. On any one day Edythe can be seen in any number of places. While the problems that she deals with may vary, one thing is the same; she treats everybody equally. No problem is considered too trivial for Edythe's compassion and quick mind.

Edythe has been at this very demanding work for 36 years. Ten years ago she helped form the first center for the elderly in East Brunswick and now she is trying to build support for a center for teenagers. Additionally, Edythe was recently profiled in the New York Times and was presented with the New Jersey Social Worker of the Year Award.

While she may not get the monetary rewards that she deserves, we recognize her tremendous contributions that she makes to the community and hope that she makes many more.

SOUTH KOREAN TRADE MISSION

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. BLILEY. Mr. Speaker, I would like to draw attention to the presence in Washington this week of a Republic of Korea trade mission seeking to promote trade between our two nations and making publicity stops in several cities where they have purchased American goods.

The reason that I think this mission needs to be brought to light is the continued refusal of the Korean Government to even face the issue of their protectionist laws dealing with American tobacco products. I have met with Korean Government officials several times. I have written the Korean Government letters. And I have asked our U.S. Trade Representative to to raise the issue with the Korean Government. Despite these many entreaties over several years, no progress whatsoever has been made.

It is a fact that it is a crime to possess an American cigarette in the Republic of Korea. Their internal industry is so protected and the government control so pervasive that no crack

in the armor of total restriction can be found. This is wrong and it is certainly not in keeping with the spirit of free trade and friendly cooperation between allies.

I received some assurances that the Korean Legislature would address their restrictive tobacco trade laws this year. I am sorry to say that the legislature has now adjourned and the issue was not even discussed.

The Korean Government seeks American support. They ask for economic aid. They ask for and accept military aid. They welcome our troops to protect them from invasion from the north. The Korean Government seeks favorable trade relations with the United States and has a large trade surplus with us. Now they have a trade mission in the United States promoting their markets and seeking reciprocal trade. Well I, for one, am tired of one-way trade. I am tired of one-way alliances. And most certainly I would like to tell this Congress and the Korean Government that I will not be able to stand idly by and see a foreign country ask for favorable treatment and military protection while refusing to even consider opening their internal markets to American products. In the near future, I will be forced to take action if the Korean Government continues its current attitude.

THE MARCHING SEASON

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 22, 1986

Mr. DONNELLY. Mr. Speaker, Today I rise to share with my colleagues an article from the May issue of the Atlantic Monthly regarding the Hillsborough Agreement. This article effectively lays out the many difficulties that lie ahead. I recommend its reading for those who are supportive of the Anglo-Irish Agreement.

ULSTER—THE MARCHING SEASON

WHETHER NORTHERN IRELAND'S PROTESTANTS WILL ACCEPT THE RECENT ANGLO-IRISH AGREEMENT WILL BECOME APPARENT IN THE NEXT FEW MONTHS

(By Padraig O'Malley)

Last November the British prime minister, Margaret Thatcher, and her Irish counterpart, Garret FitzGerald, met at Hillsborough Castle, in Northern Ireland, to conclude the business they had embarked on eighteen months earlier—namely, crafting some sort of bilateral arrangements that would reduce the level of alienation among Catholics in Northern Ireland, undermine support for Sinn Fein (the political arm of the Irish Republican Army), and put constitutional politics back on track in Ulster. Over the protests of Protestant Unionists—diehard supporters of the union of Northern Ireland and Great Britain in its present form—FitzGerald and Thatcher affixed their signatures to an "Agreement between the Government of Ireland and the Government of the United Kingdom" that effectively gives Dublin a say in Northern Ireland's internal affairs. Within a week the Hillsborough Agreement was ratified by the Irish Parliament in Dublin. Within another week the British Parliament at Westminster overwhelmingly followed suit. Protestants in Northern Ireland, however, have vowed to undermine the treaty—by whatever means they can.

The Hillsborough Agreement is succinct, its brevity almost concealing the craftsmanship that went into its wording. First, both governments affirmed that any change in the status of Northern Ireland (for example, incorporation by the Republic of Ireland) would come about only with the consent of a majority of the people of Northern Ireland. Both governments recognized that at present the Protestant (mainly Unionist) majority wished for no change in its status. And both governments promised to introduce and support in their respective Parliaments legislation to secure a united Ireland if in the future a majority of the people in Northern Ireland were clearly to wish for and formally to consent to the establishment of a united Ireland.

Second, the two governments agreed to set up an Intergovernmental Conference that would be jointly chaired by the British secretary of state for Northern Ireland, currently Tom King, and a "Permanent Irish Ministerial Representative"—at present the minister for foreign affairs, Peter Barry. The functions of the conference would pertain both to Northern Ireland and to relations between Northern Ireland and the Republic of Ireland, specifically with regard to political matters, security arrangements, the administration of justice, and the promotion of cross-border cooperation. A provision specifying that "determined efforts shall be made through the Conference to resolve any differences"—a binding legal obligation with precedent in international law—ensures that the Irish government's role is more than merely consultative (even though less than fully executive).

Third, both London and Dublin supported the idea of a "devolved" government, to deal with a range of matters within Northern Ireland, that would command "widespread acceptance throughout the community." Since 1972 when Britain abolished the Northern Island government amid renewed sectarian strife, the six counties have been ruled directly from London; "devolution" refers to the re-establishment of a provincial governing authority. Should this occur, Dublin would nevertheless retain a say in certain areas affecting the interests of the Catholic minority (such as security arrangements and human rights). If devolution does not come to pass, then Dublin will continue to have a say in *all* matters that affect Catholics.

Whether or not the Hillsborough Agreement works, there can be no doubt of its historic significance. For the first time since 1920, when the partition of Ireland occurred, the British government explicitly recognizes that the Republic of Ireland has at least a limited role to play in the governance of Northern Ireland. This constitutes an implicit acknowledgement that the partitiion of Ireland has been, in political and social terms, a failure. For its part, the Irish government explicitly accepts the fact that Northern Ireland will remain within the United Kingdom as long as that is the wish of a majority of the people there. This amounts to an implicit acknowledgement that unification is an aspiration, not an inevitability. Hillsborough therefore represents a quid pro quo of sorts. In exchange for the Irish government's recognition that a majority of the people of Northern Ireland have the right to say no to a united Ireland, the British government was prepared to give the Irish government some influence in Northern Ireland in areas relating to the aspirations, interests, and identity of the Catholic minority. It was prepared to accept, in other words, what has come to be called an Irish Dimension (meaning, at the very least, an institutional link between Belfast and Dublin) in Ulster's future.

Ultimately, of course, the Hillsborough Agreement will be judged on the extent to which it achieves its avowed aims—that is, the extent to which it promotes peace and stability in Northern Ireland (where some 16,000 British troops are now stationed, and where political violence has claimed more than 2,500 lives during the past decade and a half) and helps to reconcile the Protestant and Catholic communities (with their divergent but legitimate interests and traditions). The notion that these aims can be achieved, however, was the product of explicit and implicit assumptions on the part of both Dublin and London—assumption that are, perhaps, not entirely tenable.

The explicit assumption was that if the alienation in the Catholic community in Northern Ireland—the result most immediately of the British government's security policies and its administration of the judicial system—went beyond a certain point, the adverse consequences for constitutional politics on the island as a whole would be not only serious but potentially irreversible. Garret FitzGerald made this point to Margaret Thatcher when they met at Chequers, the British Prime Minister's country residence, in November of 1983. The meeting came a few months after the ultranationlist Sinn Fein party, which advocates the unification of Ireland by force, if necessary, secured 43 percent of the Catholic vote in Northern Ireland in the British general elections. (Northern Ireland is represented at Westminster by seventeen members of Parliament.) The implicit assumption was that even if there were initial widespread opposition in the Protestant community to whatever agreement the two governments came to, it would subside when the benefits of such an agreement, in the form of a lower level of violence and the formal international guarantee of the Unionists' constitutional position, became apparent to a majority of Protestants.

In sum, according to the logic that prevailed, the existing level of alienation in the Catholic community was such as to require new political arrangements in the short run to alleviate it, whereas the possible level of alienation in the Protestant community was thought to be containable in the long run.

The problem here, of course, is with the nature of the alienation itself. In Northern Ireland it takes many forms. Most obvious is the alienation between Catholics and Protestants—a conflict whose roots lie in England's deliberate introduction of Protestant colonists to Ireland's northeastern counties during the early seventeenth century. (The "plantation" took place because Ulster was the most rebellious of Ireland's provinces; ironically, thanks to the plantation, it still is.) However, within the Catholic community itself there is alienation between supporters of the Social Democratic and Labour Party (the moderate voice of constitutional nationalism) and supporters of Sinn Fein (the extremist voice of unconstitutional nationalism). Similarly, within the Protestant community there are divisions—patched over, if only temporarily, since Hillsborough—between supporters of the Official Unionist Party (who want above all else to maintain the union with Britain) and supporters of the Democratic Unionist Party (who want above all else not to become part of an all-Ireland state). In addition, both Catholics and Protestants, albeit

to somewhat differing degrees, are alienated from the institutions of government. And both communities, albeit again to somewhat differing degrees, are alienated from their respective mentor states: the Republic of Ireland and Great Britain.

Unfortunately, even if new political arrangements successfully address Catholic concerns and even if support for Sinn Fein begins to diminish, this is no guarantee of peace, stability, or a reduced level of alienation between Catholics and Protestants. On the contrary, it is quite possible that reforms will have an effect opposite the one intended. Reforms in the judiciary, in the Royal Ulster Constabulary (Northern Ireland's police force, which is now almost exclusively Protestant), and in the Ulster Defence Regiment (a British Army unit recruited exclusively in Northern Ireland and which is also almost exclusively Protestant) may indeed wean Nationalist votes away from Sinn Fein, but there is no reason to believe that this will result in a decrease in the activities of the Irish Republican Army (IRA), whose campaign of violence to end the British presence in Ireland is now in its seventeenth year. Already Northern Protestants see themselves as the victims of a calculatedly cold-blooded campaign of genocide conducted by the IRA. If the IRA is able to maintain its campaign of violence at the current level, the very real possibility is that each new killing of a member of the Constabulary or the Defence Regiment will strengthen the conviction of the Protestants that reforms only facilitate and encourage the IRA death machine.

If the number of Defence Regiment and Constabulary personnel who are killed does not fall, then the resulting alienation of the Protestants could paralyze the functioning of the Intergovernmental Conference. For on the one hand, the conference would be faced with the imperative of moving slowly in the area of reform in order to placate the Protestants, while on the other hand, it would continue to be faced with the imperative of moving quickly in order to shore up whatever support it had won in the Catholic community. These dual imperatives—the simultaneous needs to pull back and push forward—would lead to stalemate and inevitable breakdown.

The IRA's potential role as spoilers is the crucial difference between the Protestant campaign in 1974 to bring down the Sunningdale Agreement—an experiment in Protestant-Catholic powersharing that fell apart in six months—and the current campaign to wreck the Hillsborough Agreement. In 1974 the IRA by and large kept a low profile; unionist agitation, especially the province-wide strike backed by Protestant paramilitary organizations, was primarily responsible for bringing down Sunningdale. (The paramilitary organizations have since the early 1970s been chiefly responsible for the sectarian murder of Catholics.) Today, however, the IRA is not counting on the Protestants alone to destroy the Hillsborough Agreement. In fact, the more successful the IRA is in showing that it can strike at will (which it did in Armagh at precisely one minute past midnight on New Year's Day), the more it will encourage Protestant Unionists to make Northern Ireland ungovernable—which is to say, the more it will encourage Protestants to do the work of the IRA. It is a pathetic irony of the conflict: Protestants vowing to make Northern Ireland ungovernable in order to maintain the union with Great Britain, the IRA vowing to make Northern Ireland ungovernable in order to break the union with Great Britain.

A second factor that will determine the fate of the Hillsborough Agreement is the final form of the Unionist response. To date the response has been predictable. The two most basic fears of the Protestants—that they will somehow be outmaneuvered by the Irish Republic and that they will be betrayed by the British—are reinforced by the perception that the Hillsborough Agreement was forged behind their backs. Many Protestants believe that Northern Ireland's Social Democratic and Labour Party (SDLP), which speaks for moderate Catholics who desire affiliation with the Republic of Ireland, not only was kept informed of the proceedings but also had a veto over the final terms of the agreement. And, they believe, the party has a veto with regard to the nature of a devolved government.

Insecurity and the fear it breeds are, of course, permanent parts of the local Protestant mentality. The Protestant colonizations of northeastern Ireland in the early seventeenth century were partial. At all times the new settlers lived in scattered enclaves and under precarious circumstances. Surrounded by a dispossessed and hostile native Catholic population, they were always vulnerable to attack. Initially the Protestants feared being overrun and massacred by the Catholic majority. Then came the fear of what would happen if the Act of Union of 1801 were ever repealed. Later it was the fear of Home Rule—that is, rule from Dublin, though in the context of London's sovereignty, of a semi-autonomous but predominantly Catholic all-Ireland political entity. Finally, ever since independence was achieved by twenty-six of Ireland's thirty-two counties, in 1921, the Unionists have feared being abandoned by the British—or sold out by their own.

Indeed, Protestant fears are ubiquitous. They encapsulate the entire Protestant experience in Ulster. Deeply rooted, pervasive, impervious to the passage of time, they seem almost genetically encoded—even necessary for the survival of the species. In moments of crisis, therefore, when the future threatens, Protestants resort to the strategies of the past. Thus Ulster must "fight" to maintain its position in the Union, as it was prepared to do in 1912 and again in 1974. In each instance, the Protestants believe, only the threat of rebellion stayed Britain's hand. And thus in 1986 the Unionists raise once more the threat of rebellion—no matter that their constitutional position with the United Kingdom is now guaranteed by formal international treaty.

In the Unionist perspective, the one element of the Hillsborough Agreement that counts is the Intergovernmental Conference. The conference has a permanent secretariat, based in Belfast, comprising both Irish and British civil servants. It confirms the Unionists' worst fear: the South inching its way in. The conference, therefore, is viewed not as a small cooperative gesture but as a coalition government in embryo. In the Unionists' view, the language in the agreement requiring "determined efforts . . . to resolve differences" means that Dublin will get its way 50 percent of the time. The conference is seen, therefore, as the first step toward an all-Ireland state. Reconciliation is simply a code word for unification.

To appreciate the range of possible Unionist responses to Hillsborough one must keep several things in mind. First, history suggests that the Unionists may not seem to act in their own best interests. The intensity of their fear that any association with the South will lead to the ineluctable absorption of the Protestant people of Ulster into an all-Ireland state is a powerful stimulus to irrational behavior. The Unionists' decision last December to resign the fifteen seats they held in the Westminister Parliament and to recontest them did not have the consequences they had predicted. In special elections held last January, which the Unionists insisted on calling a referendum on the agreement, they lost one seat to the Social Democratic and Labour Party (which, significantly, out-polled Sinn Fein in the constituencies that both parties contested) and failed to get the mandate they had sought.

Another thing to bear in mind is that in the past the Unionists' threats of irrational action—fighting Britain to remain part of Britain—proved successful. The threat of irrational action is a perfectly rational tactic when it achieves its purpose. The purpose in the present circumstances is to bring down the Hillsborough Agreement. It is, therefore, of little consequence to Protestants at the moment if their actions to achieve this end also weaken their union with Great Britain. They have a simple objective, not a grand strategic design. The latter, they believe, will somehow emerge once the former is achieved.

The time frame for action will last through July and August—"the marching season," when, Unionists traditionally believe, they can save their souls with bunting. Various scenarios are possible. The present pervasive Unionist opposition to the Hillsborough Agreement conceals but does not eliminate the basic divisions in unionism. Moreover, the Protestant will as opposed to the Protestant threat to fight has never actually been tested.

To begin with, the Unionists could go back to Westminster and present the "verdict" of the Ulster people to the British government. They might then put forward alternative proposals, which would be unacceptable to the government if the Protestants set out as preconditions for discussion—as they almost certainly would—the dismantling of the Intergovernmental Conference. Moreover, any rountable conference would have to include the government of the Irish Republic, because under the terms of the treaty there are no circumstances under which the Hillsborough Agreement can simply be abandoned without discussion. In short, the Protestants cannot both dictate the agenda and limit the participants.

At this point they have five options. First, they can engage in unconstitutional but nonviolent actions, which for the moment would allow them to hold the high ground relative to the Protestant paramilitary organizations. (A one-day general strike last March, called for by both Unionist parties, brought the province to a virtual standstill. However, the widespread street violence and intimidation that accompanied the strike led James Molyneaux, the leader of the Official Unionist Party, to promise that his party would not participate in any future strike actions. This was the first crack in what had been up to that point a unified Unionist front, because Ian Paisley, the leader of the Democratic Unionist Party, would make no such promise.) Second, they can withdraw from government—from Westminster, the Northern Ireland Assembly, regional bodies such as health and education boards, and local councils—or they can take nonviolent action to disrupt the institutions of government. Third, they can threaten a unilateral declaration of independence

(UDI). Fourth, they can actually make a UDI and set up a provisional government of their own. Fifth, they can negotiate for a devolved government within the context of the Hillsborough Agreement.

The logic of withdrawal is impeccably simple. If, the Protestants argue, half a million Catholics effectively withdrew their consent from the forms of government offered them, and if the consequence of this was the instability and violence that led eventually to the Hillsborough Agreement, then should not the consequence of one million Protestants effectively withdrawing their consent be substantially more instability and violence, thus requiring a renegotiation of the Hillsborough Agreement? Already Ulster Clubs are springing up across Northern Ireland to organize withdrawal of consent if the politicians fail to do so.

However, if the constitutional parties of unionism withdraw from government, they will be either wittingly or unwittingly conceding the ground to the Protestant paramilitary organizations, and this will lead to an increasing number of sectarian murders on both sides of the religious and political divide. Moreover, in the event that Protestant paramilitarists mount a bombing campaign in the Republic, the impact on public opinion there might suggest that the Republic's commitment to the Hillsborough Agreement is inversely related to its having to bear any of the consequences.

The third option—the threat of UDI—is a rational action. Unionists believe that the pressure on the British government at this point would be sufficient to make the Intergovernmental Conference incapable of achieving its state purposes, that the threat of a UDI to Britain's national and strategic interests would outweigh whatever advantages Britain might achieve from strict adherence to the agreement and that Mrs. Thatcher, sufficiently distracted by problems at home, would simply lose interest in making the agreement work.

Ironically, if the Unionists pursue this campaign of resistance, their solidarity and commitment will prove the more determined in the face of a successful IRA military campaign. In this sense, both protagonists need to feed upon each other if they are to bring down the Hillsborough Agreement. It is likely that the past will repeat itself in new forms: the Unionists will split into those who will continue to support constitutional means to bring about change and those who will not. In other words, there will appear a Sinn Fein on the Unionist side to match the existing Sinn Fein on the Nationalist side.

An actual UDI—the fourth option—would, of course, be irrational, since there are no circumstances under which it could succeed. The British government would have to put it down, and the Unionists would add one more enemy—the British—to their list. But the possibility of a UDI should not be dismissed simply because it is irrational. To the Unionists, the actions that will destroy the agreement are what matters, not the further consequences of those actions once the agreement is destroyed.

The ultimate question, then, is rather simple: Would the Unionists prefer to have nothing at all, a wasteland of an Ulster, an intractable war of sectarianism, a loss of identity, and an end to their Britishness, if they can't have things their own way? Would they prefer this, even if a fifth option—a weak power-sharing arrangement and a stripped-down Inter-governmental Conference—were potentially available through negotiation?

The fact is that any arrangement that the nationalist Social Democratic and Labour Party and either of the Unionist parties would be prepared to enter into would be construed by the governments in both Dublin and London as having widespread community acceptance. The SDLP can now afford to be generous in defining what is acceptable regarding the form that an autonomous provincial government should take. For if the Unionists were to abuse the devolution system agreed to, especially one that was not structured along traditional power-sharing lines, the SDLP could simply withdraw, in which case the functions that had been devolved would once again come under the aegis of the Intergovernmental Conference. Thus the incentive to Unionists: adhere to the principles of devolution agreed to and the powers of the conference are thereby diminished; reject them or abuse them and the powers of the conference remain strong.

Unfortunately, this way of thinking is entirely rational and must compete with the idea that going over the brink a little doesn't mean going all the way. One way or another, by summer's end the Protestants will have made a decision.